

SUBCHAPTER II—NATIONAL INSTITUTE OF JUSTICE

§ 10121. Statement of purpose

It is the purpose of this subchapter to establish a National Institute of Justice, which shall provide for and encourage research and demonstration efforts for the purpose of—

- (1) improving Federal, State, and local criminal justice systems and related aspects of the civil justice system;
- (2) preventing and reducing crimes;
- (3) insuring citizen access to appropriate dispute-resolution forums; and
- (4) identifying programs of proven effectiveness, programs having a record of proven success, or programs which offer a high probability of improving the functioning of the criminal justice system.

The Institute shall have authority to engage in and encourage research and development to improve and strengthen the criminal justice system and related aspects of the civil justice system and to disseminate the results of such efforts to Federal, State, and local governments, to evaluate the effectiveness of programs funded under this chapter, to develop and demonstrate new or improved approaches and techniques, to improve and strengthen the administration of justice, and to identify programs or projects carried out under this chapter which have demonstrated success in improving the quality of justice systems and which offer the likelihood of success if continued or repeated. In carrying out the provisions of this subchapter, the Institute shall give primary emphasis to the problems of State and local justice systems and shall insure that there is a balance between basic and applied research.

(Pub. L. 90-351, title I, § 201, as added Pub. L. 96-157, § 2, Dec. 27, 1979, 93 Stat. 1172; amended Pub. L. 98-473, title II, § 604(a), Oct. 12, 1984, 98 Stat. 2078.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title I of Pub. L. 90-351, as added by Pub. L. 96-157, § 2, Dec. 27, 1979, 93 Stat. 1167, which is classified principally to this chapter. For complete classification of title I to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 3721 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 201 of Pub. L. 90-351, title I, June 19, 1968, 82 Stat. 198; Pub. L. 93-83, § 2, Aug. 6, 1973, 87 Stat. 197; Pub. L. 94-503, title I, § 104, Oct. 15, 1976, 90 Stat. 2408, set out Congressional statement of purpose in providing for a program of planning grants, prior to the general amendment of this chapter by Pub. L. 96-157.

AMENDMENTS

1984—Pub. L. 98-473 redesignated par. (5) as (4), struck out former par. (4) relating to improvement of efforts to detect, investigate, prosecute, and otherwise combat and prevent white-collar crime and public corruption, and in closing provisions struck out “to develop alter-

natives to judicial resolution of disputes,” after “local governments,”, and inserted “and demonstrate” after “to develop”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as an Effective Date note under section 10101 of this title.

NATIONAL TRAINING PROGRAM FOR STATE AND LOCAL PROSECUTORS

Pub. L. 110-424, Oct. 15, 2008, 122 Stat. 4819, provided that:

“SECTION 1. TRAINING FOR STATE AND LOCAL PROSECUTORS.

“The Attorney General is authorized to award a grant to a national nonprofit organization (such as the National District Attorneys Association) to conduct a national training program for State and local prosecutors for the purpose of improving the professional skills of State and local prosecutors and enhancing the ability of Federal, State, and local prosecutors to work together.

“SEC. 2. COMPREHENSIVE CONTINUING LEGAL EDUCATION.

“The Attorney General may provide assistance to the grantee under section 1 to carry out the training program described in such section, including comprehensive continuing legal education in the areas of trial practice, substantive legal updates, support staff training, and any other assistance the Attorney General determines to be appropriate.

“SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Attorney General to carry out this Act \$4,750,000 for each of the fiscal years 2009 through 2012, to remain available until expended.”

§ 10122. National Institute of Justice**(a) Establishment; general authority of Attorney General over Institute**

There is established within the Department of Justice, under the general authority of the Attorney General, a National Institute of Justice (hereinafter referred to in this subchapter as the “Institute”).

(b) Director of Institute; appointment by President; authority; restrictions

The Institute shall be headed by a Director appointed by the President. The Director shall have had experience in justice research. The Director shall report to the Attorney General through the Assistant Attorney General. The Director shall have final authority over all grants, cooperative agreements, and contracts awarded by the Institute. The Director shall not engage in any other employment than that of serving as Director; nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Institute makes any contract or other arrangement under this chapter.

