

Calendar No. 303

115TH CONGRESS
2D SESSION**H. R. 1809**

IN THE SENATE OF THE UNITED STATES

MAY 24, 2017

Received

FEBRUARY 6, 2018

Read twice and placed on the calendar

AN ACT

To reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Juvenile Justice Re-
5 form Act of 2017”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Application of amendments.

TITLE I—DECLARATION OF FINDINGS, PURPOSE, AND
DEFINITIONS

Sec. 101. Findings.
 Sec. 102. Purposes.
 Sec. 103. Definitions.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Sec. 201. Concentration of Federal efforts.
 Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.
 Sec. 203. Annual report.
 Sec. 204. Allocation of funds.
 Sec. 205. State plans.
 Sec. 206. Repeal of juvenile delinquency prevention block grant program.
 Sec. 207. Research and evaluation; statistical analyses; information dissemination.
 Sec. 208. Training and technical assistance.
 Sec. 209. Authorization of appropriations.
 Sec. 210. Administrative authority.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

Sec. 301. Short Title.
 Sec. 302. Definitions.
 Sec. 303. Duties and functions of the administrator.
 Sec. 304. Grants for delinquency prevention programs.
 Sec. 305. Grants for tribal delinquency prevention and response programs.
 Sec. 306. Authorization of appropriations.
 Sec. 307. Technical amendment.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Evaluation by Government Accountability Office.
 Sec. 402. Accountability and oversight.

1 **SEC. 3. APPLICATION OF AMENDMENTS.**

2 The amendments made by this Act shall not apply
 3 with respect to funds appropriated for any fiscal year that
 4 begins before the date of the enactment of this Act.

5 **TITLE I—DECLARATION OF** 6 **FINDINGS, PURPOSE, AND** 7 **DEFINITIONS**

8 **SEC. 101. FINDINGS.**

9 Section 101(a)(9) of the Juvenile Justice and Delin-
 10 quency Prevention Act of 1974 (42 U.S.C. 5601(a)(9)) is

1 amended by inserting “, including offenders who enter the
2 juvenile justice system as the result of sexual abuse, ex-
3 ploitation, and trauma,” after “young juvenile offenders”.

4 **SEC. 102. PURPOSES.**

5 Section 102 of the Juvenile Justice and Delinquency
6 Prevention Act of 1974 (42 U.S.C. 5602) is amended—

7 (1) in paragraph (1), by inserting “, tribal,”
8 after “State”;

9 (2) in paragraph (2)—

10 (A) by inserting “, tribal,” after “State”;

11 and

12 (B) by striking “and” at the end;

13 (3) by amending paragraph (3) to read as fol-
14 lows:

15 “(3) to assist State, tribal, and local govern-
16 ments in addressing juvenile crime through the pro-
17 vision of technical assistance, research, training,
18 evaluation, and the dissemination of current and rel-
19 evant information on effective and evidence-based
20 programs and practices for combating juvenile delin-
21 quency; and”; and

22 (4) by adding at the end the following:

23 “(4) to support a continuum of evidence-based
24 or promising programs (including delinquency pre-
25 vention, intervention, mental health, behavioral

1 health and substance abuse treatment, family serv-
2 ices, and services for children exposed to violence)
3 that are trauma informed, reflect the science of ado-
4 lescent development, and are designed to meet the
5 needs of at-risk youth and youth who come into con-
6 tact with the justice system.”.

7 **SEC. 103. DEFINITIONS.**

8 Section 103 of the Juvenile Justice and Delinquency
9 Prevention Act of 1974 (42 U.S.C. 5603) is amended—

10 (1) in paragraph (8)—

11 (A) in subparagraph (B)(ii), by adding
12 “or” at the end;

13 (B) by striking subparagraph (C); and

14 (C) by redesignating subparagraph (D) as
15 subparagraph (C);

16 (2) in paragraph (18)—

17 (A) by inserting “for purposes of title II,”
18 before “the term”; and

19 (B) by adding at the end the following:

20 “that has a law enforcement function, as determined
21 by the Secretary of the Interior in consultation with
22 the Attorney General;”;

23 (3) by amending paragraph (22) to read as fol-
24 lows:

1 “(22) the term ‘jail or lockup for adults’ means
2 a secure facility that is used by a State, unit of local
3 government, or law enforcement authority to detain
4 or confine adult inmates;”;

5 (4) by amending paragraph (25) to read as fol-
6 lows:

7 “(25) the term ‘sight or sound contact’ means
8 any physical, clear visual, or verbal contact that is
9 not brief and inadvertent;”;

10 (5) by amending paragraph (26) to read as fol-
11 lows:

12 “(26) the term ‘adult inmate’—

13 “(A) means an individual who—

14 “(i) has reached the age of full crimi-
15 nal responsibility under applicable State
16 law; and

17 “(ii) has been arrested and is in cus-
18 tody for or awaiting trial on a criminal
19 charge, or is convicted of a criminal of-
20 fense; and

21 “(B) does not include an individual who—

22 “(i) at the time of the time of the of-
23 fense, was younger than the maximum age
24 at which a youth can be held in a juvenile
25 facility under applicable State law; and

1 “(ii) was committed to the care and
2 custody or supervision, including post-
3 placement or parole supervision, of a juve-
4 nile correctional agency by a court of com-
5 petent jurisdiction or by operation of appli-
6 cable State law;”;

7 (6) in paragraph (28), by striking “and” at the
8 end;

9 (7) in paragraph (29), by striking the period at
10 the end and inserting a semicolon; and

11 (8) by adding at the end the following:

12 “(30) the term ‘core requirements’—

13 “(A) means the requirements described in
14 paragraphs (11), (12), (13), and (15) of section
15 223(a); and

16 “(B) does not include the data collection
17 requirements described in subparagraphs (A)
18 through (K) of section 207(1);

19 “(31) the term ‘chemical agent’ means a spray
20 or injection used to temporarily incapacitate a per-
21 son, including oleoresin capsicum spray, tear gas,
22 and 2-chlorobenzalmalononitrile gas;

23 “(32) the term ‘isolation’—

1 “(A) means any instance in which a youth
2 is confined alone for more than 10 minutes in
3 a room or cell; and

4 “(B) does not include—

5 “(i) confinement during regularly
6 scheduled sleeping hours;

7 “(ii) separation based on a treatment
8 program approved by a licensed medical or
9 mental health professional;

10 “(iii) confinement or separation that
11 is requested by the youth; or

12 “(iv) the separation of the youth from
13 a group in a nonlocked setting for the lim-
14 ited purpose of calming;

15 “(33) the term ‘restraints’ has the meaning
16 given that term in section 591 of the Public Health
17 Service Act (42 U.S.C. 290ii);

18 “(34) the term ‘evidence-based’ means a pro-
19 gram or practice that—

20 “(A) is demonstrated to be effective when
21 implemented with fidelity;

22 “(B) is based on a clearly articulated and
23 empirically supported theory;

24 “(C) has measurable outcomes relevant to
25 juvenile justice, including a detailed description

1 of the outcomes produced in a particular popu-
2 lation, whether urban or rural; and

3 “(D) has been scientifically tested and
4 proven effective through randomized control
5 studies or comparison group studies and with
6 the ability to replicate and scale;

7 “(35) the term ‘promising’ means a program or
8 practice that—

9 “(A) is demonstrated to be effective based
10 on positive outcomes relevant to juvenile justice
11 from one or more objective, independent, and
12 scientifically valid evaluations, as documented
13 in writing to the Administrator; and

14 “(B) will be evaluated through a well-de-
15 signed and rigorous study, as described in para-
16 graph (34)(D);

17 “(36) the term ‘dangerous practice’ means an
18 act, procedure, or program that creates an unreason-
19 able risk of physical injury, pain, or psychological
20 harm to a juvenile subjected to the act, procedure,
21 or program;

22 “(37) the term ‘screening’ means a brief proc-
23 ess—

24 “(A) designed to identify youth who may
25 have mental health, behavioral health, sub-

1 stance abuse, or other needs requiring imme-
2 diate attention, intervention, and further eval-
3 uation; and

4 “(B) the purpose of which is to quickly
5 identify a youth with possible mental health, be-
6 havioral health, substance abuse, or other needs
7 in need of further assessment;

8 “(38) the term ‘assessment’ includes, at a min-
9 imum, an interview and review of available records
10 and other pertinent information—

11 “(A) by an appropriately trained profes-
12 sional who is licensed or certified by the appli-
13 cable State in the mental health, behavioral
14 health, or substance abuse fields; and

15 “(B) which is designed to identify signifi-
16 cant mental health, behavioral health, or sub-
17 stance abuse treatment needs to be addressed
18 during a youth’s confinement;

19 “(39) for purposes of section 223(a)(15), the
20 term ‘contact’ means the points at which a youth
21 and the juvenile justice system or criminal justice
22 system officially intersect, including interactions
23 with a juvenile justice, juvenile court, or law enforce-
24 ment official;

25 “(40) the term ‘trauma-informed’ means—

1 “(A) understanding the impact that expo-
2 sure to violence and trauma have on a youth’s
3 physical, psychological, and psychosocial devel-
4 opment;

5 “(B) recognizing when a youth has been
6 exposed to violence and trauma and is in need
7 of help to recover from the adverse impacts of
8 trauma; and

9 “(C) responding in ways that resist re-
10 traumatization;

11 “(41) the term ‘racial and ethnic disparity’
12 means minority youth populations are involved at a
13 decision point in the juvenile justice system at high-
14 er rates, incrementally or cumulatively, than non-mi-
15 nority youth at that decision point;

16 “(42) the term ‘status offender’ means a juve-
17 nile who is charged with or who has committed an
18 offense that would not be criminal if committed by
19 an adult;

20 “(43) the term ‘rural’ means an area that is
21 not located in a metropolitan statistical area, as de-
22 fined by the Office of Management and Budget;

23 “(44) the term ‘internal controls’ means a proc-
24 ess implemented to provide reasonable assurance re-
25 garding the achievement of objectives in—

1 “(A) effectiveness and efficiency of oper-
2 ations, such as grant management practices;

3 “(B) reliability of reporting for internal
4 and external use; and

5 “(C) compliance with applicable laws and
6 regulations, as well as recommendations of the
7 Office of Inspector General and the Government
8 Accountability Office; and

9 “(45) the term ‘tribal government’ means the
10 governing body of an Indian tribe.”.

11 **TITLE II—JUVENILE JUSTICE**
12 **AND DELINQUENCY PREVEN-**
13 **TION**

14 **SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.**

15 Section 204 of the Juvenile Justice and Delinquency
16 Prevention Act of 1974 (42 U.S.C. 5614) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (1), in the first sen-
19 tence—

20 (i) by striking “a long-term plan, and
21 implement” and inserting the following: “a
22 long-term plan to improve the juvenile jus-
23 tice system in the United States, taking
24 into account scientific knowledge regarding
25 adolescent development and behavior and

1 regarding the effects of delinquency pre-
2 vention programs and juvenile justice
3 interventions on adolescents, and shall im-
4 plement”; and

5 (ii) by striking “research, and im-
6 provement of the juvenile justice system in
7 the United States” and inserting “and re-
8 search”; and

9 (B) in paragraph (2)(B), by striking “Fed-
10 eral Register” and all that follows and inserting
11 “Federal Register during the 30-day period
12 ending on October 1 of each year.”; and

13 (2) in subsection (b)—

14 (A) by striking paragraph (7);

15 (B) by redesignating paragraphs (5) and
16 (6) as paragraphs (6) and (7), respectively;

17 (C) by inserting after paragraph (4), the
18 following:

19 “(5) not later than 1 year after the date of en-
20 actment of the Juvenile Justice Reform Act of 2017,
21 in consultation with Indian tribes, develop a policy
22 for the Office of Juvenile Justice and Delinquency
23 Prevention to collaborate with representatives of In-
24 dian tribes with a criminal justice function on the

1 implementation of the provisions of this Act relating
2 to Indian tribes;”;

3 (D) in paragraph (6), as so redesignated,
4 by adding “and” at the end; and

5 (E) in paragraph (7), as so redesignated—

6 (i) by striking “monitoring”;

7 (ii) by striking “section 223(a)(15)”
8 and inserting “section 223(a)(14)”; and

9 (iii) by striking “to review the ade-
10 quacy of such systems; and” and inserting
11 “for monitoring compliance.”.

