

“(ii) determined the reasons for the behavior that caused such juvenile to be brought before the court and made subject to such order;

“(iii) determined that all dispositions (including treatment), other than placement in a secure detention facility or a secure correctional facility, have been exhausted or are clearly inappropriate; and

“(iv) submitted to the court a written report stating the results of the review conducted under clause (i) and the determinations made under clauses (ii) and (iii);”.

Par. (22). Pub. L. 107-273, §12204(8)(A), redesignated cls. (i) to (iii) as subpars. (A) to (C), respectively.

Pars. (24) to (29). Pub. L. 107-273, §12204(8)(B)–(10), added pars. (24) to (29).

1998—Par. (8). Pub. L. 105-277, §101(b) [title I, §129(a)(1)(A)], added par. (8) and struck out former par. (8) which read as follows: “the term ‘unit of general local government’ means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior, or, for the purpose of assistance eligibility, any agency of the District of Columbia government performing law enforcement functions in and for the District of Columbia and funds appropriated by the Congress for the activities of such agency may be used to provide the non-Federal share of the cost of programs or projects funded under this subchapter;”.

Par. (9). Pub. L. 105-277, §101(b) [title I, §129(a)(1)(B)], substituted “units of local government” for “units of general local government”.

1992—Par. (16). Pub. L. 102-586, §1(c)(1), amended par. (16) generally. Prior to amendment, par. (16) read as follows: “the term ‘valid court order’ means a court order given by a juvenile court judge to a juvenile who has been brought before the court and made subject to a court order. The use of the word ‘valid’ permits the incarceration of juveniles for violation of a valid court order only if they received their full due process rights as guaranteed by the Constitution of the United States;”.

Pars. (19) to (23). Pub. L. 102-586, §1(c)(2)–(4), added pars. (19) to (23).

1988—Par. (5). Pub. L. 100-690, §7252(b)(1), substituted “section 5611(b)” for “section 5611(c)”.

Pars. (17), (18). Pub. L. 100-690, §7251(a), added pars. (17) and (18).

1984—Par. (3). Pub. L. 98-473, §613(1), struck out “for neglected, abandoned, or dependent youth and other youth” before “to help” and inserted “juvenile” after “prevent”.

Par. (4)(A). Pub. L. 98-473, §613(2), substituted “‘Bureau of Justice Assistance’ means the bureau established by section 3741 of this title” for “‘Office of Justice Assistance, Research, and Statistics’ means the office established by section 3781(a) of this title”.

Par. (4)(B). Pub. L. 98-473, §613(2), substituted “‘Office of Justice Programs’ means the office established by section 3711 of this title” for “‘Law Enforcement Assistance Administration’ means the administration established by section 3711 of this title”.

Par. (6). Pub. L. 98-473, §613(3), substituted “services,” for “services,” before “activities of”.

Par. (14). Pub. L. 98-473, §613(4)(A), inserted “or other sex offenses punishable as a felony”.

Par. (16). Pub. L. 98-473, §613(4)(B)–(6), added par. (16). 1980—Par. (1). Pub. L. 96-509, §5(a), inserted reference to special education.

Par. (4). Pub. L. 96-509, §5(b), designated existing provisions as subpar. (B) and added subpars. (A), (C), and (D).

Par. (5). Pub. L. 96-509, §19(a), substituted “section 5611(c) of this title” for “section 3711(c) of this title”.

Par. (7). Pub. L. 96-509, §5(c), substituted “the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands” for “and any territory or possession of the United States”.

Par. (9). Pub. L. 96-509, §5(d), substituted “juvenile justice and delinquency prevention” for “law enforcement”.

Par. (12). Pub. L. 96-509, §5(e), substituted definition of “secure detention facility” for definition of “correctional institution or facility”.

Pars. (13), (14). Pub. L. 96-509, §5(f), added pars. (13) and (14). Former par. (13) redesignated (15).

Par. (15). Pub. L. 96-509, §5(f), (g), redesignated former par. (13) as (15), inserted reference to special education, and substituted “protect the public, including services designed to benefit addicts and other users by eliminating their dependence on alcohol or other addictive or nonaddictive drugs or by controlling their dependence and susceptibility to addiction or use” for “protect the public and benefit the addict or other user by eliminating his dependence on addicting or other drugs or by controlling his dependence, and his susceptibility to addiction or use”.

