

3, 1977, 91 Stat. 1048, 1057; Pub. L. 96-509, §19(o), Dec. 8, 1980, 94 Stat. 2765; renumbered §248 Pub. L. 98-473, title II, §638, Oct. 12, 1984, 98 Stat. 2120; renumbered §246 and amended Pub. L. 100-690, title VII, §7263(a)(2)(E), (b)(2), Nov. 18, 1988, 102 Stat. 4443, 4447; Pub. L. 102-586, §2(g)(5), Nov. 4, 1992, 106 Stat. 4996, related to the curriculum for training program, prior to repeal by Pub. L. 107-273, div. C, title II, §12210(1), Nov. 2, 2002, 116 Stat. 1880.

Another prior section 246 of Pub. L. 93-415, title II, formerly §247, Sept. 7, 1974, 88 Stat. 1127; Pub. L. 95-115, §5(d), Oct. 3, 1977, 91 Stat. 1057; renumbered §246 and amended Pub. L. 98-473, title II, §636, Oct. 12, 1984, 98 Stat. 2120, set forth additional functions of the Institute for Juvenile Justice and Delinquency Prevention, prior to repeal by Pub. L. 100-690, title VII, §§7263(a)(2)(C), 7296(a), Nov. 18, 1988, 102 Stat. 4443, 4463, effective Oct. 1, 1988.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal 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.

PART D—RESEARCH; EVALUATION; TECHNICAL ASSISTANCE; TRAINING

Editorial Notes

PRIOR PROVISIONS

A prior part D of title II of Pub. L. 93-415 related to gang-free schools and communities and gang intervention, prior to repeal by Pub. L. 107-273, div. C, title II, §12210(1), Nov. 2, 2002, 116 Stat. 1880.

§ 11161. Research and evaluation; statistical analyses; information dissemination

(a) Research and evaluation

(1) The Administrator shall—

(A) annually publish a plan to identify the purposes and goals of all agreements carried out with funds provided under this subsection; and

(B) conduct research or evaluation in juvenile justice matters, for the purpose of providing research and evaluation relating to—

(i) the prevention, reduction, and control of juvenile delinquency and serious crime committed by juveniles;

(ii) the link between juvenile delinquency and the incarceration of members of the families of juveniles;

(iii) successful efforts to prevent status offenders and first-time minor offenders from subsequent involvement with the juvenile justice and criminal justice systems;

(iv) successful efforts to prevent recidivism;

(v) the juvenile justice system;

(vi) juvenile violence;

(vii) the prevalence and duration of behavioral health needs (including mental health, substance abuse, and co-occurring disorders) among juveniles pre-placement and post-placement in the juvenile justice system, including an examination of the effects of secure detention in a correctional facility;

(viii) reducing the proportion of juveniles detained or confined in secure detention facilities, secure correctional facilities, jails,

and lockups who are members of minority groups;

(ix) training efforts and reforms that have produced reductions in or elimination of the use of dangerous practices;

(x) methods to improve the recruitment, selection, training, and retention of professional personnel who are focused on the prevention, identification, and treatment of delinquency;

(xi) methods to improve the identification and response to victims of domestic child sex trafficking within the juvenile justice system;

(xii) identifying positive outcome measures, such as attainment of employment and educational degrees, that States and units of local government should use to evaluate the success of programs aimed at reducing recidivism of youth who have come in contact with the juvenile justice system or criminal justice system;

(xiii) evaluating the impact and outcomes of the prosecution and sentencing of juveniles as adults;

(xiv) successful and cost-effective efforts by States and units of local government to reduce recidivism through policies that provide for consideration of appropriate alternative sanctions to incarceration of youth facing nonviolent charges, while ensuring that public safety is preserved;

(xv)¹ evaluating services, treatment, and aftercare placement of juveniles who were under the care of the State child protection system before their placement in the juvenile justice system;

(xvii) determining—

(I) the frequency, seriousness, and incidence of drug use by youth in schools and communities in the States using, if appropriate, data submitted by the States pursuant to this subparagraph and subsection (b); and

(II) the frequency, degree of harm, and morbidity of violent incidents, particularly firearm-related injuries and fatalities, by youth in schools and communities in the States, including information with respect to—

(aa) the relationship between victims and perpetrators;

(bb) demographic characteristics of victims and perpetrators; and

(cc) the type of weapons used in incidents, as classified in the Uniform Crime Reports of the Federal Bureau of Investigation; and

(xviii) other purposes consistent with the purposes of this subchapter and subchapter I.