12 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**
13 **AND DELINQUENCY PREVENTION.**

14 Section 206 of the Juvenile Justice and Delinquency
15 Prevention Act of 1974 (42 U.S.C. 5616) is amended—

16 (1) in subsection (a)—

17 (A) in paragraph (1)—

18 (i) by inserting “the Assistant Sec-
19 retary for Mental Health and Substance
20 Use, the Secretary of the Interior,” after
21 “the Secretary of Health and Human
22 Services,”; and

23 (ii) by striking “Commissioner of Im-
24 migration and Naturalization” and insert-

1 ing “Assistant Secretary for Immigration
2 and Customs Enforcement”; and

3 (B) in paragraph (2), by striking “United
4 States” and inserting “Federal Government”;
5 and

6 (2) in subsection (c)—

7 (A) in paragraph (1), by striking “para-
8 graphs (12)(A), (13), and (14) of section
9 223(a) of this title” and inserting “the core re-
10 quirements”; and

11 (B) in paragraph (2)—

12 (i) in the matter preceding subpara-
13 graph (A), by inserting “, on an annual
14 basis” after “collectively”; and

15 (ii) by striking subparagraph (B) and
16 inserting the following:

17 “(B) not later than 120 days after the
18 completion of the last meeting of the Council
19 during any fiscal year, submit to the Committee
20 on Education and the Workforce of the House
21 of Representatives and the Committee on the
22 Judiciary of the Senate a report that—

23 “(i) contains the recommendations de-
24 scribed in subparagraph (A);

1 “(ii) includes a detailed account of the
2 activities conducted by the Council during
3 the fiscal year, including a complete de-
4 tailed accounting of expenses incurred by
5 the Council to conduct operations in ac-
6 cordance with this section;

7 “(iii) is published on the Web sites of
8 the Office of Juvenile Justice and Delin-
9 quency Prevention, the Council, and the
10 Department of Justice; and

11 “(iv) is in addition to the annual re-
12 port required under section 207.”.

13 **SEC. 203. ANNUAL REPORT.**

14 Section 207 of the Juvenile Justice and Delinquency
15 Prevention Act of 1974 (42 U.S.C. 5617) is amended—

16 (1) in the matter preceding paragraph (1), by
17 striking “a fiscal year” and inserting “each fiscal
18 year”;

19 (2) in paragraph (1)—

20 (A) in subparagraph (B), by striking “and
21 gender” and inserting “, gender, and ethnicity,
22 as such term is defined by the Bureau of the
23 Census,”;

24 (B) in subparagraph (E), by striking
25 “and” at the end;

1 (C) in subparagraph (F)—

2 (i) by inserting “and other” before
3 “disabilities,”; and

4 (ii) by striking the period at the end
5 and inserting a semicolon; and

6 (D) by adding at the end the following:

7 “(G) a summary of data from 1 month of
8 the applicable fiscal year of the use of restraints
9 and isolation upon juveniles held in the custody
10 of secure detention and correctional facilities
11 operated by a State or unit of local government;

12 “(H) the number of status offense cases
13 petitioned to court, number of status offenders
14 held in secure detention, the findings used to
15 justify the use of secure detention, and the av-
16 erage period of time a status offender was held
17 in secure detention;

18 “(I) the number of juveniles released from
19 custody and the type of living arrangement to
20 which they are released;

21 “(J) the number of juveniles whose offense
22 originated on school grounds, during school-
23 sponsored off-campus activities, or due to a re-
24 ferral by a school official, as collected and re-

1 ported by the Department of Education or simi-
2 lar State educational agency; and

3 “(K) the number of juveniles in the cus-
4 tody of secure detention and correctional facili-
5 ties operated by a State or unit of local govern-
6 ment who report being pregnant.”; and

7 (3) by adding at the end the following:

8 “(5) A description of the criteria used to deter-
9 mine what programs qualify as evidence-based and
10 promising programs under this title and title V and
11 a comprehensive list of those programs the Adminis-
12 trator has determined meet such criteria in both
13 rural and urban areas.

14 “(6) A description of funding provided to In-
15 dian tribes under this Act or for a juvenile delin-
16 quency or prevention program under the Tribal Law
17 and Order Act of 2010 (Public Law 111–211; 124
18 Stat. 2261), including direct Federal grants and
19 funding provided to Indian tribes through a State or
20 unit of local government.

21 “(7) An analysis and evaluation of the internal
22 controls at the Office of Juvenile Justice and Delin-
23 quency Prevention to determine if grantees are fol-
24 lowing the requirements of the Office of Juvenile
25 Justice and Delinquency Prevention grant programs

1 and what remedial action the Office of Juvenile Jus-
2 tice and Delinquency Prevention has taken to re-
3 cover any grant funds that are expended in violation
4 of the grant programs, including instances—

5 “(A) in which supporting documentation
6 was not provided for cost reports;

7 “(B) where unauthorized expenditures oc-
8 curred; or

9 “(C) where subrecipients of grant funds
10 were not compliant with program requirements.

11 “(8) An analysis and evaluation of the total
12 amount of payments made to grantees that the Of-
13 fice of Juvenile Justice and Delinquency Prevention
14 recouped from grantees that were found to be in vio-
15 lation of policies and procedures of the Office of Ju-
16 venile Justice and Delinquency Prevention grant
17 programs, including—

18 “(A) the full name and location of the
19 grantee;

20 “(B) the violation of the program found;

21 “(C) the amount of funds sought to be re-
22 couped by the Office of Juvenile Justice and
23 Delinquency Prevention; and

1 “(D) the actual amount recouped by the
2 Office of Juvenile Justice and Delinquency Pre-
3 vention.”.

4 **SEC. 204. ALLOCATION OF FUNDS.**

5 (a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of
6 the Juvenile Justice and Delinquency Prevention Act of
7 1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2
8 percent” and inserting “5 percent”.

9 (b) OTHER ALLOCATIONS.—Section 222 of the Juve-
10 nile Justice and Delinquency Prevention Act of 1974 (42
11 U.S.C. 5632) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), by striking “age
14 eighteen” and inserting “18 years of age, based
15 on the most recent data available from the Bu-
16 reau of the Census”; and

17 (B) by striking paragraphs (2) and (3) and
18 inserting the following:

19 “(2)(A) If the aggregate amount appropriated for a
20 fiscal year to carry out this title is less than \$75,000,000,
21 then—

22 “(i) the amount allocated to each State other
23 than a State described in clause (ii) for that fiscal
24 year shall be not less than \$400,000; and

1 “(ii) the amount allocated to the United States
2 Virgin Islands, Guam, American Samoa, and the
3 Commonwealth of the Northern Mariana Islands for
4 that fiscal year shall be not less than \$75,000.

5 “(B) If the aggregate amount appropriated for a fis-
6 cal year to carry out this title is not less than
7 \$75,000,000, then—

8 “(i) the amount allocated to each State other
9 than a State described in clause (ii) for that fiscal
10 year shall be not less than \$600,000; and

11 “(ii) the amount allocated to the United States
12 Virgin Islands, Guam, American Samoa, and the
13 Commonwealth of the Northern Mariana Islands for
14 that fiscal year shall be not less than \$100,000.”;

15 (2) in subsection (c), by striking “efficient ad-
16 ministration, including monitoring, evaluation, and
17 one full-time staff position” and inserting “effective
18 and efficient administration of funds, including the
19 designation of not less than one individual who shall
20 coordinate efforts to achieve and sustain compliance
21 with the core requirements and certify whether the
22 State is in compliance with such requirements”; and

23 (3) in subsection (d), by striking “5 per centum
24 of the minimum” and inserting “not more than 5
25 percent of the”.

1 **SEC. 205. STATE PLANS.**

2 Section 223 of the Juvenile Justice and Delinquency
3 Prevention Act of 1974 (42 U.S.C. 5633) is amended—

4 (1) in subsection (a)—

5 (A) in the matter preceding paragraph (1),
6 by striking “and shall describe the status of
7 compliance with State plan requirements.” and
8 inserting “and shall describe how the State plan
9 is supported by or takes account of scientific
10 knowledge regarding adolescent development
11 and behavior and regarding the effects of delin-
12 quency prevention programs and juvenile justice
13 interventions on adolescents. Not later than 60
14 days after the date on which a plan or amended
15 plan submitted under this subsection is final-
16 ized, a State shall make the plan or amended
17 plan publicly available by posting the plan or
18 amended plan on the State’s publicly available
19 website.”;

20 (B) in paragraph (1), by striking “de-
21 scribed in section 299(c)(1)” and inserting “as
22 designated by the chief executive officer of the
23 State”;

24 (C) in paragraph (3)—

25 (i) in subparagraph (A)—

1 (I) in clause (i), by inserting “ad-
2 olescent development,” after “con-
3 cerning”;

4 (II) in clause (ii)—

5 (aa) in subclause (II), by in-
6 serting “publicly supported court-
7 appointed legal counsel with ex-
8 perience representing juveniles in
9 delinquency proceedings,” after
10 “youth,”;

11 (bb) in subclause (III), by
12 striking “mental health, edu-
13 cation, special education” and in-
14 serting “child and adolescent
15 mental health, education, child
16 and adolescent substance abuse,
17 special education, services for
18 youth with disabilities”;

19 (cc) in subclause (V), by
20 striking “delinquents or potential
21 delinquents” and inserting “de-
22 linquent youth or youth at risk of
23 delinquency”;

24 (dd) in subclause (VI), by
25 striking “youth workers involved

1 with” and inserting “representa-
2 tives of”;

3 (ee) in subclause (VII), by
4 striking “and” at the end;

5 (ff) by striking subclause
6 (VIII) and inserting the fol-
7 lowing:

8 “(VIII) persons, licensed or cer-
9 tified by the applicable State, with ex-
10 pertise and competence in preventing
11 and addressing mental health and
12 substance abuse needs in delinquent
13 youth and youth at risk of delin-
14 quency;

15 “(IX) representatives of victim or
16 witness advocacy groups, including at
17 least one individual with expertise in
18 addressing the challenges of sexual
19 abuse and exploitation and trauma,
20 particularly the needs of youth who
21 experience disproportionate levels of
22 sexual abuse, exploitation, and trauma
23 before entering the juvenile justice
24 system; and

1 “(X) for a State in which one or
2 more Indian tribes are located, an In-
3 dian tribal representative or other in-
4 dividual with significant expertise in
5 tribal law enforcement and juvenile
6 justice in Indian tribal communities;”;

7 (III) in clause (iv), by striking
8 “24 at the time of appointment” and
9 inserting “28 at the time of initial ap-
10 pointment”; and

11 (IV) in clause (v) by inserting
12 “or, if not feasible and in appropriate
13 circumstances, who is the parent or
14 guardian of someone who has been or
15 is currently under the jurisdiction of
16 the juvenile justice system” after “ju-
17 venile justice system”;

18 (ii) in subparagraph (C), by striking
19 “30 days” and inserting “45 days”;

20 (iii) in subparagraph (D)—

21 (I) in clause (i), by striking
22 “and” at the end; and

23 (II) in clause (ii), by striking “at
24 least annually recommendations re-
25 garding State compliance with the re-

1 quirements of paragraphs (11), (12),
2 and (13)” and inserting “at least
3 every 2 years a report and necessary
4 recommendations regarding State
5 compliance with the core require-
6 ments”; and

7 (iv) in subparagraph (E)—

8 (I) in clause (i), by adding “and”
9 at the end; and

10 (II) in clause (ii), by striking the
11 period at the end and inserting a
12 semicolon;

13 (D) in paragraph (5)(C), by striking “In-
14 dian tribes” and all that follows through “appli-
15 cable to the detention and confinement of juve-
16 niles” and inserting “Indian tribes that agree
17 to attempt to comply with the core require-
18 ments applicable to the detention and confine-
19 ment of juveniles”;

