

§ 11117. Annual report

Not later than 180 days after the end of each fiscal year, the Administrator shall submit to the President, the Speaker of the House of Representatives, and the President pro tempore of the Senate a report that contains the following with respect to such fiscal year:

(1) A detailed summary and analysis of the most recent data available regarding the number of juveniles taken into custody, the rate at which juveniles are taken into custody, and the trends demonstrated by the data required by subparagraphs (A), (B), and (C). Such summary and analysis shall set out the information required by subparagraphs (A), (B), (C), and (D) separately for juvenile nonoffenders, juvenile status offenders, and other juvenile offenders. Such summary and analysis shall separately address with respect to each category of juveniles specified in the preceding sentence—

(A) the types of offenses with which the juveniles are charged;

(B) the race, gender, and ethnicity, as such term is defined by the Bureau of the Census, of the juveniles;

(C) the ages of the juveniles;

(D) the types of facilities used to hold the juveniles (including juveniles treated as adults for purposes of prosecution) in custody, including secure detention facilities, secure correctional facilities, jails, and lock-ups;

(E) the number of juveniles who died while in custody and the circumstances under which they died;

(F) the educational status of juveniles, including information relating to learning and other disabilities, failing performance, grade retention, and dropping out of school;

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

(H) the number of status offense cases petitioned to court, number of status offenders held in secure detention, the findings used to justify the use of secure detention, and the average period of time a status offender was held in secure detention;

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

(J) the number of juveniles whose offense originated on school grounds, during school-sponsored off-campus activities, or due to a referral by a school official, as collected and reported by the Department of Education or similar State educational agency; and

(K) the number of juveniles in the custody of secure detention and correctional facilities operated by a State or unit of local or tribal government who report being pregnant.

(2) A description of the activities for which funds are expended under this part, including the objectives, priorities, accomplishments, and recommendations of the Council.

(3) A description, based on the most recent data available, of the extent to which each State complies with section 11133 of this title and with the plan submitted under such section by the State for such fiscal year.

(4) An evaluation of the programs funded under this subchapter and their effectiveness in reducing the incidence of juvenile delinquency, particularly violent crime, committed by juveniles.

(5) A description of the criteria used to determine what programs qualify as evidence-based and promising programs under this subchapter and subchapter V and a comprehensive list of those programs the Administrator has determined meet such criteria in both rural and urban areas.

(6) A description of funding provided to Indian Tribes under this chapter or for a juvenile delinquency or prevention program under the Tribal Law and Order Act of 2010 (Public Law 111-211; 124 Stat. 2261), including direct Federal grants and funding provided to Indian Tribes through a State or unit of local government.

(7) An analysis and evaluation of the internal controls at the Office of Juvenile Justice and Delinquency Prevention to determine if grantees are following the requirements of the Office of Juvenile Justice and Delinquency Prevention grant programs and what remedial action the Office of Juvenile Justice and Delinquency Prevention has taken to recover any grant funds that are expended in violation of the grant programs, including instances—

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

(B) where unauthorized expenditures occurred; or

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

(8) An analysis and evaluation of the total amount of payments made to grantees that the Office of Juvenile Justice and Delinquency Prevention recouped from grantees that were found to be in violation of policies and procedures of the Office of Juvenile Justice and Delinquency Prevention grant programs, including—

(A) the full name and location of the grantee;

(B) the violation of the program found;

(C) the amount of funds sought to be recouped by the Office of Juvenile Justice and Delinquency Prevention; and

(D) the actual amount recouped by the Office of Juvenile Justice and Delinquency Prevention.

(Pub. L. 93-415, title II, §207, as added Pub. L. 100-690, title VII, §7255, Nov. 18, 1988, 102 Stat. 4437; amended Pub. L. 102-586, §2(e), Nov. 4, 1992, 106 Stat. 4986; Pub. L. 107-273, div. C, title II, §12207, Nov. 2, 2002, 116 Stat. 1872; Pub. L. 115-385, title II, §203, Dec. 21, 2018, 132 Stat. 5128.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in par. (6), 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.

The Tribal Law and Order Act of 2010, referred to in par. (6), is title II of Pub. L. 111-211, July 29, 2010, 124 Stat. 2261. For complete classification of this Act to the Code, see Short Title of 2010 Amendment note set out under section 2801 of Title 25, Indians, and Tables.

CODIFICATION

Section was formerly classified to section 5617 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 207 of title II of Pub. L. 93-415, as added Pub. L. 96-509, §9, Dec. 8, 1980, 94 Stat. 2753, related to establishment and functions of National Advisory Committee for Juvenile Justice and Delinquency Prevention, prior to repeal eff. Oct. 12, 1984, by Pub. L. 98-473, title II, §624, Oct. 12, 1984, 98 Stat. 2111.

