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SUBCHAPTER I—GENERALLY

§ 11101. Findings

(a) The Congress finds the following:

(1) Although the juvenile violent crime arrest rate in 1999 was the lowest in the decade, there remains a consensus that the number of crimes and the rate of offending by juveniles nationwide is still too high.

(2) According to the Office of Juvenile Justice and Delinquency Prevention, allowing 1 youth to leave school for a life of crime and of drug abuse costs society $1,700,000 to $2,300,000 annually.

(3) One in every 6 individuals (16.2 percent) arrested for committing violent crime in 1999 was less than 18 years of age. In 1999, juveniles accounted for 9 percent of murder arrests, 17 percent of forcible rape arrests, 25 percent of robbery arrest, 14 percent of aggravated assault arrests, and 24 percent of weapons arrests.

(4) More than ½ of juvenile murder victims are killed with firearms. Of the nearly 1,800 murder victims less than 18 years of age, 17 percent of the victims less than 13 years of age were murdered with a firearm, and 81 percent of the victims 13 years of age or older were killed with a firearm.

(5) Juveniles accounted for 13 percent of all drug abuse violation arrests in 1999. Between 1990 and 1999, juvenile arrests for drug abuse violations rose 132 percent.

(6) Over the last 3 decades, youth gang problems have increased nationwide. In the 1970's, 19 States reported youth gang problems. By the late 1990's, all 50 States and the District of Columbia reported gang problems. For the same period, the number of cities reporting youth gang problems grew 843 percent, and the number of counties reporting gang problems increased more than 1,000 percent.

(7) According to a national crime survey of individuals 12 years of age or older during 1999, those 12 to 19 years old are victims of violent crime at higher rates than individuals in all other age groups. Only 30.8 percent of these violent victimizations were reported by youth to police in 1999.

(8) One-fifth of juveniles 16 years of age who had been arrested were first arrested before attaining 12 years of age. Juveniles who are known to the juvenile justice system before attaining 13 years of age are responsible for a disproportionate share of serious crimes and violence.

(9) The increase in the arrest rates for girls and young juvenile offenders has changed the composition of violent offenders entering the juvenile justice system.

(10) These problems should be addressed through a 2-track common sense approach that addresses the needs of individual juveniles and society at large by promoting—

(A) quality prevention programs that—

(i) work with juveniles, their families, local public agencies, and community-based organizations, and take into consideration such factors as whether or not juveniles have been the victims of family violence (including child abuse and neglect); and

(ii) are designed to reduce risks and develop competencies in at-risk juveniles that will prevent, and reduce the rate of, violent delinquent behavior; and

(B) programs that assist in holding juveniles accountable for their actions and in developing the competencies necessary to become responsible and productive members of their communities, including a system of graduated sanctions to respond to each de-

linquent act, requiring juveniles to make restitution, or perform community service, for the damage caused by their delinquent acts, and methods for increasing victim satisfaction with respect to the penalties imposed on juveniles for their acts.

(11) Coordinated juvenile justice and delinquency prevention projects that meet the needs of juveniles through the collaboration of the many local service systems juveniles encounter can help prevent juveniles from becoming delinquent and help delinquent youth return to a productive life.

(b) Congress must act now to reform this program by focusing on juvenile delinquency prevention programs, as well as programs that hold juveniles accountable for their acts and which provide opportunities for competency development. Without true reform, the juvenile justice system will not be able to overcome the challenges it will face in the coming years when the number of juveniles is expected to increase by 18 percent between 2000 and 2030.

(Pub. L. 93–415, title I, §101, Sept. 7, 1974, 88 Stat. 1109; Pub. L. 96–509, §3, Dec. 8, 1980, 94 Stat. 2750; Pub. L. 98–473, title II, §611, Oct. 12, 1984, 98 Stat. 2107; Pub. L. 102–586, §1(a), Nov. 4, 1992, 106 Stat. 4982; Pub. L. 107–273, div. C, title II, §12202, Nov. 2, 2002, 116 Stat. 1869.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5601 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2002—Pub. L. 107–273 amended heading and text generally. Prior to amendment, text read as follows:

''(a) The Congress hereby finds that—

''(1) juveniles accounted for almost half the arrests for serious crimes in the United States in 1974 and for less than one-third of such arrests in 1983;

''(2) recent trends show an upsurge in arrests of adolescents for murder, assault, and weapon use;

''(3) the small number of youth who commit the most serious and violent offenses are becoming more violent;

''(4) understaffed, overcrowded juvenile courts, prosecutorial and public defender offices, probation services, and correctional facilities and inadequately trained staff in such courts, services, and facilities are not able to provide individualized justice or effective help;

''(5) present juvenile courts, foster and protective care programs, and shelter facilities are inadequate to meet the needs of children, who, because of this failure to provide effective services, may become delinquents;

''(6) existing programs have not adequately responded to the particular problems of the increasing numbers of young people who are addicted to or who abuse alcohol and other drugs, particularly nonopiate or polydrug abusers;

''(7) juvenile delinquency can be reduced through programs designed to keep students in elementary and secondary schools through the prevention of unwarranted and arbitrary suspensions and expulsions;

''(8) States and local communities which experience directly the devastating failures of the juvenile justice system do not presently have sufficient technical expertise or adequate resources to deal comprehensively with the problems of juvenile delinquency;

''(9) existing Federal programs have not provided the direction, coordination, resources, and leadership required to meet the crisis of delinquency;

''(10) the juvenile justice system should give additional attention to the problem of juveniles who commit serious crimes, with particular attention given to the areas of sentencing, providing resources necessary for informed dispositions, and rehabilitation;

''(11) emphasis should be placed on preventing youth from entering the juvenile justice system to begin with; and

''(12) the incidence of juvenile delinquency can be reduced through public recreation programs and activities designed to provide youth with social skills, enhance self esteem, and encourage the constructive use of discretionary time.