20 (E) in paragraph (7)—

21 (i) in subparagraph (A), by striking
22 “performs law enforcement functions” and
23 inserting “has jurisdiction”; and

24 (ii) in subparagraph (B)—

1 (I) in clause (iii), by striking
2 “and” at the end; and

3 (II) by striking clause (iv) and
4 inserting the following:

5 “(iv) a plan to provide alternatives to
6 detention for status offenders, survivors of
7 commercial sexual exploitation, and others,
8 where appropriate, such as specialized or
9 problem-solving courts or diversion to
10 home-based or community-based services
11 or treatment for those youth in need of
12 mental health, substance abuse, or co-oc-
13 ccurring disorder services at the time such
14 juveniles first come into contact with the
15 juvenile justice system;

16 “(v) a plan to reduce the number of
17 children housed in secure detention and
18 corrections facilities who are awaiting
19 placement in residential treatment pro-
20 grams;

21 “(vi) a plan to engage family mem-
22 bers, where appropriate, in the design and
23 delivery of juvenile delinquency prevention
24 and treatment services, particularly post-
25 placement;

1 “(vii) a plan to use community-based
2 services to respond to the needs of at-risk
3 youth or youth who have come into contact
4 with the juvenile justice system;

5 “(viii) a plan to promote evidence-
6 based and trauma-informed programs and
7 practices; and

8 “(ix) not later than 1 year after the
9 date of enactment of the Juvenile Justice
10 Reform Act of 2017, a plan, which shall be
11 implemented not later than 2 years after
12 the date of enactment of the Juvenile Jus-
13 tice Reform Act of 2017, to—

14 “(I) eliminate the use of re-
15 straints of known pregnant juveniles
16 housed in secure juvenile detention
17 and correction facilities, during labor,
18 delivery, and post-partum recovery,
19 unless credible, reasonable grounds
20 exist to believe the detainee presents
21 an immediate and serious threat of
22 hurting herself, staff, or others; and

23 “(II) eliminate the use of abdom-
24 inal restraints, leg and ankle re-
25 straints, wrist restraints behind the

1 back, and four-point restraints on
2 known pregnant juveniles, unless—

3 “(aa) credible, reasonable
4 grounds exist to believe the de-
5 tainee presents an immediate and
6 serious threat of hurting herself,
7 staff, or others; or

8 “(bb) reasonable grounds
9 exist to believe the detainee pre-
10 sents an immediate and credible
11 risk of escape that cannot be rea-
12 sonably minimized through any
13 other method;”;

14 (F) in paragraph (8), by striking “exist-
15 ing” and inserting “evidence-based and prom-
16 ising”;

17 (G) in paragraph (9)—

18 (i) in the matter preceding subpara-
19 graph (A), by inserting “, with priority in
20 funding given to entities meeting the cri-
21 teria for evidence-based or promising pro-
22 grams” after “used for”;

23 (ii) in subparagraph (A)—

24 (I) in clause (i)—

1 (aa) by inserting “status of-
2 fenders and other” before “youth
3 who need”; and

4 (bb) by striking “and” at
5 the end;

6 (II) in clause (ii) by adding
7 “and” at the end; and

8 (III) by inserting after clause (ii)
9 the following:

10 “(iii) for youth who need specialized
11 intensive and comprehensive services that
12 address the unique issues encountered by
13 youth when they become involved with
14 gangs;”;

15 (iii) in subparagraph (B)(i)—

16 (I) by striking “parents and
17 other family members” and inserting
18 “status offenders, other youth, and
19 the parents and other family members
20 of such offenders and youth”; and

21 (II) by striking “be retained”
22 and inserting “remain”;

23 (iv) in subparagraph (E)—

24 (I) in the matter preceding clause
25 (i), by striking “delinquent” and in-

1 serting “at-risk or delinquent youth”;
2 and
3 (II) in clause (i), by inserting “,
4 including for truancy prevention and
5 reduction” before the semicolon;
6 (v) in subparagraph (F), in the mat-
7 ter preceding clause (i), by striking “ex-
8 panding” and inserting “programs to ex-
9 pand”;
10 (vi) by redesignating subparagraphs
11 (G) through (S) as subparagraphs (H)
12 through (T), respectively;
13 (vii) by inserting after subparagraph
14 (F), the following:
15 “(G) programs—
16 “(i) to ensure youth have access to
17 appropriate legal representation; and
18 “(ii) to expand access to publicly sup-
19 ported, court-appointed legal counsel who
20 are trained to represent juveniles in adju-
21 dication proceedings,
22 except that the State may not use more than 2
23 percent of the funds received under section 222
24 for these purposes;”;

1 (viii) in subparagraph (H), as so re-
2 designated, by striking “State,” each place
3 the term appears and inserting “State,
4 tribal,”;

5 (ix) in subparagraph (M), as so redes-
6 ignated—

7 (I) in clause (i)—

8 (aa) by inserting “pre-adju-
9 dication and” before “post-adju-
10 dication”;

11 (bb) by striking “restraints”
12 and inserting “alternatives”; and

13 (cc) by inserting “specialized
14 or problem-solving courts,” after
15 “(including”; and

16 (II) in clause (ii)—

17 (aa) by striking “by the pro-
18 vision by the Administrator”; and

19 (bb) by striking “to States”;

20 (x) in subparagraph (N), as redesign-
21 nated—

22 (I) by inserting “and reduce the
23 risk of recidivism” after “families”;
24 and

1 (II) by striking “so that such ju-
2 veniles may be retained in their
3 homes”;

4 (xi) in subparagraph (S), as so redes-
5 ignated, by striking “and” at the end;

6 (xii) in subparagraph (T), as so redes-
7 ignated—

8 (I) by inserting “or co-occurring
9 disorder” after “mental health”;

10 (II) by inserting “court-involved
11 or” before “incarcerated”;

12 (III) by striking “suspected to
13 be”;

14 (IV) by striking “and discharge
15 plans” and inserting “provision of
16 treatment, and development of dis-
17 charge plans”; and

18 (V) by striking the period at the
19 end and inserting a semicolon; and

20 (xiii) by inserting after subparagraph
21 (T) the following:

22 “(U) programs and projects designed—

23 “(i) to inform juveniles of the oppor-
24 tunity and process for sealing and
25 expunging juvenile records; and

1 “(ii) to assist juveniles in pursuing ju-
2 venile record sealing and expungements for
3 both adjudications and arrests not followed
4 by adjudications;
5 except that the State may not use more than 2
6 percent of the funds received under section 222
7 for these purposes;

8 “(V) programs that address the needs of
9 girls in or at risk of entering the juvenile justice
10 system, including pregnant girls, young moth-
11 ers, victims of sexual abuse, survivors of com-
12 mercial sexual exploitation or domestic child sex
13 trafficking, girls with disabilities, and girls of
14 color, including girls who are members of an In-
15 dian tribe; and

16 “(W) monitoring for compliance with the
17 core requirements and providing training and
18 technical assistance on the core requirements to
19 secure facilities;”;

20 (H) by striking paragraph (11) and insert-
21 ing the following:

22 “(11)(A) in accordance with rules issued by the
23 Administrator, provide that a juvenile shall not be
24 placed in a secure detention facility or a secure cor-
25 rectional facility, if—

1 “(i) the juvenile is charged with or has
2 committed an offense that would not be criminal if committed by an adult, excluding—

4 “(I) a juvenile who is charged with or
5 has committed a violation of section
6 922(x)(2) of title 18, United States Code,
7 or of a similar State law;

8 “(II) a juvenile who is charged with
9 or has committed a violation of a valid
10 court order issued and reviewed in accordance with paragraph (23); and

12 “(III) a juvenile who is held in accordance with the Interstate Compact on
13 Juveniles as enacted by the State; or

15 “(ii) the juvenile—

16 “(I) is not charged with any offense;
17 and

18 “(II)(aa) is an alien; or

19 “(bb) is alleged to be dependent, neglected, or abused; and

21 “(B) require that—

22 “(i) not later than 3 years after the date
23 of enactment of the Juvenile Justice Reform
24 Act of 2017, unless a court finds, after a hearing and in writing, that it is in the interest of
25

1 justice, juveniles awaiting trial or other legal
2 process who are treated as adults for purposes
3 of prosecution in criminal court and housed in
4 a secure facility—

5 “(I) shall not have sight or sound con-
6 tact with adult inmates; and

7 “(II) except as provided in paragraph
8 (13), may not be held in any jail or lockup
9 for adults;

10 “(ii) in determining under subparagraph
11 (A) whether it is in the interest of justice to
12 permit a juvenile to be held in any jail or lock-
13 up for adults, or have sight or sound contact
14 with adult inmates, a court shall consider—

15 “(I) the age of the juvenile;

16 “(II) the physical and mental matu-
17 rity of the juvenile;

18 “(III) the present mental state of the
19 juvenile, including whether the juvenile
20 presents an imminent risk of harm to the
21 juvenile;

22 “(IV) the nature and circumstances of
23 the alleged offense;

24 “(V) the juvenile’s history of prior de-
25 linquent acts;

1 “(VI) the relative ability of the avail-
2 able adult and juvenile detention facilities
3 to not only meet the specific needs of the
4 juvenile but also to protect the safety of
5 the public as well as other detained youth;
6 and

7 “(VII) any other relevant factor; and

8 “(iii) if a court determines under subpara-
9 graph (A) that it is in the interest of justice to
10 permit a juvenile to be held in any jail or lock-
11 up for adults—

12 “(I) the court shall hold a hearing not
13 less frequently than once every 30 days, or
14 in the case of a rural jurisdiction, not less
15 frequently than once every 45 days, to re-
16 view whether it is still in the interest of
17 justice to permit the juvenile to be so held
18 or have such sight or sound contact; and

19 “(II) the juvenile shall not be held in
20 any jail or lockup for adults, or permitted
21 to have sight or sound contact with adult
22 inmates, for more than 180 days, unless
23 the court, in writing, determines there is
24 good cause for an extension or the juvenile
25 expressly waives this limitation;”.

1 (I) in paragraph (12)(A), by striking “con-
2 tact” and inserting “sight or sound contact”;

3 (J) in paragraph (13), by striking “con-
4 tact” each place it appears and inserting “sight
5 or sound contact”;

6 (K) in paragraph (14)—

7 (i) by striking “adequate system” and
8 inserting “effective system”;

9 (ii) by inserting “lock-ups,” after
10 “monitoring jails,”;

11 (iii) by inserting “and” after “deten-
12 tion facilities,”;

13 (iv) by striking “, and non-secure fa-
14 cilities”;

15 (v) by striking “insure” and inserting
16 “ensure”;

17 (vi) by striking “requirements of
18 paragraphs (11), (12), and (13)” and in-
19 serting “core requirements”; and

20 (vii) by striking “, in the opinion of
21 the Administrator,”;

22 (L) by striking paragraphs (22) and (27);

23 (M) by redesignating paragraph (28) as
24 paragraph (27);

1 (N) by redesignating paragraphs (15)
2 through (21) as paragraphs (16) through (22),
3 respectively;

4 (O) by inserting after paragraph (14) the
5 following:

6 “(15) implement policy, practice, and system
7 improvement strategies at the State, territorial,
8 local, and tribal levels, as applicable, to identify and
9 reduce racial and ethnic disparities among youth
10 who come into contact with the juvenile justice sys-
11 tem, without establishing or requiring numerical
12 standards or quotas, by—

13 “(A) establishing or designating existing
14 coordinating bodies, composed of juvenile jus-
15 tice stakeholders, (including representatives of
16 the educational system) at the State, local, or
17 tribal levels, to advise efforts by States, units of
18 local government, and Indian tribes to reduce
19 racial and ethnic disparities;

20 “(B) identifying and analyzing data on
21 race and ethnicity at all decision points in
22 State, local, or tribal juvenile justice systems to
23 determine which key points create racial and
24 ethnic disparities among youth who come into
25 contact with the juvenile justice system; and