Another prior section 207 of title II of Pub. L. 93-415, Sept. 7, 1974, 88 Stat. 1117; Pub. L. 95-115, §3(e), Oct. 3, 1977, 91 Stat. 1050, related to National Advisory Committee for Juvenile Justice and Delinquency Prevention, its membership, terms of office, etc., prior to repeal by Pub. L. 96-509, §9, Dec. 8, 1980, 94 Stat. 2753.

AMENDMENTS

2018—Pub. L. 115-385, §203(1), substituted “each fiscal year” for “a fiscal year” in introductory provisions.

Par. (1)(B). Pub. L. 115-385, §203(2)(A), substituted “, gender, and ethnicity, as such term is defined by the Bureau of the Census,” for “and gender”.

Par. (1)(F). Pub. L. 115-385, §203(2)(C), inserted “and other” before “disabilities,” and substituted semicolon for period at end.

Par. (1)(G) to (K). Pub. L. 115-385, §203(2)(B), (D), added subpars. (G) to (K).

Pars. (5) to (8). Pub. L. 115-385, §203(3), added pars. (5) to (8).

2002—Pars. (4), (5). Pub. L. 107-273 added par. (4) and struck out former pars. (4) and (5) which read as follows:

“(4) A summary of each program or activity for which assistance is provided under part C or D of this subchapter, an evaluation of the results of such program or activity, and a determination of the feasibility and advisability of replicating such program or activity in other locations.

“(5) A description of selected exemplary delinquency prevention programs for which assistance is provided under this subchapter, with particular attention to community-based juvenile delinquency prevention programs that involve and assist families of juveniles.”

1992—Par. (1)(D). Pub. L. 102-586, §2(e)(1)(A), inserted “(including juveniles treated as adults for purposes of prosecution)”.

Par. (1)(F). Pub. L. 102-586, §2(e)(1)(B), (2), (3), added subpar. (F).

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

Section effective Oct. 1, 1988, with the report required by this section with respect to fiscal year 1988 to be submitted not later than Aug. 1, 1989, notwithstanding the 180-day period provided in this section, see section 7296(a), (b)(3) of Pub. L. 100-690, as amended, set out as an Effective Date of 1988 Amendment note under section 11101 of this title.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in this section relating to submittal to the Speaker of the House of Representatives and the President pro tempore of the Senate of an annual report, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and item 10 on page 177 of House Document No. 103-7.

PART B—CHARLES GRASSLEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM

Editorial Notes

CODIFICATION

Pub. L. 115-385, title II, §204(c)(1), Dec. 21, 2018, 132 Stat. 5130, substituted “Charles Grassley Juvenile Justice and Delinquency Prevention Program” for “Federal Assistance for State and Local Programs” in part heading.

Pub. L. 100-690, title VII, §7263(a)(1)(A), Nov. 18, 1988, 102 Stat. 4443, struck out subpart I heading “Formula Grants” in part B.

§ 11131. Authority to make grants and contracts

(a) The Administrator is authorized to make grants to States and units of local government or combinations thereof to assist them in planning, establishing, operating, coordinating, and evaluating projects directly or through grants and contracts with public and private agencies for the development of more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice system.

(b)(1) With not to exceed 5 percent of the funds available in a fiscal year to carry out this part, the Administrator shall make grants to and enter into contracts with public and private agencies, organizations, and individuals to provide technical assistance to States, units of general local governments¹ (and combinations thereof), and local private agencies to facilitate compliance with section 11133 of this title and implementation of the State plan approved under section 11133(c) of this title.

(2) Grants and contracts may be made under paragraph (1) only to public and private agencies, organizations, and individuals that have experience in providing such technical assistance.

(Pub. L. 93-415, title II, §221, Sept. 7, 1974, 88 Stat. 1118; Pub. L. 95-115, §4(a), Oct. 3, 1977, 91 Stat. 1050; Pub. L. 98-473, title II, §625(a), Oct. 12, 1984, 98 Stat. 2111; Pub. L. 100-690, title VII, §7256, Nov. 18, 1988, 102 Stat. 4438; Pub. L. 102-586, §2(f)(1), Nov. 4, 1992, 106 Stat. 4987; Pub. L. 105-277, div. A, §101(b) [title I, §129(a)(2)(A)], Oct. 21, 1998, 112 Stat. 2681-50, 2681-75; Pub. L. 107-273, div. C, title II, §12221(a)(2), Nov. 2, 2002, 116 Stat.

¹So in original. Probably should be “units of local governments”.