(2) The Administrator shall ensure that an equitable amount of funds available to carry out paragraph (1)(B) is used for research and evaluation relating to the prevention of juvenile delinquency.

(3) Nothing in this subsection shall be construed to permit the development of a national

¹ So in original. There is no cl. (xv).

database of personally identifiable information on individuals involved in studies, or in data-collection efforts, carried out under paragraph (1)(B)(x).

(4) Not later than 1 year after December 21, 2018, the Administrator shall conduct a study with respect to juveniles who, prior to placement in the juvenile justice system, were under the care or custody of the State child welfare system, and to juveniles who are unable to return to their family after completing their disposition in the juvenile justice system and who remain wards of the State in accordance with applicable confidentiality requirements. Such study shall include—

(A) the number of juveniles in each category;

(B) the extent to which State juvenile justice systems and child welfare systems are coordinating services and treatment for such juveniles;

(C) the Federal and local sources of funds used for placements and post-placement services;

(D) barriers faced by State² and Indian Tribes in providing services to these juveniles;

(E) the types of post-placement services used;

(F) the frequency of case plans and case plan reviews;

(G) the extent to which case plans identify and address permanency and placement barriers and treatment plans;

(H) a description of the best practices in discharge planning; and

(I) an assessment of living arrangements for juveniles who, upon release from confinement in a State correctional facility, cannot return to the residence they occupied prior to such confinement.

(b) Statistical analyses

The Administrator shall—

(1) plan and identify the purposes and goals of all agreements carried out with funds provided under this subsection; and

(2) undertake statistical work in juvenile justice matters, for the purpose of providing for the collection, analysis, and dissemination of statistical data and information relating to juvenile delinquency and serious crimes committed by juveniles, to the juvenile justice system, to juvenile violence, and to other purposes consistent with the purposes of this subchapter and subchapter I.

(c) Grant authority and competitive selection process

The Administrator may make grants and enter into contracts with public or private agencies, organizations, or individuals and shall use a competitive process, established by rule by the Administrator, to carry out subsections (a) and (b).

(d) Implementation of agreements

A Federal agency that makes an agreement under subsections (a)(1)(B) and (b)(2) with the Administrator may carry out such agreement directly or by making grants to or contracts

with public and private agencies, institutions, and organizations.

(e) Information dissemination

The Administrator may—

(1) review reports and data relating to the juvenile justice system in the United States and in foreign nations (as appropriate), collect data and information from studies and research into all aspects of juvenile delinquency (including the causes, prevention, and treatment of juvenile delinquency) and serious crimes committed by juveniles;

(2) establish and operate, directly or by contract, a clearinghouse and information center for the preparation, publication, and dissemination of information relating to juvenile delinquency, including State and local prevention and treatment programs, plans, resources, and training and technical assistance programs; and

(3) make grants and contracts with public and private agencies, institutions, and organizations, for the purpose of disseminating information to representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, the courts, corrections, schools, and related services, in the establishment, implementation, and operation of projects and activities for which financial assistance is provided under this subchapter.

(f) National recidivism measure

The Administrator, in accordance with applicable confidentiality requirements and in consultation with experts in the field of juvenile justice research, recidivism, and data collection, shall—

(1) establish a uniform method of data collection and technology that States may use to evaluate data on juvenile recidivism on an annual basis;

(2) establish a common national juvenile recidivism measurement system; and

(3) make cumulative juvenile recidivism data that is collected from States available to the public.

(Pub. L. 93-415, title II, §251, as added Pub. L. 107-273, div. C, title II, §12211, Nov. 2, 2002, 116 Stat. 1888; amended Pub. L. 115-385, title II, §207, Dec. 21, 2018, 132 Stat. 5140.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5661 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2018—Subsec. (a)(1). Pub. L. 115-385, §207(1)(A)(i), substituted “shall” for “may” in introductory provisions. Subsec. (a)(1)(A). Pub. L. 115-385, §207(1)(A)(ii), substituted “annually publish a plan to identify” for “plan and identify”.