1 “(C) developing and implementing a work
2 plan that includes measurable objectives for pol-
3 icy, practice, or other system changes, based on
4 the needs identified in the data collection and
5 analysis under subparagraph (B);”;

6 (P) in paragraph (16), as so redesignated,
7 by inserting “ethnicity,” after “race,”;

8 (Q) in paragraph (21), as so redesignated,
9 by striking “local,” each place the term appears
10 and inserting “local, tribal,”;

11 (R) in paragraph (23)—

12 (i) in subparagraphs (A), (B), and
13 (C), by striking “juvenile” each place it
14 appears and inserting “status offender”;

15 (ii) in subparagraph (B), by striking
16 “and” at the end;

17 (iii) in subparagraph (C)—

18 (I) in clause (i), by striking
19 “and” at the end;

20 (II) in clause (ii), by adding
21 “and” at the end; and

22 (III) by adding at the end the
23 following:

24 “(iii) if such court determines the sta-
25 tus offender should be placed in a secure

1 detention facility or correctional facility for
2 violating such order—

3 “(I) the court shall issue a writ-
4 ten order that—

5 “(aa) identifies the valid
6 court order that has been vio-
7 lated;

8 “(bb) specifies the factual
9 basis for determining that there
10 is reasonable cause to believe
11 that the status offender has vio-
12 lated such order;

13 “(cc) includes findings of
14 fact to support a determination
15 that there is no appropriate less
16 restrictive alternative available to
17 placing the status offender in
18 such a facility, with due consider-
19 ation to the best interest of the
20 juvenile;

21 “(dd) specifies the length of
22 time, not to exceed 7 days, that
23 the status offender may remain
24 in a secure detention facility or
25 correctional facility, and includes

1 a plan for the status offender’s
2 release from such facility; and

3 “(ee) may not be renewed or
4 extended; and

5 “(II) the court may not issue a
6 second or subsequent order described
7 in subclause (I) relating to a status
8 offender unless the status offender
9 violates a valid court order after the
10 date on which the court issues an
11 order described in subclause (I);” and
12 (iv) by adding at the end the fol-

13 lowing:

14 “(D) there are procedures in place to en-
15 sure that any status offender held in a secure
16 detention facility or correctional facility pursu-
17 ant to a court order described in this paragraph
18 does not remain in custody longer than 7 days
19 or the length of time authorized by the court,
20 whichever is shorter; and

21 “(E) not later than September 30, 2020
22 (with a 1-year extension for each additional fis-
23 cal year that a State can demonstrate hardship,
24 as determined by the State, and submits in
25 writing evidence of such hardship to the Admin-

1 istrator which shall be considered approved un-
2 less the Administrator justifies to the State in
3 writing that the hardship does not qualify for
4 an exemption), the State will eliminate the use
5 of valid court orders to provide secure confine-
6 ment of status offenders, except that juveniles
7 may be held in secure confinement in accord-
8 ance with the Interstate Compact for Juveniles
9 if the judge issues a written order that—

10 “(i) specifies the factual basis to be-
11 lieve that the State has the authority to
12 detain the juvenile under the terms of the
13 Interstate Compact for Juveniles;

14 “(ii) includes findings of fact to sup-
15 port a determination that there is no ap-
16 propriate less restrictive alternative avail-
17 able to placing the juvenile in such a facil-
18 ity, with due consideration to the best in-
19 terest of the juvenile;

20 “(iii) specifies the length of time a ju-
21 venile may remain in secure confinement,
22 not to exceed 15 days, and includes a plan
23 for the return of the juvenile to the home
24 State of the juvenile; and

1 “(iv) may not be renewed or ex-
2 tended;”;

3 (S) in paragraph (26)—

4 (i) by inserting “and in accordance
5 with confidentiality concerns,” after “max-
6 imum extent practicable,”; and

7 (ii) by striking the semicolon at the
8 end and inserting the following: “, so as to
9 provide for—

10 “(A) data in child abuse or neglect reports
11 relating to juveniles entering the juvenile justice
12 system with a prior reported history of arrest,
13 court intake, probation and parole, juvenile de-
14 tention, and corrections; and

15 “(B) a plan to use the data described in
16 subparagraph (A) to provide necessary services
17 for the treatment of such victims of child abuse
18 or neglect;”;

19 (T) in paragraph (27), as so redesignated,
20 by striking the period at the end and inserting
21 a semicolon; and

22 (U) by adding at the end the following:

23 “(28) provide for the coordinated use of funds
24 provided under this title with other Federal and

1 State funds directed at juvenile delinquency preven-
2 tion and intervention programs;

3 “(29) describe the policies, procedures, and
4 training in effect for the staff of juvenile State cor-
5 rectional facilities to eliminate the use of dangerous
6 practices, unreasonable restraints, and unreasonable
7 isolation, including by developing effective behavior
8 management techniques;

9 “(30) describe—

10 “(A) the evidence-based methods that will
11 be used to conduct mental health and substance
12 abuse screening, assessment, referral, and
13 treatment for juveniles who—

14 “(i) request a screening;

15 “(ii) show signs of needing a screen-
16 ing; or

17 “(iii) are held for a period of more
18 than 24 hours in a secure facility that pro-
19 vides for an initial screening; and

20 “(B) how the State will seek, to the extent
21 practicable, to provide or arrange for mental
22 health and substance abuse disorder treatment
23 for juveniles determined to be in need of such
24 treatment;

1 “(31) describe how reentry planning by the
2 State for juveniles will include—

3 “(A) a written case plan based on an as-
4 sessment of needs that includes—

5 “(i) the pre-release and post-release
6 plans for the juveniles;

7 “(ii) the living arrangement to which
8 the juveniles are to be discharged; and

9 “(iii) any other plans developed for
10 the juveniles based on an individualized as-
11 sessment; and

12 “(B) review processes;

13 “(32) provide an assurance that the agency of
14 the State receiving funds under this title collaborates
15 with the State educational agency receiving assist-
16 ance under part A of title I of the Elementary and
17 Secondary Education Act of 1965 (20 U.S.C. 6311
18 et seq.) to develop and implement a plan to ensure
19 that, in order to support educational progress—

20 “(A) the student records of adjudicated ju-
21 veniles, including electronic records if available,
22 are transferred in a timely manner from the
23 educational program in the juvenile detention or
24 secure treatment facility to the educational or

1 training program into which the juveniles will
2 enroll;

3 “(B) the credits of adjudicated juveniles
4 are transferred; and

5 “(C) adjudicated juveniles receive full or
6 partial credit toward high school graduation for
7 secondary school coursework satisfactorily com-
8 pleted before and during the period of time dur-
9 ing which the juveniles are held in custody, re-
10 gardless of the local educational agency or enti-
11 ty from which the credits were earned; and

12 “(33) describe policies and procedures to—

13 “(A) screen for, identify, and document in
14 records of the State the identification of victims
15 of domestic human trafficking, or those at risk
16 of such trafficking, upon intake; and

17 “(B) divert youth described in subpara-
18 graph (A) to appropriate programs or services,
19 to the extent practicable.”;

20 (2) by amending subsection (c) to read as fol-
21 lows:

22 “(c)(1) If a State fails to comply with any of the core
23 requirements in any fiscal year, then—

24 “(A) subject to subparagraph (B), the amount
25 allocated to such State under section 222 for the

1 subsequent fiscal year shall be reduced by not less
2 than 20 percent for each core requirement with re-
3 spect to which the failure occurs; and

4 “(B) the State shall be ineligible to receive any
5 allocation under such section for such fiscal year un-
6 less—

7 “(i) the State agrees to expend 50 percent
8 of the amount allocated to the State for such
9 fiscal year to achieve compliance with any such
10 core requirement with respect to which the
11 State is in noncompliance; or

12 “(ii) the Administrator determines that the
13 State—

14 “(I) has achieved substantial compli-
15 ance with such applicable requirements
16 with respect to which the State was not in
17 compliance; and

18 “(II) has made, through appropriate
19 executive or legislative action, an unequivocal
20 commitment to achieving full compli-
21 ance with such applicable requirements
22 within a reasonable time.

23 “(2) Of the total amount of funds not allocated for
24 a fiscal year under paragraph (1)—

1 “(A) 50 percent of the unallocated funds shall
2 be reallocated under section 222 to States that have
3 not failed to comply with the core requirements; and

4 “(B) 50 percent of the unallocated funds shall
5 be used by the Administrator to provide additional
6 training and technical assistance to States for the
7 purpose of promoting compliance with the core re-
8 quirements.”;

9 (3) in subsection (d)—

10 (A) by striking “described in paragraphs
11 (11), (12), (13), and (22) of subsection (a)”
12 and inserting “described in the core require-
13 ments”; and

14 (B) by striking “the requirements under
15 paragraphs (11), (12), (13), and (22) of sub-
16 section (a)” and inserting “the core require-
17 ments”;

18 (4) in subsection (f)(2)—

19 (A) by striking subparagraph (A); and

20 (B) by redesignating subparagraphs (B)
21 through (E) as subparagraphs (A) through (D),
22 respectively; and

23 (5) by adding at the end the following:

24 “(g) COMPLIANCE DETERMINATION.—

1 “(1) IN GENERAL.—For each fiscal year, the
2 Administrator shall make a determination regarding
3 whether each State receiving a grant under this title
4 is in compliance or out of compliance with respect to
5 each of the core requirements.

6 “(2) REPORTING.—The Administrator shall—

7 “(A) issue an annual public report—

8 “(i) describing any determination de-
9 scribed in paragraph (1) made during the
10 previous year, including a summary of the
11 information on which the determination is
12 based and the actions to be taken by the
13 Administrator (including a description of
14 any reduction imposed under subsection
15 (c)); and

16 “(ii) for any such determination that
17 a State is out of compliance with any of
18 the core requirements, describing the basis
19 for the determination; and

20 “(B) make the report described in sub-
21 paragraph (A) available on a publicly available
22 website.

23 “(3) DETERMINATIONS REQUIRED.—The Ad-
24 ministrator may not—

1 “(A) determine that a State is ‘not out of
 2 compliance’, or issue any other determination
 3 not described in paragraph (1), with respect to
 4 any core requirement; or

5 “(B) otherwise fail to make the compliance
 6 determinations required under paragraph (1).”.

7 **SEC. 206. REPEAL OF JUVENILE DELINQUENCY PREVEN-**
 8 **TION BLOCK GRANT PROGRAM.**

9 Part C of title II of the Juvenile Justice and Delin-
 10 quency Prevention Act of 1974 (42 U.S.C. 5651 et seq.)
 11 is repealed.