1977—Par. (3). Pub. L. 95-115 substituted “to help prevent delinquency” for “who are in danger of becoming delinquent”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-385 not applicable with respect to funds appropriated for any fiscal year that begins before Dec. 21, 2018, see section 3 of Pub. L. 115-385, set out as a note under section 11102 of this title.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-273 effective on the first day of the first fiscal year that begins after Nov. 2, 2002, and applicable only with respect to fiscal years beginning on or after the first day of the first fiscal year that begins after Nov. 2, 2002, see section 12223 of Pub. L. 107-273, set out as a note under section 11101 of this title.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 11101 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as a note under section 11101 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115 and repealed by Pub. L. 100-690, title VII, §7266(2), Nov. 18, 1988, 102 Stat. 4449, formerly set out as a note under section 11101 of this title.

Executive Documents

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

SUBCHAPTER II—PROGRAMS AND OFFICES

PART A—JUVENILE JUSTICE AND DELINQUENCY PREVENTION OFFICE

§ 11111. Establishment

(a) Placement within Department of Justice under general authority of Attorney General

There is hereby established an Office of Juvenile Justice and Delinquency Prevention (hereinafter in this division¹ referred to as the “Of-

¹ See References in Text note below.

“fice”) within the Department of Justice under the general authority of the Attorney General.

(b) Administrator; head, appointment, authorities, etc.

The Office shall be headed by an Administrator (hereinafter in this subchapter referred to as the “Administrator”) appointed by the President from among individuals who have had experience in juvenile justice programs. The Administrator is authorized to prescribe regulations consistent with this chapter to award, administer, modify, extend, terminate, monitor, evaluate, reject, or deny all grants and contracts from, and applications for, funds made available under this subchapter. The Administrator shall have the same reporting relationship with the Attorney General as the directors of other offices and bureaus within the Office of Justice Programs have.

(c) Deputy Administrator; appointment, functions, etc.

There shall be in the Office a Deputy Administrator who shall be appointed by the Attorney General. The Deputy Administrator shall perform such functions as the Administrator may from time to time assign or delegate and shall act as the Administrator during the absence or disability of the Administrator.

(Pub. L. 93-415, title II, § 201(a)-(f), Sept. 7, 1974, 88 Stat. 1112, 1113; Pub. L. 95-115, § 3(a)(1)-(3)(A), (4), (5), Oct. 3, 1977, 91 Stat. 1048, 1049; Pub. L. 96-509, §§ 6, 19(b), Dec. 8, 1980, 94 Stat. 2752, 2762; Pub. L. 98-473, title II, § 620, Oct. 12, 1984, 98 Stat. 2108; Pub. L. 100-690, title VII, § 7252(a), Nov. 18, 1988, 102 Stat. 4436; Pub. L. 102-586, § 2(a), Nov. 4, 1992, 106 Stat. 4984; Pub. L. 112-166, § 2(h)(4), Aug. 10, 2012, 126 Stat. 1285.)

Editorial Notes

REFERENCES IN TEXT

This division, referred to in subsec. (a), probably means division II (§§ 610-670) of chapter VI of title II of Pub. L. 98-473, Oct. 12, 1984, 98 Stat. 2107, which made numerous amendments to this chapter. For complete classification of this division to the Code, see Short Title of 1984 Act note set out under section 10101 of this title and Tables.

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 93-415, Sept. 7, 1974, 88 Stat. 1109, known as the Juvenile Justice and Delinquency Prevention Act of 1974, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title of 1974 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 5611 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

2012—Subsec. (b). Pub. L. 112-166 struck out “, by and with the advice and consent of the Senate,” after “President”.

1992—Subsec. (b). Pub. L. 102-586 amended third sentence generally, substituting “The Administrator shall have the same reporting relationship with the Attorney General as the directors of other offices and bureaus

within the Office of Justice Programs have” for “The Administrator shall report to the Attorney General through the Assistant Attorney General who heads the Office of Justice Programs under part A of title I of the Omnibus Crime Control and Safe Streets Act of 1968”.