Subsec. (a)(1)(B)(iii). Pub. L. 115-385, §207(1)(A)(iii)(I), added cl. (iii) and struck out former cl. (iii) which read as follows: “successful efforts to prevent first-time minor offenders from committing subsequent involvement in serious crime;”.

Subsec. (a)(1)(B)(vii). Pub. L. 115-385, §207(1)(A)(iii)(II), added cl. (vii) and struck out former

² So in original. Probably should be “States”.

cl. (vii) which read as follows: “appropriate mental health services for juveniles and youth at risk of participating in delinquent activities;”.

Subsec. (a)(1)(B)(ix) to (xviii). Pub. L. 115-385, §207(1)(A)(iii)(III), (IV), added cls. (ix) to (xiv) and redesignated former cls. (ix) to (xi) as (xvi) to (xviii), respectively.

Subsec. (a)(4). Pub. L. 115-385, §207(1)(B)(i), in introductory provisions, substituted “December 21, 2018” for “November 2, 2002” and inserted “in accordance with applicable confidentiality requirements” after “wards of the State”.

Subsec. (a)(4)(D). Pub. L. 115-385, §207(1)(B)(ii), inserted “and Indian Tribes” after “State”.

Subsec. (a)(4)(H), (I). Pub. L. 115-385, §207(1)(B)(iii)-(v), added subpars. (H) and (I).

Subsec. (b). Pub. L. 115-385, §207(2), substituted “shall” for “may” in introductory provisions.

Subsec. (f). Pub. L. 115-385, §207(3), added subsec. (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

Part 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 an Effective Date of 2002 Amendment note under section 11101 of this title.

§ 11162. Training and technical assistance

(a) Training

The Administrator—

(1) shall develop and carry out projects for the purpose of training representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts (including model juvenile and family courts), corrections, schools, and related services, to carry out the purposes specified in section 11102 of this title;

(2) may make grants to and contracts with public and private agencies, institutions, and organizations for the purpose of training representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts (including model juvenile and family courts), corrections, schools, and related services, to carry out the purposes specified in section 11102 of this title; and

(3) shall provide periodic training for States regarding implementation of the core requirements, current protocols and best practices for achieving and monitoring compliance, and information sharing regarding relevant Office resources on evidence-based and promising programs or practices that promote the purposes of this chapter.

(b) Technical assistance

The Administrator—

(1) shall develop and implement projects for the purpose of providing technical assistance to representatives and personnel of public and private agencies and organizations, including practitioners in juvenile justice, law enforce-

ment, courts (including model juvenile and family courts), corrections, schools, and related services, in the establishment, implementation, and operation of programs, projects, and activities for which financial assistance is provided under this subchapter, including compliance with the core requirements;

(2) may make grants to and contracts with public and private agencies, institutions, and organizations, for the purpose of providing technical assistance to representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts (including model juvenile and family courts), corrections, schools, and related services, in the establishment, implementation, and operation of programs, projects, and activities for which financial assistance is provided under this subchapter;

(3) shall provide technical assistance to States and units of local government on achieving compliance with the amendments to the core requirements and State Plans made by the Juvenile Justice Reform Act of 2018, including training and technical assistance and, when appropriate, pilot or demonstration projects intended to develop and replicate best practices for achieving sight and sound separation in facilities or portions of facilities that are open and available to the general public and that may or may not contain a jail or a lock-up; and

(4) shall provide technical assistance to States in support of efforts to establish partnerships between a State and a university, institution of higher education, or research center designed to improve the recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, the judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency.

(c) Training and technical assistance to mental health professionals and law enforcement personnel

The Administrator shall provide training and technical assistance to mental health professionals and law enforcement personnel (including public defenders, prosecutors, police officers, probation officers, judges, parole officials, and correctional officers) to address or to promote the development, testing, or demonstration of promising or innovative models (including model juvenile and family courts), programs, or delivery systems that address the needs of status offenders and juveniles who are alleged or adjudicated delinquent and who, as a result of such status, are placed in secure detention or confinement or in nonsecure residential placements.

(d) Best practices regarding legal representation of children

In consultation with experts in the field of juvenile defense, the Administrator shall—

(1) share best practices that may include sharing standards of practice developed by recognized entities in the profession, for attorneys representing children; and