12 **SEC. 207. RESEARCH AND EVALUATION; STATISTICAL**
 13 **ANALYSES; INFORMATION DISSEMINATION.**

14 Section 251 of the Juvenile Justice and Delinquency
 15 Prevention Act of 1974 (42 U.S.C. 5661) is amended—

16 (1) in subsection (a)—

17 (A) in paragraph (1)—

18 (i) in the matter preceding subpara-
 19 graph (A), by striking “may” and inserting
 20 “shall”;

21 (ii) in subparagraph (A), by striking
 22 “plan and identify” and inserting “annu-
 23 ally publish a plan to identify”; and

24 (iii) in subparagraph (B)—

1 (I) by striking clause (iii) and in-
2 serting the following:

3 “(iii) successful efforts to prevent status
4 offenders and first-time minor offenders from
5 subsequent involvement with the juvenile justice
6 and criminal justice systems;”;

7 (II) by striking clause (vii) and
8 inserting the following:

9 “(vii) the prevalence and duration of be-
10 havioral health needs (including mental health,
11 substance abuse, and co-occurring disorders)
12 among juveniles pre-placement and post-place-
13 ment in the juvenile justice system, including
14 an examination of the effects of secure confine-
15 ment;”;

16 (III) by redesignating clauses
17 (ix), (x), and (xi) as clauses (xvi),
18 (xvii), and (xviii), respectively; and

19 (IV) by inserting after clause
20 (viii) the following:

21 “(ix) training efforts and reforms that
22 have produced reductions in or elimination of
23 the use of dangerous practices;

24 “(x) methods to improve the recruitment,
25 selection, training, and retention of professional

1 personnel who are focused on the prevention,
2 identification, and treatment of delinquency;

3 “(xi) methods to improve the identification
4 and response to victims of domestic child sex
5 trafficking within the juvenile justice system;

6 “(xii) identifying positive outcome meas-
7 ures, such as attainment of employment and
8 educational degrees, that States and units of
9 local government should use to evaluate the
10 success of programs aimed at reducing recidi-
11 vism of youth who have come in contact with
12 the juvenile justice system or criminal justice
13 system;

14 “(xiii) evaluating the impact and outcomes
15 of the prosecution and sentencing of juveniles
16 as adults;

17 “(xiv) evaluating the impact of fines, fees,
18 and other costs assessed by the juvenile justice
19 system on the long-term disposition of status
20 offenders and other juveniles;

21 “(xv) successful and cost-effective efforts
22 by States and units of local government to re-
23 duce recidivism through policies that provide for
24 consideration of appropriate alternative sanc-
25 tions to incarceration of youth facing nonviolent

1 charges, while ensuring that public safety is
2 preserved;”; and

3 (B) in paragraph (4)—

4 (i) in the matter preceding subpara-
5 graph (A)—

6 (I) by striking “date of enact-
7 ment of this paragraph, the” and in-
8 serting “date of enactment of the Ju-
9 venile Justice Reform Act of 2017,
10 the”; and

11 (II) by inserting “in accordance
12 with relevant confidentiality require-
13 ments” after “wards of the State”;
14 and

15 (ii) in subparagraph (D), by inserting
16 “and Indian tribes” after “State”;

17 (iii) in subparagraph (F), by striking
18 “and” at the end;

19 (iv) in subparagraph (G), by striking
20 the period at the end and inserting a semi-
21 colon; and

22 (v) by adding at the end the following:

23 “(H) a description of the best practices in dis-
24 charge planning; and

1 “(I) an assessment of living arrangements for
2 juveniles who, upon release from confinement in a
3 State correctional facility, cannot return to the resi-
4 dence they occupied prior to such confinement.”;

5 (2) in subsection (b), in the matter preceding
6 paragraph (1), by striking “may” and inserting
7 “shall”; and

8 (3) by adding at the end the following:

9 “(f) NATIONAL RECIDIVISM MEASURE.—The Admin-
10 istrator, in accordance with applicable confidentiality re-
11 quirements and in consultation with experts in the field
12 of juvenile justice research, recidivism, and data collection,
13 shall—

14 “(1) establish a uniform method of data collec-
15 tion and technology that States may use to evaluate
16 data on juvenile recidivism on an annual basis;

17 “(2) establish a common national juvenile re-
18 cidivism measurement system; and

19 “(3) make cumulative juvenile recidivism data
20 that is collected from States available to the pub-
21 lic.”.

22 **SEC. 208. TRAINING AND TECHNICAL ASSISTANCE.**

23 Section 252 of the Juvenile Justice and Delinquency
24 Prevention Act of 1974 (42 U.S.C. 5662) is amended—

25 (1) in subsection (a)—

1 (A) in the matter preceding paragraph (1),
2 by striking “may”;

3 (B) in paragraph (1)—

4 (i) by inserting “shall” before “de-
5 velop and carry out projects”; and

6 (ii) by striking “and” after the semi-
7 colon;

8 (C) in paragraph (2)—

9 (i) by inserting “may” before “make
10 grants to and contracts with”; and

11 (ii) by striking the period at the end
12 and inserting “; and”; and

13 (D) by adding at the end the following:

14 “(3) shall provide periodic training for States
15 regarding implementation of the core requirements,
16 current protocols and best practices for achieving
17 and monitoring compliance, and information sharing
18 regarding relevant Office resources on evidence-
19 based and promising programs or practices that pro-
20 mote the purposes of this Act.”;

21 (2) in subsection (b)—

22 (A) in the matter preceding paragraph (1),
23 by striking “may”;

24 (B) in paragraph (1)—

1 (i) by inserting “shall” before “de-
2 velop and implement projects”;

3 (ii) by inserting “, including compli-
4 ance with the core requirements” after
5 “this title”; and

6 (iii) by striking “and” at the end;

7 (C) in paragraph (2)—

8 (i) by inserting “may” before “make
9 grants to and contracts with”; and

10 (ii) by striking the period at the end
11 and inserting a semicolon; and

12 (D) by adding at the end the following:

13 “(3) shall provide technical assistance to States
14 and units of local government on achieving compli-
15 ance with the amendments to the core requirements
16 and State Plans made by the Juvenile Justice Re-
17 form Act of 2017, including training and technical
18 assistance and, when appropriate, pilot or dem-
19 onstration projects intended to develop and replicate
20 best practices for achieving sight and sound separa-
21 tion in facilities or portions of facilities that are
22 open and available to the general public and that
23 may or may not contain a jail or a lock-up; and

24 “(4) shall provide technical assistance to States
25 in support of efforts to establish partnerships be-

1 tween a State and a university, institution of higher
2 education, or research center designed to improve
3 the recruitment, selection, training, and retention of
4 professional personnel in the fields of medicine, law
5 enforcement, the judiciary, juvenile justice, social
6 work and child protection, education, and other rel-
7 evant fields who are engaged in, or intend to work
8 in, the field of prevention, identification, and treat-
9 ment of delinquency.”;

10 (3) in subsection (c)—

11 (A) by inserting “prosecutors,” after “pub-
12 lic defenders,”; and

13 (B) by inserting “status offenders and”
14 after “needs of”; and

15 (4) by adding at the end the following:

16 “(d) BEST PRACTICES REGARDING LEGAL REP-
17 RESENTATION OF CHILDREN.—In consultation with ex-
18 perts in the field of juvenile defense, the Administrator
19 shall—

20 “(1) share best practices, which may include
21 sharing standards of practice developed by recog-
22 nized entities in the profession, for attorneys rep-
23 resenting children; and

1 “(2) provide a State, if it so requests, technical
2 assistance to implement any of the best practices
3 shared under paragraph (1).

4 “(e) TRAINING AND TECHNICAL ASSISTANCE FOR
5 LOCAL AND STATE JUVENILE DETENTION AND CORREC-
6 TIONS PERSONNEL.—The Administrator shall coordinate
7 training and technical assistance programs with juvenile
8 detention and corrections personnel of States and units
9 of local government—

10 “(1) to promote methods for improving condi-
11 tions of juvenile confinement, including methods that
12 are designed to minimize the use of dangerous prac-
13 tices, unreasonable restraints, and isolation and
14 methods responsive to cultural differences; and

15 “(2) to encourage alternative behavior manage-
16 ment techniques based on positive youth develop-
17 ment approaches, which may include policies and
18 procedures to train personnel to be culturally com-
19 petent.

20 “(f) TRAINING AND TECHNICAL ASSISTANCE TO
21 SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE
22 TREATMENT INCLUDING HOME-BASED OR COMMUNITY-
23 BASED CARE.—The Administrator shall provide training
24 and technical assistance, in conjunction with the appro-
25 priate public agencies, to individuals involved in making

1 decisions regarding the disposition and management of
2 cases for youth who enter the juvenile justice system about
3 the appropriate services and placement for youth with
4 mental health or substance abuse needs, including—

5 “(1) juvenile justice intake personnel;

6 “(2) probation officers;

7 “(3) juvenile court judges and court services
8 personnel;

9 “(4) prosecutors and court-appointed counsel;

10 and

11 “(5) family members of juveniles and family ad-
12 vocates.

13 “(g) TRAINING AND TECHNICAL ASSISTANCE TO
14 SUPPORT JUVENILE COURT JUDGES AND PERSONNEL.—

15 The Attorney General, acting through the Office of Juve-
16 nile Justice and Delinquency Prevention and the Office
17 of Justice Programs, shall provide training and technical
18 assistance, in conjunction with the appropriate public
19 agencies, to enhance the capacity of State and local courts,
20 judges, and related judicial personnel to—

21 “(1) improve the lives of children currently in-
22 volved in or at risk of being involved in the juvenile
23 court system; and

24 “(2) carry out the requirements of this Act.

1 “(h) FREE AND REDUCED PRICE SCHOOL LUNCHES
 2 FOR INCARCERATED JUVENILES.—The Attorney General,
 3 in consultation with the Secretary of Agriculture, shall
 4 provide guidance to States relating to existing options for
 5 school food authorities in the States to apply for reim-
 6 bursement for free or reduced price lunches under the
 7 Richard B. Russell National School Lunch Act (42 U.S.C.
 8 1751 et seq.) for juveniles who are incarcerated and
 9 would, if not incarcerated, be eligible for free or reduced
 10 price lunches under that Act.”.

11 **SEC. 209. AUTHORIZATION OF APPROPRIATIONS.**

12 Section 299 of the Juvenile Justice and Delinquency
 13 Prevention Act of 1974 (42 U.S.C. 5671) is amended—

14 (1) by striking subsections (b) and (c), and re-
 15 designating subsection (d) as subsection (b);

16 (2) in subsection (a)—

17 (A) in the heading, by striking “(EXCLUD-
 18 ING PARTS C AND E)”;

19 (B) by striking paragraph (1) and insert-
 20 ing the following:

21 “(1) There are authorized to be appropriated to carry
 22 out this title—

23 “(A) \$76,125,000 for fiscal year 2018;

24 “(B) \$76,125,000 for fiscal year 2019;

25 “(C) \$77,266,875 for fiscal year 2020;

1 “(D) \$78,425,878 for fiscal year 2021; and

2 “(E) \$79,602,266 for fiscal year 2022.”; and

3 (C) in paragraph (2)—

4 (i) in the matter preceding subpara-
5 graph (A), by striking “(other than parts
6 C and E)”; and

7 (ii) in subparagraph (C), by striking
8 “part D” and inserting “parts D and E”.

9 **SEC. 210. ADMINISTRATIVE AUTHORITY.**

10 Section 299A of the Juvenile Justice and Delin-
11 quency Prevention Act of 1974 (42 U.S.C. 5672) is
12 amended—

13 (1) in subsection (d)—

14 (A) by inserting “(1)” before “The Admin-
15 istrator”;

16 (B) by striking “, after appropriate con-
17 sultation with representatives of States and
18 units of local government,”;

19 (C) by inserting “guidance,” after “regula-
20 tions,”; and

21 (D) by adding at the end the following: “In
22 developing guidance and procedures, the Ad-
23 ministrator shall consult with representatives of
24 States and units of local government, including
25 those individuals responsible for administration

1 of this Act and compliance with the core re-
 2 quirements.

3 “(2) The Administrator shall ensure that—

4 “(A) reporting, compliance reporting, State
 5 plan requirements, and other similar documentation
 6 as may be required from States is requested in a
 7 manner that respects confidentiality, encourages effi-
 8 ciency and reduces the duplication of reporting ef-
 9 forts; and

10 “(B) States meeting all the core requirements
 11 are encouraged to experiment with offering innova-
 12 tive, data-driven programs designed to further im-
 13 prove the juvenile justice system.”; and

14 (2) in subsection (e), by striking “requirements
 15 described in paragraphs (11), (12), and (13) of sec-
 16 tion 223(a)” and inserting “core requirements”.

17 **TITLE III—INCENTIVE GRANTS**
 18 **FOR LOCAL DELINQUENCY**
 19 **PREVENTION PROGRAMS**

20 **SEC. 301. SHORT TITLE.**

21 Section 501 of the Incentive Grants for Local Delin-
 22 quency Prevention Programs Act of 2002 (42 U.S.C. 5601
 23 note) is amended—

24 (1) by inserting “Youth Promise” before “In-
 25 centive Grants”; and

1 (2) by striking “2002” and inserting “2017”.