''(b) Congress finds further that the high incidence of delinquency in the United States today results in enormous annual cost and immeasurable loss of human life, personal security, and wasted human resources and that juvenile delinquency constitutes a growing threat to the national welfare requiring immediate and comprehensive action by the Federal Government to reduce and prevent delinquency.''

1992—Subsec. (a)(2), (3). Pub. L. 102–586, §1(a)(2), added pars. (2) and (3). Former pars. (2) and (3) redesignated (4) and (5), respectively.

Subsec. (a)(4). Pub. L. 102–586, §1(a)(1), (3), redesignated par. (2) as (4) and inserted ''prosecutorial and public defender offices,''. Former par. (4) redesignated (6).

Subsec. (a)(5) to (10). Pub. L. 102–586, §1(a)(1), redesignated pars. (3) to (8) as (5) to (10), respectively.

Subsec. (a)(11), (12). Pub. L. 102–586, §1(a)(4)–(6), added pars. (11) and (12).

1984—Subsec. (a)(1). Pub. L. 98–473, §611(1), substituted ''accounted'' for ''account'' and ''in 1974 and for less than one-third of such arrests in 1983'' for ''today''.

Subsec. (a)(2). Pub. L. 98–473, §611(2), inserted ''and inadequately trained staff in such courts, services, and facilities''.

Subsec. (a)(3). Pub. L. 98–473, §611(3), struck out ''the countless, abandoned, and dependent'' before ''children, who''.

Subsec. (a)(5). Pub. L. 98–473, §611(4), substituted ''reduced'' for ''prevented''.

1980—Subsec. (a)(4). Pub. L. 96–509, §3(1), inserted reference to alcohol abuse.

Subsec. (a)(8). Pub. L. 96–509, §3(2)–(4), added par. (8).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107–273, div. C, title II, §12223, Nov. 2, 2002, 116 Stat. 1896, as amended by Pub. L. 108–7, div. B, title I, §110(2), (3), Feb. 20, 2003, 117 Stat. 67, provided that:

''(a) EFFECTIVE DATE.—Except as provided in subsection (b), this subtitle [subtitle B (§§12201–12223) of title II of div. C of Pub. L. 107–273, see Tables for classification] and the amendments made by this subtitle shall take effect on the effective date provided in section 12102(b) [set out as a note under section 10401 of this title].

''(b) APPLICATION OF AMENDMENTS.—The amendments made by this subtitle shall apply only with respect to fiscal years beginning on or after the effective date provided in subsection (a).''

EFFECTIVE DATE OF 1988 AMENDMENT

Pub. L. 100–690, title VII, §7296, Nov. 18, 1988, 102 Stat. 4463, as amended by Pub. L. 101–204, title X, §1001(d), Dec. 7, 1989, 103 Stat. 1827, provided that:

''(a) EFFECTIVE DATE.—Except as provided in subsection (b), this subtitle [subtitle F (§§7250–7296) of title VII of Pub. L. 100–690, see Tables for classification] and the amendments made by this Act [probably should be subtitle] shall take effect on October 1, 1988.

''(b) APPLICATION OF AMENDMENTS.—(1) The amendments made by section 7258(a) [amending section 11133

of this title] shall not apply to a State with respect to a fiscal year beginning before the date of the enactment of this Act [Nov. 18, 1988] if the State plan is approved before such date by the Administrator for such fiscal year.

''(2) The amendments made by section 7253(b)(1) [amending section 11114 of this title] and section 7278 [enacting section 11277 of this title] shall not apply with respect to fiscal year 1989.

''(3) Notwithstanding the 180-day period provided in—

''(A) section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) [now 34 U.S.C. 11117], as added by section 7255;

''(B) section 361 of the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) [now 34 U.S.C. 11273], as redesignated by section 7273(e)(2) and amended by section 7274; and

''(C) section 404(a)(5) [now 404(a)(6)] of the Missing Children's Assistance Act (42 U.S.C. 5773(a)(5) [now 34 U.S.C. 11293(a)(6)]), as amended by section 7285(a)(3);

the reports required by such sections to be submitted with respect to fiscal year 1988 shall be submitted not later than August 1, 1989.''

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98–473, title II, § 670, Oct. 12, 1984, 98 Stat. 2129, provided that:

''(a) Except as provided in subsection (b), this division [division II (§§ 610–670) of chapter VI of title II of Pub. L. 98–473, see Tables for classification] and the amendments made by this division shall take effect on the date of the enactment of this joint resolution [Oct. 12, 1984] or October 1, 1984, whichever occurs later.

