

118TH CONGRESS  
1ST SESSION

# H. R. 4975

To establish a grant to provide mental and behavioral health services and diversion programs to at-risk youth, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2023

Mr. CÁRDENAS (for himself, Ms. KAMLAGER-DOVE, Mr. TRONE, Ms. NORTON, Ms. ROSS, and Mr. ESPALLAT) introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To establish a grant to provide mental and behavioral health services and diversion programs to at-risk youth, 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 “Eliminating Debtor’s  
5 Prison for Kids Act of 2023”.

6 **SEC. 2. YOUTH MENTAL HEALTH AND DIVERSION PRO-**  
7 **GRAM GRANTS.**

8 (a) IN GENERAL.—Beginning not later than 180  
9 days after the date of enactment of this Act, the Attorney

1 General shall carry out a program under which the Attor-  
2 ney General makes grants to eligible States for the pur-  
3 pose of providing evidence-based and trauma-informed  
4 mental and behavioral health services to at-risk youth, in-  
5 cluding juveniles in secure detention or correctional facili-  
6 ties in the State, and for implementing pre and post-adju-  
7 dication diversion programs for at-risk youth to limit their  
8 involvement in the juvenile system.

9 (b) ELIGIBILITY.—To be eligible to receive a grant  
10 under this section, a State shall—

11 (1) certify to the Attorney General that the  
12 laws of the State prohibit an adjudicated youth or  
13 a parent or guardian of such a juvenile from being  
14 ordered to pay probation supervision fees or court  
15 administrative fees, including the cost of court-ap-  
16 pointed attorneys or public defenders, the cost of  
17 prosecution, or other administrative costs of the  
18 court;

19 (2) certify to the Attorney General that the  
20 laws of the State prohibit a parent or guardian of  
21 an adjudicated youth from paying child support or  
22 other costs for detention or post-adjudication place-  
23 ment to the State; and

24 (3) submit to the Attorney General an applica-  
25 tion at such time, in such manner, and containing

1 such information as the Attorney General may re-  
2 quire.

3 (c) USE OF FUNDS.—A State that receives a grant  
4 under this section shall use the grant to provide evidence-  
5 based and trauma-informed mental and behavioral health  
6 services to at-risk youth, including juveniles in secure de-  
7 tention or correctional facilities in the State, to implement  
8 pre- and post-adjudication diversion programs.

9 (d) CONTRACTS AND SUBGRANTS.—

10 (1) IN GENERAL.—A State may, in using a  
11 grant under this section for purposes authorized by  
12 subsection (c), use all or a portion of that grant to  
13 contract with or make one or more subgrants to one  
14 or more units of local government.

15 (2) USE OF FUNDS.—An entity that receives a  
16 contract or a subgrant under this subsection may  
17 use such funds to provide services or benefits de-  
18 scribed under subsection (c).

19 (e) INFORMATION FOR REPORT.—A State that re-  
20 ceives a grant under this section shall provide to an inde-  
21 pendent criminal justice organization, selected by the At-  
22 torney General, such information as is necessary to com-  
23 plete the report described in section 3.

1 (f) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to carry out this section  
3 \$500,000,000 for each of fiscal years 2023 through 2027.

4 **SEC. 3. NATIONAL REPORT.**

5 (a) INDEPENDENT REPORT.—Not later than 18  
6 months after the date of enactment of this Act, an inde-  
7 pendent criminal justice organization, selected by the At-  
8 torney General, shall submit to the Committee on the Ju-  
9 diciary of the House of Representatives and the Com-  
10 mittee on the Judiciary of the Senate a national report  
11 on fines and fees imposed on adults and juveniles in the  
12 criminal justice system, including—

13 (1) information with respect to the monetary  
14 amount of fines and fees imposed, including the  
15 race, ethnicity, tribal affiliation, and other demo-  
16 graphic data of the individuals upon whom such  
17 fines and fees are imposed and the rate at which in-  
18 dividuals are reincarcerated within 1 year of release  
19 from a secure detention facility or a secure correc-  
20 tional facility;

21 (2) a description of each type of service for  
22 which a fee is imposed;

23 (3) a description of each type of charge for  
24 which a fine is imposed;

1           (4) a comparison of the average length of incar-  
2           ceration or detention for individuals who are unable  
3           to pay a fine and the average length of incarceration  
4           or detention for individuals who are able to pay a  
5           fine based on the amount of the fine; and

6           (5) a disclosure of the sum total of fines and  
7           fees collected minus the cost to collect such sum.

8           (b) **AUTHORIZATION OF APPROPRIATIONS.**—There  
9           are authorized to be appropriated to carry out this section  
10          \$2,000,000 for fiscal year 2023, which shall remain avail-  
11          able until expended.

12          **SEC. 4. DEFINITIONS.**

13          In this Act:

14                (1) **ADJUDICATED YOUTH.**—The term “adju-  
15                dicated youth” means an individual—

16                    (A) who has not attained the age of 21;  
17                    and

18                    (B)(i) against whom a petition is filed for  
19                    the adjudication of a delinquency offense under  
20                    the laws of a State or the United States; or

21                    (ii) who has been adjudicated delinquent  
22                    for a delinquency offense under the laws of a  
23                    State or the United States.

24                (2) **AT-RISK YOUTH.**—The term “at-risk youth”  
25                means an individual who—

1 (A) has not attained the age of 21; and

2 (B)(i) is likely to fail academically without  
3 intervention, including an individual who—

4 (I) has a high truancy rate;

5 (II) has withdrawn from school pre-  
6 viously;

7 (III) is not less than 1 year behind  
8 the appropriate grade level for an indi-  
9 vidual of the same age; or

10 (IV) has limited English language  
11 proficiency;

12 (ii) has a history of or is actively using  
13 drugs or alcohol;

14 (iii) is pregnant or a parent;

15 (iv) is a gang member;

16 (v) is in contact with the juvenile justice  
17 system; or

18 (vi) is homeless, has run away from home,  
19 or is in foster care.

20 (3) EVIDENCE-BASED.—The term “evidence-  
21 based” has the meaning given such term in section  
22 103 of the Juvenile Justice and Delinquency Preven-  
23 tion Act of 1974 (34 U.S.C. 11103).

24 (4) SECURE CORRECTIONAL FACILITY.—The  
25 term “secure correctional facility” has the meaning

1 given such term in section 103 of the Juvenile Jus-  
2 tice and Delinquency Prevention Act of 1974 (34  
3 U.S.C. 11103).

4 (5) SECURE DETENTION FACILITY.—The term  
5 “secure detention facility” has the meaning given  
6 such term in section 103 of the Juvenile Justice and  
7 Delinquency Prevention Act of 1974 (34 U.S.C.  
8 11103).

9 (6) STATE.—The term “State” means any  
10 State of the United States, the District of Columbia,  
11 the Commonwealth of Puerto Rico, the United  
12 States Virgin Islands, Guam, American Samoa, the  
13 Commonwealth of the Northern Mariana Islands,  
14 and any possession of the United States.

15 (7) TRAUMA-INFORMED.—The term “trauma-  
16 informed” has the meaning given such term in sec-  
17 tion 103 of the Juvenile Justice and Delinquency  
18 Prevention Act of 1974 (34 U.S.C. 11103).

○