2 **SEC. 302. DEFINITIONS.**

3 Section 502 of the Incentive Grants for Local Delin-
4 quency Prevention Programs Act of 2002 (42 U.S.C.
5 5781) is amended to read as follows:

6 **“SEC. 502. DEFINITIONS.**

7 “In this title—

8 “(1) the term ‘at-risk’ has the meaning given
9 that term in section 1432 of the Elementary and
10 Secondary Education Act of 1965 (20 U.S.C. 6472);

11 “(2) the term ‘eligible entity’ means—

12 “(A) a unit of local government that is in
13 compliance with the requirements of part B of
14 title II; or

15 “(B) a nonprofit organization in partner-
16 ship with a unit of local government described
17 in subparagraph (A);

18 “(3) the term ‘delinquency prevention program’
19 means a delinquency prevention program that is evi-
20 dence-based or promising and that may include—

21 “(A) alcohol and substance abuse preven-
22 tion or treatment services;

23 “(B) tutoring and remedial education, es-
24 pecially in reading and mathematics;

1 “(C) child and adolescent health and men-
2 tal health services;

3 “(D) recreation services;

4 “(E) leadership and youth development ac-
5 tivities;

6 “(F) the teaching that individuals are and
7 should be held accountable for their actions;

8 “(G) assistance in the development of job
9 training skills;

10 “(H) youth mentoring programs;

11 “(I) after-school programs;

12 “(J) coordination of a continuum of serv-
13 ices, which may include—

14 “(i) early childhood development serv-
15 ices;

16 “(ii) voluntary home visiting pro-
17 grams;

18 “(iii) nurse-family partnership pro-
19 grams;

20 “(iv) parenting skills training;

21 “(v) child abuse prevention programs;

22 “(vi) family stabilization programs;

23 “(vii) child welfare services;

24 “(viii) family violence intervention
25 programs;

- 1 “(ix) adoption assistance programs;
- 2 “(x) emergency, transitional and per-
- 3 manent housing assistance;
- 4 “(xi) job placement and retention
- 5 training;
- 6 “(xii) summer jobs programs;
- 7 “(xiii) alternative school resources for
- 8 youth who have dropped out of school or
- 9 demonstrate chronic truancy;
- 10 “(xiv) conflict resolution skill training;
- 11 “(xv) restorative justice programs;
- 12 “(xvi) mentoring programs;
- 13 “(xvii) targeted gang prevention,
- 14 intervention and exit services;
- 15 “(xviii) training and education pro-
- 16 grams for pregnant teens and teen par-
- 17 ents; and
- 18 “(xix) pre-release, post-release, and
- 19 reentry services to assist detained and in-
- 20 carcerated youth with transitioning back
- 21 into and reentering the community; and
- 22 “(K) other data-driven evidence-based or
- 23 promising prevention programs;
- 24 “(4) the term ‘local policy board’, when used
- 25 with respect to an eligible entity, means a policy

1 board that the eligible entity will engage in the de-
2 velopment of the eligible entity’s plan described in
3 section 504(e)(5), and that includes—

4 “(A) not fewer than 15 and not more than
5 21 members; and

6 “(B) a balanced representation of—

7 “(i) public agencies and private non-
8 profit organizations serving juveniles and
9 their families; and

10 “(ii) business and industry;

11 “(C) at least one representative of the
12 faith community, one adjudicated youth, and
13 one parent of an adjudicated youth; and

14 “(D) in the case of an eligible entity de-
15 scribed in paragraph (1)(B), a representative of
16 the nonprofit organization of the eligible entity;

17 “(5) the term ‘mentoring’ means matching 1
18 adult with 1 or more youths for the purpose of pro-
19 viding guidance, support, and encouragement
20 through regularly scheduled meetings for not less
21 than 9 months;

22 “(6) the term ‘State advisory group’ means the
23 advisory group appointed by the chief executive offi-
24 cer of a State under a plan described in section
25 223(a); and

1 “(7) the term ‘State entity’ means the State
2 agency designated under section 223(a)(1) or the en-
3 tity receiving funds under section 223(d).”.

4 **SEC. 303. DUTIES AND FUNCTIONS OF THE ADMINIS-**
5 **TRATOR.**

6 Section 503 of the Incentive Grants for Local Delin-
7 quency Prevention Programs Act of 2002 (42 U.S.C.
8 5782) is amended—

9 (1) by striking paragraph (1); and

10 (2) by redesignating paragraphs (2) through

11 (4) as paragraphs (1) through (3), respectively.

12 **SEC. 304. GRANTS FOR DELINQUENCY PREVENTION PRO-**
13 **GRAMS.**

14 Section 504 of the Incentive Grants for Local Delin-
15 quency Prevention Programs Act of 2002 (42 U.S.C. 5781
16 et seq.) is amended to read as follows:

17 **“SEC. 504. GRANTS FOR LOCAL DELINQUENCY PREVEN-**
18 **TION PROGRAMS.**

19 “(a) PURPOSE.—The purpose of this section is to en-
20 able local communities to address the unmet needs of at-
21 risk or delinquent youth, including through a continuum
22 of delinquency prevention programs for juveniles who have
23 had contact with the juvenile justice system or who are
24 likely to have contact with the juvenile justice system.

1 “(b) PROGRAM AUTHORIZED.—The Administrator
2 shall—

3 “(1) for each fiscal year for which less than
4 \$25,000,000 is appropriated under section 506,
5 award grants to not fewer than 3 State entities, but
6 not more than 5 State entities, that apply under
7 subsection (c) and meet the requirements of sub-
8 section (d); or

9 “(2) for each fiscal year for which \$25,000,000
10 or more is appropriated under section 506, award
11 grants to not fewer than 5 State entities that apply
12 under subsection (c) and meet the requirements of
13 subsection (d).

14 “(c) STATE APPLICATION.—To be eligible to receive
15 a grant under this section, a State entity shall submit an
16 application to the Administrator, which includes the fol-
17 lowing:

18 “(1) An assurance the State entity will use—

19 “(A) not more than 10 percent of such
20 grant, in the aggregate—

21 “(i) for the costs incurred by the
22 State entity to carry out this section, ex-
23 cept that not more than 3 percent of such
24 grant may be used for such costs; and

1 “(ii) to provide technical assistance to
2 eligible entities receiving a subgrant under
3 subsection (e) in carrying out delinquency
4 prevention programs under the subgrant;
5 and

6 “(B) the remainder of such grant to award
7 subgrants to eligible entities under subsection
8 (e).

9 “(2) An assurance that such grant will supple-
10 ment, and not supplant, State and local efforts to
11 prevent juvenile delinquency.

12 “(3) An assurance the State entity will evaluate
13 the capacity of eligible entities receiving a subgrant
14 under subsection (e) to fulfill the requirements
15 under such subsection.

16 “(4) An assurance that such application was
17 prepared after consultation with, and participation
18 by, the State advisory group, units of local govern-
19 ment, community-based organizations, and organiza-
20 tions that carry out programs, projects, or activities
21 to prevent juvenile delinquency in the local juvenile
22 justice system served by the State entity.

23 “(d) APPROVAL OF STATE APPLICATIONS.—In
24 awarding grants under this section for a fiscal year, the

1 Administrator may not award a grant to a State entity
2 for a fiscal year unless—

3 “(1)(A) the State that will be served by the
4 State entity submitted a plan under section 223 for
5 such fiscal year; and

6 “(B) such plan is approved by the Adminis-
7 trator for such fiscal year; or

8 “(2) after finding good cause for a waiver, the
9 Administrator waives the plan required under sub-
10 paragraph (A) for such State for such fiscal year.

11 “(e) SUBGRANT PROGRAM.—

12 “(1) PROGRAM AUTHORIZED.—

13 “(A) IN GENERAL.—Each State entity re-
14 ceiving a grant under this section shall award
15 subgrants to eligible entities in accordance with
16 this subsection.

17 “(B) PRIORITY.—In awarding subgrants
18 under this subsection, the State entity shall give
19 priority to eligible entities that demonstrate
20 ability in—

21 “(i) plans for service and agency co-
22 ordination and collaboration including the
23 collocation of services;

1 “(ii) innovative ways to involve the
2 private nonprofit and business sector in de-
3 linquency prevention activities;

4 “(iii) developing data-driven preven-
5 tion plans, employing evidence-based pre-
6 vention strategies, and conducting program
7 evaluations to determine impact and effec-
8 tiveness;

9 “(iv) identifying under the plan sub-
10 mitted under paragraph (5) potential sav-
11 ings and efficiencies associated with suc-
12 cessful implementation of such plan; and

13 “(v) describing how such savings and
14 efficiencies may be used to carry out delin-
15 quency prevention programs and be rein-
16 vested in the continuing implementation of
17 such programs after the end of the
18 subgrant period.

19 “(C) SUBGRANT PROGRAM PERIOD AND DI-
20 VERSITY OF PROJECTS.—

21 “(i) PROGRAM PERIOD.—A subgrant
22 awarded to an eligible entity by a State en-
23 tity under this section shall be for a period
24 of not more than 5 years, of which the eli-
25 gible entity—

1 “(I) may use not more than 18
2 months for completing the plan sub-
3 mitted by the eligible entity under
4 paragraph (5); and

5 “(II) shall use the remainder of
6 the subgrant period, after planning
7 period described in subclause (I), for
8 the implementation of such plan.

9 “(ii) DIVERSITY OF PROJECTS.—In
10 awarding subgrants under this subsection,
11 a State entity shall ensure, to the extent
12 practicable and applicable, that such sub-
13 grants are distributed throughout different
14 areas, including urban, suburban, and
15 rural areas.

16 “(2) LOCAL APPLICATION.—An eligible entity
17 that desires a subgrant under this subsection shall
18 submit an application to the State entity in the
19 State of the eligible entity, at such time and in such
20 manner as determined by the State entity, and that
21 includes—

22 “(A) a description of—

23 “(i) the local policy board and local
24 partners the eligible entity will engage in

1 the development of the plan described in
2 paragraph (5);

3 “(ii) the unmet needs of at-risk or de-
4 linquent youth in the community;

5 “(iii) available resources in the com-
6 munity to meet the unmet needs identified
7 in the needs assessment described in para-
8 graph (5)(A);

9 “(iv) potential costs to the community
10 if the unmet needs are not addressed;

11 “(B) a specific time period for the plan-
12 ning and subsequent implementation of its con-
13 tinuum of local delinquency prevention pro-
14 grams;

15 “(C) the steps the eligible entity will take
16 to implement the plan under subparagraph (A);
17 and

18 “(D) a plan to continue the grant activity
19 with non-Federal funds, if proven successful ac-
20 cording to the performance evaluation process
21 under paragraph (5)(D), after the grant period.

22 “(3) MATCHING REQUIREMENT.—An eligible
23 entity desiring a subgrant under this subsection
24 shall agree to provide a 50 percent match of the

1 amount of the subgrant, which may include the
2 value of in-kind contributions.

3 “(4) SUBGRANT REVIEW.—

4 “(A) REVIEW.—Not later than the end of
5 the second year of a subgrant period for a
6 subgrant awarded to an eligible entity under
7 this subsection and before awarding the remain-
8 ing amount of the subgrant to the eligible enti-
9 ty, the State entity shall—

10 “(i) ensure that the eligible entity has
11 completed the plan submitted under para-
12 graph (2) and that the plan meets the re-
13 quirements of such paragraph; and

14 “(ii) verify that the eligible entity will
15 begin the implementation of its plan upon
16 receiving the next installment of its
17 subgrant award.

18 “(B) TERMINATION.—If the State entity
19 finds through the review conducted under sub-
20 paragraph (A) that the eligible entity has not
21 met the requirements of clause (i) of such sub-
22 paragraph, the State entity shall reallocate the
23 amount remaining on the subgrant of the eligi-
24 ble entity to other eligible entities receiving a
25 subgrant under this subsection or award the

1 amount to an eligible entity during the next
2 subgrant competition under this subsection.