(c) Duties and functions

The Institute is authorized to—

- (1) make grants to, or enter into cooperative agreements or contracts with, public agencies, institutions of higher education, private organizations, or individuals to conduct research, demonstrations, or special projects pertaining

to the purposes described in this subchapter, and provide technical assistance and training in support of tests, demonstrations, and special projects;

(2) conduct or authorize multiyear and short-term research and development concerning the criminal and civil justice systems in an effort—

(A) to identify alternative programs for achieving system goals;

(B) to provide more accurate information on the causes and correlates of crime;

(C) to analyze the correlates of crime and juvenile delinquency and provide more accurate information on the causes and correlates of crime and juvenile delinquency;

(D) to improve the functioning of the criminal justice system;

(E) to develop new methods for the prevention and reduction of crime, including the development of programs to facilitate cooperation among the States and units of local government, the detection and apprehension of criminals, the expeditious, efficient, and fair disposition of criminal and juvenile delinquency cases, the improvement of police and minority relations, the conduct of research into the problems of victims and witnesses of crime, the feasibility and consequences of allowing victims to participate in criminal justice decisionmaking, the feasibility and desirability of adopting procedures and programs which increase the victim's participation in the criminal justice process, the reduction in the need to seek court resolution of civil disputes, and the development of adequate corrections facilities and effective programs of correction; and

(F) to develop programs and projects to improve and expand the capacity of States and units of local government and combinations of such units, to detect, investigate, prosecute, and otherwise combat and prevent white-collar crime and public corruption, to improve and expand cooperation among the Federal Government, States, and units of local government in order to enhance the overall criminal justice system response to white-collar crime and public corruption, and to foster the creation and implementation of a comprehensive national strategy to prevent and combat white-collar crime and public corruption.

In carrying out the provisions of this subsection, the Institute may request the assistance of both public and private research agencies;

(3) evaluate the effectiveness, including cost effectiveness where practical, of projects or programs carried out under this chapter;

(4) make recommendations for action which can be taken by Federal, State, and local governments and by private persons and organizations to improve and strengthen criminal and civil justice systems;

(5) provide research fellowships and clinical internships and carry out programs of training and special workshops for the presentation and dissemination of information resulting from research, demonstrations, and special projects including those authorized by this subchapter;

(6) collect and disseminate information obtained by the Institute or other Federal agencies, public agencies, institutions of higher education, and private organizations relating to the purposes of this subchapter;

(7) serve as a national and international clearinghouse for the exchange of information with respect to the purposes of this subchapter;

(8) after consultation with appropriate agencies and officials of States and units of local government, make recommendations for the designation of programs or projects which will be effective in improving the functioning of the criminal justice system, for funding as discretionary grants under subchapter V;

(9) encourage, assist, and serve in a consulting capacity to Federal, State, and local justice system agencies in the development, maintenance, and coordination of criminal and civil justice programs and services; and

(10) research and development of tools and technologies relating to prevention, detection, investigation, and prosecution of crime; and

(11) support research, development, testing, training, and evaluation of tools and technology for Federal, State, and local law enforcement agencies.

(d) Criminal and civil justice research

To insure that all criminal and civil justice research is carried out in a coordinated manner, the Director is authorized to—

(1) utilize, with their consent, the services, equipment, personnel, information, and facilities of other Federal, State, local, and private agencies and instrumentalities with or without reimbursement therefor;

(2) confer with and avail itself of the cooperation, services, records, and facilities of State or of municipal or other local agencies;

(3) request such information, data, and reports from any Federal agency as may be required to carry out the purposes of this section, and the agencies shall provide such information to the Institute as required to carry out the purposes of this subchapter;

(4) seek the cooperation of the judicial branches of Federal and State Government in coordinating civil and criminal justice research and development; and

(5) exercise the powers and functions set out in subchapter VII.

(Pub. L. 90-351, title I, § 202, as added Pub. L. 96-157, § 2, Dec. 27, 1979, 93 Stat. 1172; amended Pub. L. 98-473, title II, § 604(b), Oct. 12, 1984, 98 Stat. 2078; Pub. L. 103-322, title XXXIII, § 330001(h)(1), Sept. 13, 1994, 108 Stat. 2139; Pub. L. 107-296, title II, § 237, Nov. 25, 2002, 116 Stat. 2162; Pub. L. 112-166, § 2(h)(3), Aug. 10, 2012, 126 Stat. 1285.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3722 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

PRIOR PROVISIONS

A prior section 202 of Pub. L. 90-351, title I, June 19, 1968, 82 Stat. 198; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 198, provided for making of grants to State planning agencies, prior to the general amendment of this chapter by Pub. L. 96-157.

AMENDMENTS

2012—Subsec. (b). Pub. L. 112-166 struck out “, by and with the advice and consent of the Senate” before period at end of first sentence.

2002—Subsec. (c)(3). Pub. L. 107-296, §237(1), inserted “, including cost effectiveness where practical,” after “evaluate the effectiveness”.

Subsec. (c)(10), (11). Pub. L. 107-296, §237(2), added pars. (10) and (11).