1988—Subsec. (c). Pub. L. 100-690 struck out “and whose function shall be to supervise and direct the National Institute for Juvenile Justice and Delinquency Prevention established by section 5651 of this title” after “Attorney General” in first sentence and “also” after “The Deputy Administrator shall” in second sentence.

1984—Subsec. (a). Pub. L. 98-473, in amending subsec. (a) generally, substituted provisions relating to establishment of the Office of Juvenile Justice and Delinquency Prevention for former provisions which also provided for the establishment of the Office and its administration by an Administrator.

Subsec. (b). Pub. L. 98-473, in amending subsec. (b) generally, substituted provisions relating to functions and duties of the Administrator for former provisions which related to administration of the program.

Subsec. (c). Pub. L. 98-473, in amending subsec. (c) generally, substituted provisions relating to Deputy Administrator for former provisions which related to nomination of the Administrator by the President.

Subsec. (d). Pub. L. 98-473, in amending section generally, struck out subsec. (d) which related to powers of the Administrator. See subsec. (b) of this section.

Subsec. (e). Pub. L. 98-473, in amending section generally, struck out subsec. (e) which related to Deputy Administrator. See subsec. (c) of this section.

Subsec. (f). Pub. L. 98-473, in amending section generally, struck out subsec. (f) which related to supervision of the National Institute for Juvenile Justice and Delinquency Prevention.

1980—Subsec. (a). Pub. L. 96-509, § 6(a), substituted “under the general authority of the Attorney General” for “Law Enforcement Assistance Administration”.

Subsec. (c). Pub. L. 96-509, § 19(b)(1), substituted “Administrator” for “Associate Administrator” as the name of the official heading the Office of Juvenile Justice and Delinquency Prevention and struck out provisions that had governed the meaning to be placed upon the use of the title “Associate Administrator”.

Subsec. (d). Pub. L. 96-509, §§ 6(b), 19(b)(2), substituted “Administrator” for “Associate Administrator” wherever appearing, struck out provisions that had required the former Associate Administrator to report directly to the Administrator, and provided that the Administrator exercise all necessary powers under the general authority of the Attorney General rather than the Administrator of the Law Enforcement Assistance Administration, clarified that the Administrator of the Office of Juvenile Justice and Delinquency Prevention is authorized to prescribe regulations for all grants and contracts available under part B and part C of this subchapter, and provided that the Administrator of the Law Enforcement Assistance Administration and the Director of the National Institute of Justice may delegate authority to the Administrator for all juvenile justice and delinquency prevention grants and contracts for funds made available under the Omnibus Crime Control and Safe Streets Act of 1968.

Subsec. (e). Pub. L. 96-509, §§ 6(c), 19(b)(3), substituted “Deputy Administrator” for “Deputy Associate Administrator”, “Administrator” for “Associate Administrator”, “Attorney General” for “Administrator of the Law Enforcement Assistance Administration”, and “office” for “Office”.

Subsec. (f). Pub. L. 96-509, §§ 6(d), 19(b)(4), substituted “Deputy Administrator” for “Deputy Associate Administrator” and “Attorney General” for “Administrator”.

1977—Subsec. (a). Pub. L. 95-115, § 3(a)(1), inserted provisions relating to administration of provisions of this chapter.

Subsec. (c). Pub. L. 95-115, § 3(a)(2), (3)(A), inserted provisions relating to statutory references to the Associate Administrator and substituted “an Associate” for “an Assistant”.

Subsec. (d). Pub. L. 95-115, §3(a)(3)(A), (4), inserted provisions relating to powers of the Associate Administrator over grants and contracts and provisions relating to reporting requirement and substituted “The Associate Administrator shall exercise” for “The Assistant Administrator shall exercise”.

Subsec. (e). Pub. L. 95-115, §3(a)(3)(A), (5), substituted references to Deputy Associate Administrator and Associate Administrator for references to Deputy Assistant Administrator and Assistant Administrator, respectively, wherever appearing.

Subsec. (f). Pub. L. 95-115, §3(a)(5), substituted “Associate” for “Assistant”.

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 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 11101 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as a note under section 11101 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115 and repealed by Pub. L. 100-690, title VII, §7266(2), Nov. 18, 1988, 102 Stat. 4449, formerly set out as a note under section 11101 of this title.