3 “(5) LOCAL USES OF FUNDS.—An eligible enti-
4 ty that receives a subgrant under this subsection
5 shall use the funds to implement a plan to carry out
6 delinquency prevention programs in the community
7 served by the eligible entity in a coordinated manner
8 with other delinquency prevention programs or enti-
9 ties serving such community, which includes—

10 “(A) an analysis of the unmet needs of at-
11 risk or delinquent youth in the community—

12 “(i) which shall include—

13 “(I) the available resources in the
14 community to meet the unmet needs;
15 and

16 “(II) factors present in the com-
17 munity that may contribute to delin-
18 quency, such as homelessness, food in-
19 security, teen pregnancy, youth unem-
20 ployment, family instability, lack of
21 educational opportunity; and

22 “(ii) may include an estimate—

23 “(I) for the most recent year for
24 which reliable data is available, the
25 amount expended by the community

1 and other entities for delinquency ad-
2 judication for juveniles and the incar-
3 ceration of adult offenders for of-
4 fenses committed in such community;
5 and

6 “(II) of potential savings and ef-
7 ficiencies that may be achieved
8 through the implementation of the
9 plan;

10 “(B) a minimum 3-year comprehensive
11 strategy to address the unmet needs and an es-
12 timate of the amount or percentage of non-Fed-
13 eral funds that are available to carry out the
14 strategy;

15 “(C) a description of how delinquency pre-
16 vention programs under the plan will be coordi-
17 nated;

18 “(D) a description of the performance eval-
19 uation process of the delinquency prevention
20 programs to be implemented under the plan,
21 which shall include performance measures to
22 assess efforts to address the unmet needs of
23 youth in the community analyzed under sub-
24 paragraph (A);

1 “(E) the evidence or promising evaluation
2 on which such delinquency prevention programs
3 are based; and

4 “(F) if such delinquency prevention pro-
5 grams are proven successful according to the
6 performance evaluation process under subpara-
7 graph (D), a strategy to continue such pro-
8 grams after the subgrant period with non-Fed-
9 eral funds, including a description of how any
10 estimated savings or efficiencies created by the
11 implementation of the plan may be used to con-
12 tinue such programs.”.

13 **SEC. 305. GRANTS FOR TRIBAL DELINQUENCY PREVENTION**
14 **AND RESPONSE PROGRAMS.**

15 The Incentive Grants for Local Delinquency Preven-
16 tion Programs Act of 2002 (42 U.S.C. 5781 et seq.) is
17 amended by redesignating section 505 as section 506 and
18 by inserting after section 504 the following:

19 **“SEC. 505. GRANTS FOR TRIBAL DELINQUENCY PREVEN-**
20 **TION AND RESPONSE PROGRAMS.**

21 “(a) IN GENERAL.—The Administrator shall make
22 grants under this section, on a competitive basis, to eligi-
23 ble Indian tribes (or consortia of Indian tribes) as de-
24 scribed in subsection (b)—

25 “(1) to support and enhance—

1 “(A) tribal juvenile delinquency prevention
2 services; and

3 “(B) the ability of Indian tribes to respond
4 to, and care for, at-risk or delinquent youth
5 upon release; and

6 “(2) to encourage accountability of Indian trib-
7 al governments with respect to preventing juvenile
8 delinquency, and responding to, and caring for, juve-
9 nile offenders.

10 “(b) ELIGIBLE INDIAN TRIBES.—To be eligible to re-
11 ceive a grant under this section, an Indian tribe or consor-
12 tium of Indian tribes shall submit to the Administrator
13 an application in such form as the Administrator may re-
14 quire.

15 “(c) CONSIDERATIONS.—In providing grants under
16 this section, the Administrator shall take into consider-
17 ation, with respect to the Indian tribe to be served, the—

18 “(1) juvenile delinquency rates;

19 “(2) school dropout rates; and

20 “(3) number of youth at risk of delinquency.

21 “(d) AVAILABILITY OF FUNDS.—Of the amount
22 available for a fiscal year to carry out this title, 11 percent
23 shall be available to carry out this section.”.

1 **SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 506, as redesignated by section 305, is
3 amended to read as follows:

4 **“SEC. 506. AUTHORIZATION OF APPROPRIATIONS.**

5 “There are authorized to be appropriated to carry out
6 this title—

7 “(1) \$91,857,500 for fiscal year 2018;

8 “(2) \$91,857,500 for fiscal year 2019;

9 “(3) \$93,235,362 for fiscal year 2020;

10 “(4) \$94,633,892 for fiscal year 2021; and

11 “(5) \$96,053,401 for fiscal year 2022.”.

12 **SEC. 307. TECHNICAL AMENDMENT.**

13 Title V of the Juvenile Justice and Delinquency Pre-
14 vention Act of 1974 as enacted by Public Law 93–415
15 (88 Stat. 1133) (relating to miscellaneous and conforming
16 amendments) is repealed.

17 **TITLE IV—MISCELLANEOUS**
18 **PROVISIONS**

19 **SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY**
20 **OFFICE.**

21 (a) EVALUATION.—Not later than 1 year after the
22 date of enactment of this Act, the Comptroller General
23 of the United States shall—

24 (1) conduct a comprehensive analysis and eval-
25 uation regarding the performance of the Office of
26 Juvenile Justice and Delinquency Prevention (re-

1 ferred to in this section as “the agency”), its func-
2 tions, its programs, and its grants;

3 (2) conduct a comprehensive audit and evalua-
4 tion of a selected, sample of grantees (as determined
5 by the Comptroller General) that receive Federal
6 funds under grant programs administered by the
7 agency including a review of internal controls (as de-
8 fined in section 103 of the Juvenile Justice and De-
9 linquency Prevention Act of 1974 (42 U.S.C. 5603),
10 as amended by this Act) to prevent fraud, waste,
11 and abuse of funds by grantees; and

12 (3) submit a report in accordance with sub-
13 section (d).

14 (b) CONSIDERATIONS FOR EVALUATION.—In con-
15 ducting the analysis and evaluation under subsection
16 (a)(1), and in order to document the efficiency and public
17 benefit of the Juvenile Justice and Delinquency Preven-
18 tion Act of 1974 (42 U.S.C. 5601 et seq.), excluding the
19 Runaway and Homeless Youth Act (42 U.S.C. 5701 et
20 seq.) and the Missing Children’s Assistance Act (42
21 U.S.C. 5771 et seq.), the Comptroller General shall take
22 into consideration—

23 (1) the outcome and results of the programs
24 carried out by the agency and those programs ad-
25 ministered through grants by the agency;

1 (2) the extent to which the agency has complied
2 with the Government Performance and Results Act
3 of 1993 (Public Law 103–62; 107 Stat. 285);

4 (3) the extent to which the jurisdiction of, and
5 the programs administered by, the agency duplicate
6 or conflict with the jurisdiction and programs of
7 other agencies;

8 (4) the potential benefits of consolidating pro-
9 grams administered by the agency with similar or
10 duplicative programs of other agencies, and the po-
11 tential for consolidating those programs;

12 (5) whether less restrictive or alternative meth-
13 ods exist to carry out the functions of the agency
14 and whether current functions or operations are im-
15 peded or enhanced by existing statutes, rules, and
16 procedures;

17 (6) the number and types of beneficiaries or
18 persons served by programs carried out by the agen-
19 cy;

20 (7) the manner with which the agency seeks
21 public input and input from State and local govern-
22 ments on the performance of the functions of the
23 agency;

1 (8) the extent to which the agency complies
2 with section 552 of title 5, United States Code (com-
3 monly known as the Freedom of Information Act);

4 (9) whether greater oversight is needed of pro-
5 grams developed with grants made by the agency;
6 and

7 (10) the extent to which changes are necessary
8 in the authorizing statutes of the agency in order for
9 the functions of the agency to be performed in a
10 more efficient and effective manner.

11 (c) CONSIDERATIONS FOR AUDITS.—In conducting
12 the audit and evaluation under subsection (a)(2), and in
13 order to document the efficiency and public benefit of the
14 Juvenile Justice and Delinquency Prevention Act of 1974
15 (42 U.S.C. 5601 et seq.), excluding the Runaway and
16 Homeless Youth Act (42 U.S.C. 5701 et seq.) and the
17 Missing Children’s Assistance Act (42 U.S.C. 5771 et
18 seq.), the Comptroller General shall take into consider-
19 ation—

20 (1) whether grantees timely file Financial Sta-
21 tus Reports;

22 (2) whether grantees have sufficient internal
23 controls to ensure adequate oversight of grant fund
24 received;

1 (3) whether disbursements were accompanied
2 with adequate supporting documentation (including
3 invoices and receipts);

4 (4) whether expenditures were authorized;

5 (5) whether subrecipients of grant funds were
6 complying with program requirements;

7 (6) whether salaries and fringe benefits of per-
8 sonnel were adequately supported by documentation;

9 (7) whether contracts were bid in accordance
10 with program guidelines; and

11 (8) whether grant funds were spent in accord-
12 ance with program goals and guidelines.

13 (d) REPORT.—

14 (1) IN GENERAL.—Not later than 1 year after
15 the date of enactment of this Act, the Comptroller
16 General of the United States shall—

17 (A) submit a report regarding the evalua-
18 tion conducted under subsection (a) and audit
19 under subsection (b), to the Speaker of the
20 House of Representatives and the President pro
21 tempore of the Senate; and

22 (B) make the report described in subpara-
23 graph (A) available to the public.

24 (2) CONTENTS.—The report submitted in ac-
25 cordance with paragraph (1) shall include all audit

1 findings determined by the selected, statistically sig-
 2 nificant sample of grantees as required by subsection
 3 (a)(2) and shall include the name and location of
 4 any selected grantee as well as any findings required
 5 by subsection (a)(2).

6 **SEC. 402. ACCOUNTABILITY AND OVERSIGHT.**

7 (a) IN GENERAL.—The Juvenile Justice and Delin-
 8 quency Prevention Act of 1974 (42 U.S.C. 5601 et seq.)
 9 is amended by adding at the end the following:

10 **“TITLE VI—ACCOUNTABILITY**
 11 **AND OVERSIGHT**

12 **“SEC. 601. ACCOUNTABILITY AND OVERSIGHT.**

13 “(a) SENSE OF CONGRESS.—It is the sense of Con-
 14 gress that, in order to ensure that at-risk youth, and youth
 15 who come into contact with the juvenile justice system or
 16 the criminal justice system, are treated fairly and that the
 17 outcome of that contact is beneficial to the Nation—

18 “(1) the Department of Justice, through its Of-
 19 fice of Juvenile Justice and Delinquency Prevention,
 20 must restore meaningful enforcement of the core re-
 21 quirements in title II; and

22 “(2) States, which are entrusted with a fiscal
 23 stewardship role if they accept funds under title II
 24 must exercise vigilant oversight to ensure full com-

1 pliance with the core requirements for juveniles pro-
2 vided for in title II.

3 “(b) ACCOUNTABILITY.—

4 “(1) AGENCY PROGRAM REVIEW.—

5 “(A) PROGRAMMATIC AND FINANCIAL AS-
6 SESSMENT.—

7 “(i) IN GENERAL.—Not later than 60
8 days after the date of enactment of the Ju-
9 venile Justice Reform Act of 2017, the Di-
10 rector of the Office of Audit, Assessment,
11 and Management of the Office of Justice
12 Programs at the Department of Justice
13 (referred to in this section as the ‘Direc-
14 tor’) shall—

15 “(I) conduct a comprehensive
16 analysis and evaluation of the internal
17 controls of the Office of Juvenile Jus-
18 tice and Delinquency Prevention (re-
19 ferred to in this section as the ‘agen-
20 cy’) to determine if States and Indian
21 tribes receiving grants are following
22 the requirements of the agency grant
23 programs and what remedial action
24 the agency has taken to recover any
25 grant funds that are expended in vio-

1 lation of grant programs, including in-
2 stances where—

3 “(aa) supporting docu-
4 mentation was not provided for
5 cost reports;

6 “(bb) unauthorized expendi-
7 tures occurred; and

8 “(cc) subrecipients of grant
9 funds were not in compliance
10 with program requirements;

11 “(II) conduct a comprehensive
12 audit and evaluation of a selected sta-
13 tistically significant sample of States
14 and Indian tribes (as determined by
15 the Director) that have received Fed-
16 eral funds under title II, including a
17 review of internal controls to prevent
18 fraud, waste, and abuse of funds by
19 grantees; and

20 “(III) submit a report in accord-
21 ance with clause (iv).