1994—Subsec. (c)(2)(E). Pub. L. 103-322 substituted “crime,” for “crime,.”.

1984—Subsec. (b). Pub. L. 98-473, §604(b)(1), required Director to report to Attorney General through Assistant Attorney General.

Subsec. (c)(2)(A). Pub. L. 98-473, §604(b)(2)(A)(i), struck out “, including programs authorized by section 3713 of this title” after “system goals”.

Subsec. (c)(2)(E). Pub. L. 98-473, §604(b)(2)(A)(ii), struck out “the prevention and reduction of parental kidnaping” after “reduction of crime.”.

Subsec. (c)(3). Pub. L. 98-473, §604(b)(2)(B), substituted “chapter” for “subchapter”.

Subsec. (c)(4) to (7). Pub. L. 98-473, §604(b)(2)(C), (F), redesignated pars. (5) to (8) as (4) to (7), respectively, and struck out former par. (4) relating to evaluation of programs and projects under other subchapters of this chapter to determine their impact upon criminal and civil justice systems and achievement of purposes and policies of this chapter and for dissemination of information.

Subsec. (c)(8). Pub. L. 98-473, §604(b)(2)(D)(i), (ii), (F), redesignated par. (10) as (8) and, in par. (8) as so designated, struck out “nationality priority grants under subchapter V of this chapter and” after “for funding as” and substituted “subchapter V” for “subchapter VI”. Former par. (8) redesignated (7).

Subsec. (c)(9). Pub. L. 98-473, §604(b)(2)(E), (F), redesignated par. (11) as (9), and struck out former par. (9) relating to a biennial report to President and Congress on state of justice research.

Subsec. (c)(10), (11). Pub. L. 98-473, §604(b)(2)(F), redesignated pars. (10) and (11) as (8) and (9), respectively.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-166 effective 60 days after Aug. 10, 2012, and applicable to appointments made on and after that effective date, including any nomination pending in the Senate on that date, see section 6(a) of Pub. L. 112-166, set out as a note under section 113 of Title 6, Domestic Security.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as an Effective Date note under section 10101 of this title.

§ 10123. Authority for 100 per centum grants

A grant authorized under this subchapter may be up to 100 per centum of the total cost of each project for which such grant is made. The Institute shall require, whenever feasible, as a condition of approval of a grant under this sub-

chapter, that the recipient contribute money, facilities, or services to carry out the purposes for which the grant is sought.

(Pub. L. 90-351, title I, §203, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1174.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3723 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 203 of Pub. L. 90-351, title I, June 19, 1968, 82 Stat. 199; Pub. L. 91-644, title I, §3(a)-(c), Jan. 2, 1971, 84 Stat. 1881; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 198; Pub. L. 93-415, title V, §542, Sept. 7, 1974, 88 Stat. 1142; Pub. L. 94-503, title I, §105, Oct. 15, 1976, 90 Stat. 2408; Pub. L. 95-115, §9(b), Oct. 3, 1977, 91 Stat. 1061, provided for establishment of State planning agencies, prior to the general amendment of this chapter by Pub. L. 96-157.

SUBCHAPTER III—BUREAU OF JUSTICE STATISTICS

§ 10131. Statement of purpose

It is the purpose of this subchapter to provide for and encourage the collection and analysis of statistical information concerning crime, juvenile delinquency, and the operation of the criminal justice system and related aspects of the civil justice system and to support the development of information and statistical systems at the Federal, State, and local levels to improve the efforts of these levels of government to measure and understand the levels of crime, juvenile delinquency, and the operation of the criminal justice system and related aspects of the civil justice system. The Bureau shall utilize to the maximum extent feasible State governmental organizations and facilities responsible for the collection and analysis of criminal justice data and statistics. In carrying out the provisions of this subchapter, the Bureau shall give primary emphasis to the problems of State and local justice systems.

(Pub. L. 90-351, title I, §301, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1176; amended Pub. L. 98-473, title II, §605(a), Oct. 12, 1984, 98 Stat. 2079.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3731 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 301 of Pub. L. 90-351, title I, June 19, 1968, 82 Stat. 199; Pub. L. 91-644, title I, §4(1)-(4), Jan. 2, 1971, 84 Stat. 1882; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 199; Pub. L. 94-503, title I, §§109, 128(b), Oct. 15, 1976, 90 Stat. 2411, 2424, related to purposes and categories of grants for law enforcement and criminal justice purposes, prior to the general amendment of this chapter by Pub. L. 96-157.

AMENDMENTS

1984—Pub. L. 98-473 struck out “(including white-collar crime and public corruption)” after “information