''(b) Paragraph (2) of section 331(c) of the Runaway and Homeless Youth Act [34 U.S.C. 11280], as added by section 657(d) of this division, shall not apply with respect to any grant or payment made before the effective date of this joint resolution [Oct. 12, 1984].''

EFFECTIVE DATE OF 1977 AMENDMENT

Pub. L. 93–415, title II, § 263(c), as added by Pub. L. 95–115, § 6(d)(2), Oct. 3, 1977, 91 Stat. 1058, which provided that except as otherwise provided by the Juvenile Justice Amendments of 1977 (see Short Title of 1977 Act note set out under section 10101 of this title and Tables), the amendments made by the Juvenile Justice Amendments of 1977 were to take effect on Oct. 1, 1977, was repealed by Pub. L. 100–690, title VII, § 7266(2), Nov. 18, 1988, 102 Stat. 4449.

EFFECTIVE DATE

Pub. L. 93–415, title II, § 263(a), (b), Sept. 7, 1974, 88 Stat. 1129, as amended by Pub. L. 94–273, § 32(a), Apr. 21, 1976, 90 Stat. 380; Pub. L. 95–115, § 6(d)(1), Oct. 3, 1977, 91 Stat. 1058, which provided that (a) except as provided by subsections (b) and (c) (formerly set out as an Effective Date of 1977 Amendment note above), the foregoing provisions of such Act (enacting subchapters I and II of this chapter and amending section 5108 of Title 5, Government Organization and Employees) were to take effect on Sept. 7, 1974, and that (b) section 5614(b)(5) and 5614(b)(6) of this title was to become effective at the close of the thirty-first day of the twelfth calendar month of 1974 and section 5614(*l*) of this title was to become effective at the close of the thirtieth day of the eleventh month of 1976, was repealed by Pub. L. 100–690, title VII, § 7266(2), Nov. 18, 1988, 102 Stat. 4449.

§ 11102. Purposes

The purposes of this subchapter and subchapter II are—

(1) to support State, tribal, and local programs that prevent juvenile involvement in delinquent behavior;

(2) to assist State, tribal, and local governments in promoting public safety by encouraging accountability for acts of juvenile delinquency;

(3) to assist State, tribal, and local governments in addressing juvenile crime through the provision of technical assistance, research, training, evaluation, and the dissemination of current and relevant information on effective and evidence-based programs and practices for combating juvenile delinquency; and

(4) to support a continuum of evidence-based or promising programs (including delinquency prevention, intervention, mental health, behavioral health and substance abuse treatment, family services, and services for children exposed to violence) that are trauma informed, reflect the science of adolescent development, and are designed to meet the needs of at-risk youth and youth who come into contact with the justice system.

(Pub. L. 93–415, title I, § 102, Sept. 7, 1974, 88 Stat. 1110; Pub. L. 96–509, § 4, Dec. 8, 1980, 94 Stat. 2750; Pub. L. 98–473, title II, § 612, Oct. 12, 1984, 98 Stat. 2108; Pub. L. 102–586, § 1(b), Nov. 4, 1992, 106 Stat. 4982; Pub. L. 107–273, div. C, title II, § 12203, Nov. 2, 2002, 116 Stat. 1871; Pub. L. 115–385, title I, § 101, Dec. 21, 2018, 132 Stat. 5124.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5602 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.

AMENDMENTS

2018—Par. (1). Pub. L. 115–385, § 101(1), inserted '', tribal,'' after ''State''.

Par. (2). Pub. L. 115–385, § 101(2), inserted '', tribal,'' after ''State'' and struck out ''and'' at end.

Par. (3). Pub. L. 115–385, § 101(3), amended par. (3) generally. Prior to amendment, par. (3) read as follows: ''to assist State and local governments in addressing juvenile crime through the provision of technical assistance, research, training, evaluation, and the dissemination of information on effective programs for combating juvenile delinquency.''

Par. (4). Pub. L. 115–385, § 101(4), added par. (4).

2002—Pub. L. 107–273 amended heading and text generally. Prior to text, section read as follows:

''(a) It is the purpose of this chapter—

''(1) to provide for the thorough and ongoing evaluation of all federally assisted juvenile justice and delinquency prevention programs;

''(2) to provide technical assistance to public and private nonprofit juvenile justice and delinquency prevention programs;

''(3) to establish training programs for persons, including professionals, paraprofessionals, and volunteers, who work with delinquents or potential delinquents or whose work or activities relate to juvenile delinquency programs;

''(4) to establish a centralized research effort on the problems of juvenile delinquency, including the dissemination of the findings of such research and all data related to juvenile delinquency;

''(5) to develop and encourage the implementation of national standards for the administration of juvenile justice, including recommendations for administrative, budgetary, and legislative action at the Federal, State, and local level to facilitate the adoption of such standards;

''(6) to assist States and local communities with resources to develop and implement programs to keep students in elementary and secondary schools and to prevent unwarranted and arbitrary suspensions and expulsions;