22 “(ii) CONSIDERATIONS FOR EVALUA-
23 TIONS.—In conducting the analysis and
24 evaluation under clause (i)(I), and in order
25 to document the efficiency and public ben-

1 efit of titles II and V, the Director shall
2 take into consideration the extent to
3 which—

4 “(I) greater oversight is needed
5 of programs developed with grants
6 made by the agency;

7 “(II) changes are necessary in
8 the authorizing statutes of the agency
9 in order that the functions of the
10 agency can be performed in a more ef-
11 ficient and effective manner; and

12 “(III) the agency has imple-
13 mented recommendations issued by
14 the Comptroller General or Office of
15 Inspector General relating to the
16 grant making and grant monitoring
17 responsibilities of the agency.

18 “(iii) CONSIDERATIONS FOR AU-
19 DITS.—In conducting the audit and evalua-
20 tion under clause (i)(II), and in order to
21 document the efficiency and public benefit
22 of titles II and V, the Director shall take
23 into consideration—

24 “(I) whether grantees timely file
25 Financial Status Reports;

1 “(II) whether grantees have suf-
2 ficient internal controls to ensure ade-
3 quate oversight of grant funds re-
4 ceived;

5 “(III) whether grantees’ asser-
6 tions of compliance with the core re-
7 quirements were accompanied with
8 adequate supporting documentation;

9 “(IV) whether expenditures were
10 authorized;

11 “(V) whether subrecipients of
12 grant funds were complying with pro-
13 gram requirements; and

14 “(VI) whether grant funds were
15 spent in accordance with the program
16 goals and guidelines.

17 “(iv) REPORT.—The Director shall—

18 “(I) submit to the Congress a re-
19 port outlining the results of the anal-
20 ysis, evaluation, and audit conducted
21 under clause (i), including supporting
22 materials, to the Speaker of the
23 House of Representatives and the
24 President pro tempore of the Senate;
25 and

1 “(II) shall make such report
2 available to the public online, not later
3 than 1 year after the date of enact-
4 ment of this section.

5 “(B) ANALYSIS OF INTERNAL CON-
6 TROLS.—

7 “(i) IN GENERAL.—Not later than 30
8 days after the date of enactment of the Ju-
9 venile Justice Reform Act of 2017, the Ad-
10 ministrator shall initiate a comprehensive
11 analysis and evaluation of the internal con-
12 trols of the agency to determine whether,
13 and to what extent, States and Indian
14 tribes that receive grants under titles II
15 and V are following the requirements of
16 the grant programs authorized under titles
17 II and V.

18 “(ii) REPORT.—Not later than 180
19 days after the date of enactment of the Ju-
20 venile Justice Reform Act of 2017, the Ad-
21 ministrator shall submit to Congress a re-
22 port containing—

23 “(I) the findings of the analysis
24 and evaluation conducted under clause
25 (i);

1 “(II) a description of remedial
2 actions, if any, that will be taken by
3 the Administrator to enhance the in-
4 ternal controls of the agency and re-
5 coup funds that may have been ex-
6 pended in violation of law, regulations,
7 or program requirements issued under
8 titles II and V; and

9 “(III) a description of—

10 “(aa) the analysis conducted
11 under clause (i);

12 “(bb) whether the funds
13 awarded under titles II and V
14 have been used in accordance
15 with law, regulations, program
16 guidance, and applicable plans;
17 and

18 “(cc) the extent to which
19 funds awarded to States and In-
20 dian tribes under titles II and V
21 enhanced the ability of grantees
22 to fulfill the core requirements.

23 “(C) REPORT BY THE ATTORNEY GEN-
24 ERAL.—Not later than 180 days after the date
25 of enactment of the Juvenile Justice Reform

1 Act of 2017, the Attorney General shall submit
2 to the appropriate committees of the Congress
3 a report on the estimated amount of formula
4 grant funds disbursed by the agency since fiscal
5 year 2010 that did not meet the requirements
6 for awards of formula grants to States under
7 title II.

8 “(2) OFFICE OF INSPECTOR GENERAL PER-
9 FORMANCE AUDITS.—

10 “(A) IN GENERAL.—In order to ensure the
11 effective and appropriate use of grants adminis-
12 tered under this Act (excluding title III) and to
13 prevent waste, fraud, and abuse of funds by
14 grantees, the Inspector General of the Depart-
15 ment of Justice shall periodically conduct audits
16 of grantees that receive grants under this Act
17 covering each grant recipient at least once every
18 3 years.

19 “(B) PUBLIC AVAILABILITY ON
20 WEBSITE.—The Attorney General shall make
21 the summary of each review conducted under
22 this section available on the website of the De-
23 partment of Justice, subject to redaction as the
24 Attorney General determines necessary to pro-
25 tect classified and other sensitive information.

1 “(C) MANDATORY EXCLUSION.—A recipi-
2 ent of grant funds under this Act (excluding ti-
3 tles II and III) that is found to have an unre-
4 solved audit finding shall not be eligible to re-
5 ceive grant funds under this Act (excluding title
6 III) during the first 2 fiscal years beginning
7 after the 12-month period beginning on the
8 date on which the audit report is issued.

9 “(D) PRIORITY.—In awarding grants
10 under this Act (excluding title III), the Admin-
11 istrator shall give priority to an eligible entity
12 that did not have an unresolved audit finding
13 during the 3 fiscal years prior to the date on
14 which the eligible entity submits an application
15 for the grant involved.

16 “(E) REIMBURSEMENT.—If a grant recipi-
17 ent under this Act (excluding title III) is
18 awarded such funds under this Act during the
19 2-fiscal-year period in which the recipient is
20 barred from receiving grants under subpara-
21 graph (C), the Attorney General shall—

22 “(i) deposit an amount equal to the
23 amount of the grant funds that were im-
24 properly awarded to the grantee into the
25 general fund of the Treasury; and

1 “(ii) seek to recoup the costs of the
2 repayment to the general fund under
3 clause (i) from the grantee that was erro-
4 neously awarded grant funds.

5 “(F) DEFINITION.—In this paragraph, the
6 term ‘unresolved audit finding’ means a finding
7 in the final audit report of the Inspector Gen-
8 eral—

9 “(i) that the audited recipient has
10 used grant funds for an unauthorized ex-
11 penditure or otherwise unallowable cost;
12 and

13 “(ii) that is not closed or resolved
14 during the 12-month period beginning on
15 the date on which the final audit report is
16 issued.

17 “(3) CONFERENCE EXPENDITURES.—

18 “(A) LIMITATION.—No amounts author-
19 ized to be appropriated to the Department of
20 Justice under this Act may be used by the At-
21 torney General, or by any individual or organi-
22 zation awarded discretionary funds through a
23 cooperative agreement under this Act, to host
24 or support any expenditure for conferences that
25 uses more than \$20,000 in funds made avail-

1 able to the Department of Justice, unless the
2 Deputy Attorney General or such Assistant At-
3 torney Generals, Directors, or principal deputies
4 as the Deputy Attorney General may designate,
5 provides prior written authorization that the
6 funds may be expended to host a conference.

7 “(B) WRITTEN APPROVAL.—Written ap-
8 proval under subparagraph (A) shall include a
9 written estimate of all costs associated with the
10 conference, including the cost of all food and
11 beverages, audiovisual equipment, honoraria for
12 speakers, and entertainment.

13 “(C) REPORT.—The Deputy Attorney Gen-
14 eral shall submit an annual report to the Com-
15 mittee on the Judiciary of the Senate and the
16 Committee on Education and the Workforce of
17 the House of Representatives on all conference
18 expenditures approved under this paragraph.

19 “(4) PROHIBITION ON LOBBYING ACTIVITY.—

20 “(A) IN GENERAL.—Amounts authorized
21 to be appropriated under this Act may not be
22 utilized by any recipient of a grant made using
23 such amounts—

1 “(i) to lobby any representative of the
2 Department of Justice regarding the
3 award of grant funding; or

4 “(ii) to lobby any representative of a
5 Federal, State, local, or tribal government
6 regarding the award of grant funding.

7 “(B) PENALTY.—If the Attorney General
8 determines that any recipient of a grant made
9 using amounts authorized to be appropriated
10 under this Act has violated subparagraph (A),
11 the Attorney General shall—

12 “(i) require the recipient to repay the
13 grant in full; and

14 “(ii) prohibit the recipient to receive
15 another grant under this Act for not less
16 than 5 years.

17 “(C) CLARIFICATION.—For purposes of
18 this paragraph, submitting an application for a
19 grant under this Act shall not be considered
20 lobbying activity in violation of subparagraph
21 (A).

22 “(c) PREVENTING DUPLICATIVE GRANTS.—

23 “(1) IN GENERAL.—Before the Attorney Gen-
24 eral awards a grant to an applicant under this Act,
25 the Attorney General shall compare potential grant

1 awards with other grants awarded under this Act to
2 determine if duplicate grant awards are awarded for
3 the same purpose.

4 “(2) REPORT.—If the Attorney General awards
5 duplicate grants to the same applicant for the same
6 purpose the Attorney General shall submit to the
7 Committee on the Judiciary of the Senate and the
8 Committee on Education and the Workforce of the
9 House of Representatives a report that includes—

10 “(A) a list of all duplicate grants awarded,
11 including the total dollar amount of any dupli-
12 cate grants awarded; and

13 “(B) the reason the Attorney General
14 awarded the duplicative grant.

15 “(d) COMPLIANCE WITH AUDITING STANDARDS.—
16 The Administrator shall comply with the Generally Ac-
17 cepted Government Auditing Standards, published by the
18 General Accountability Office (commonly known as the
19 ‘Yellow Book’), in the conduct of fiscal, compliance, and
20 programmatic audits of States.”.

21 (b) TECHNICAL AND CONFORMING AMENDMENT.—

22 (1) IN GENERAL.—The Juvenile Justice and
23 Delinquency Prevention Act of 1974 is amended by
24 striking paragraphs (6) and (7) of section 407 (42
25 U.S.C. 5776a).

1 (2) EFFECTIVE DATE.—The amendment made
2 by paragraph (1) shall take effect on the first day
3 of the first fiscal year that begins after the date of
4 enactment of this Act.

5 (3) SAVINGS CLAUSE.—In the case of an entity
6 that is barred from receiving grant funds under
7 paragraph (7)(B)(ii) of section 407 of the Juvenile
8 Justice and Delinquency Prevention Act of 1974 (42
9 U.S.C. 5776a), the amendment made by paragraph
10 (1) of this subsection shall not affect the applica-
11 bility to the entity, or to the Attorney General with
12 respect to the entity, of paragraph (7) of such sec-
13 tion 407, as in effect on the day before the effective
14 date of the amendment made by paragraph (1).

15 (c) AUTHORIZATION OF APPROPRIATIONS.—

16 (1) TITLE III.—Section 388(a) of the Juvenile
17 Justice and Delinquency Prevention Act of 1974 (42
18 U. S. C. 5751(a)) is amended—

19 (A) in paragraph (1), by striking
20 “140,000,000” and all that follows through
21 “2013”, and inserting “101,980,000 for each of
22 the fiscal years 2018 through 2022” before the
23 period;

24 (B) in paragraph (3)(B), by striking
25 “There” and all that follows through “2013”,

1 and inserting “Of the amount made available
2 for a fiscal year to carry out this title, not more
3 than 1 percent may be used to carry out section
4 345” before the period; and

5 (C) in paragraph (4), by striking
6 “\$25,000,000” and all that follows through
7 “2013”, and inserting “\$17,141,000 for each of
8 the fiscal years 2018 through 2022”.

9 (2) TITLE IV.—Section 408 of the Juvenile
10 Justice and Delinquency Prevention Act of 1974 (42
11 U. S. C. 5777) is amended by striking “2018” and
12 inserting “2022”.

Passed the House of Representatives May 23, 2017.

Attest:

KAREN L. HAAS,

Clerk.

Calendar No. 303

115TH CONGRESS
2^D Session

H. R. 1809

AN ACT

To reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

FEBRUARY 6, 2018

Read twice and placed on the calendar