MENTORING MATCHES FOR YOUTH

Pub. L. 109-248, title VI, subtitle A, July 27, 2006, 120 Stat. 631, 632, provided that:

“SEC. 601. SHORT TITLE.

“This subtitle may be cited as the ‘Mentoring Matches for Youth Act of 2006’.

“SEC. 602. FINDINGS.

“Congress finds the following:

“(1) Big Brothers Big Sisters of America, which was founded in 1904 and chartered by Congress in 1958, is the oldest and largest mentoring organization in the United States.

“(2) There are over 450 Big Brothers Big Sisters of America local agencies providing mentoring programs for at-risk children in over 5,000 communities throughout every State, Guam, and Puerto Rico.

“(3) Over the last decade, Big Brothers Big Sisters of America has raised a minimum of 75 percent of its annual operating budget from private sources and is continually working to grow private sources of funding to maintain this ratio of private to Federal funds.

“(4) In 2005, Big Brothers Big Sisters of America provided mentors for over 235,000 children.

“(5) Big Brothers Big Sisters of America has a goal to provide mentors for 1,000,000 children per year.

“SEC. 603. GRANT PROGRAM FOR EXPANDING BIG BROTHERS BIG SISTERS MENTORING PROGRAM.

“In each of fiscal years 2007 through 2012, the Administrator of the Office of Juvenile Justice and Delinquency Prevention (hereafter in this Act referred to as the ‘Administrator’) may make grants to Big Brothers Big Sisters of America to use for expanding the capacity of and carrying out the Big Brothers Big Sisters mentoring programs for at-risk youth.

“SEC. 604. BIENNIAL REPORT.

“(a) IN GENERAL.—Big Brothers Big Sisters of America shall submit 2 reports to the Administrator in each of fiscal years 2007 through 2013. Big Brothers Big Sisters of America shall submit the first report in a fiscal year not later than April 1 of that fiscal year and the second report in a fiscal year not later than September 30 of that fiscal year.

“(b) REQUIRED CONTENT.—Each such report shall include the following:

“(1) A detailed statement of the progress made by Big Brothers Big Sisters of America in expanding the capacity of and carrying out mentoring programs for at-risk youth.

“(2) A detailed statement of how the amounts received under this Act have been used.

“(3) A detailed assessment of the effectiveness of the mentoring programs.

“(4) Recommendations for continued grants and the appropriate amounts for such grants.

“SEC. 605. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this Act—

“(1) \$9,000,000 for fiscal year 2007;

“(2) \$10,000,000 for fiscal year 2008;

“(3) \$11,500,000 for fiscal year 2009;

“(4) \$13,000,000 for fiscal year 2010; and

“(5) \$15,000,000 for fiscal year 2011.”

§ 11112. Personnel

(a) Selection; employment; compensation

The Administrator is authorized to select, employ, and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions vested in the Administrator and to prescribe their functions.

(b) Special personnel

The Administrator is authorized to select, appoint, and employ not to exceed three officers and to fix their compensation at rates not to exceed the rate now or hereafter payable under section 5376 of title 5.

(c) Personnel from other agencies

Upon the request of the Administrator, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of its personnel to the Administrator to assist the Administrator in carrying out the functions of the Administrator under this subchapter.

(d) Experts and consultants

The Administrator may obtain services as authorized by section 3109 of title 5, at rates not to exceed the rate now or hereafter payable under section 5376 of title 5.

(Pub. L. 93-415, title II, §202, Sept. 7, 1974, 88 Stat. 1113; Pub. L. 95-115, §3(a)(3)(A), Oct. 3, 1977, 91 Stat. 1048; Pub. L. 96-509, §19(c), Dec. 8, 1980, 94 Stat. 2763; Pub. L. 98-473, title II, §621, Oct. 12, 1984, 98 Stat. 2109; Pub. L. 102-586, §2(b), Nov. 4, 1992, 106 Stat. 4984; Pub. L. 107-273, div. C, title II, §12221(a)(1), Nov. 2, 2002, 116 Stat. 1894.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5612 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2002—Subsec. (b). Pub. L. 107-273 substituted “payable under section 5376” for “prescribed for GS-18 of the General Schedule by section 5332”.