

114TH CONGRESS
1ST SESSION

S. _____

To reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. GRASSLEY (for himself and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Juvenile Justice and
5 Delinquency Prevention Reauthorization Act of 2015”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

Sec. 101. Purposes.

Sec. 102. Definitions.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Sec. 201. Concentration of Federal efforts.

Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.

Sec. 203. Annual report.

Sec. 204. Allocation of funds.

Sec. 205. State plans.

Sec. 206. Reallocation of grant funds.

Sec. 207. Authority to make grants.

Sec. 208. Eligibility of States.

Sec. 209. Grants to Indian tribes.

Sec. 210. Research and evaluation; statistical analyses; information dissemination.

Sec. 211. Training and technical assistance.

Sec. 212. Administrative authority.

Sec. 213. Technical and conforming amendments.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

Sec. 301. Definitions.

Sec. 302. Grants for delinquency prevention programs.

Sec. 303. Technical and conforming amendment.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Evaluation by Government Accountability Office.

Sec. 402. Authorization of appropriations.

Sec. 403. Accountability and oversight.

TITLE V—JUVENILE ACCOUNTABILITY BLOCK GRANTS

Sec. 501. Grant eligibility.

1 **TITLE I—DECLARATION OF** 2 **PURPOSE AND DEFINITIONS**

3 **SEC. 101. PURPOSES.**

4 Section 102 of the Juvenile Justice and Delinquency
5 Prevention Act of 1974 (42 U.S.C. 5602) is amended—

6 (1) in paragraph (2), by striking “and” at the
7 end;

8 (2) by amending paragraph (3) to read as fol-
9 lows:

1 “(3) to assist State and local governments in
2 addressing juvenile crime through the provision of
3 technical assistance, research, training, evaluation,
4 and the dissemination of current and relevant infor-
5 mation on effective and evidence-based programs
6 and practices for combating juvenile delinquency;”;
7 and

8 (3) by adding at the end the following:

9 “(4) to support a trauma-informed continuum
10 of programs (including delinquency prevention,
11 intervention, mental health and substance abuse
12 treatment, and aftercare) to address the needs of at-
13 risk youth and youth who come into contact with the
14 justice system.”.

15 **SEC. 102. DEFINITIONS.**

16 Section 103 of the Juvenile Justice and Delinquency
17 Prevention Act of 1974 (42 U.S.C. 5603) is amended—

18 (1) in paragraph (8), by amending subpara-
19 graph (C) to read as follows:

20 “(C) an Indian tribe; or”;

21 (2) by amending paragraph (18) to read as fol-
22 lows:

23 “(18) the term ‘Indian tribe’ has the meaning
24 given that term in section 102 of the Federally Rec-

1 ognized Indian Tribe List Act of 1994 (25 U.S.C.
2 479a);”;

3 (3) by amending paragraph (22) to read as fol-
4 lows:

5 “(22) the term ‘jail or lockup for adults’—

6 “(A) means a secure facility that is used
7 by a State, unit of local government, or law en-
8 forcement authority to detain or confine adult
9 inmates; and

10 “(B) does not include a non-secure area in
11 a police facility or station in which a portion of
12 the area is secured to physically restrict the
13 movement and activity of individuals in lawful
14 custody;”;

15 (4) by amending paragraph (25) to read as fol-
16 lows:

17 “(25) the term ‘sight or sound contact’ means
18 any physical, clear visual, or verbal contact that is
19 not brief and inadvertent;”;

20 (5) by amending paragraph (26) to read as fol-
21 lows:

22 “(26) the term ‘adult inmate’—

23 “(A) means an individual who—

1 “(i) has reached the age of full crimi-
2 nal responsibility under applicable State
3 law; and

4 “(ii) has been arrested and is in cus-
5 tody for or awaiting trial on a criminal
6 charge, or is convicted of a criminal charge
7 offense; and

8 “(B) does not include an individual who—

9 “(i) at the time of the time of the of-
10 fense, was younger than the maximum age
11 at which a youth can be held in a juvenile
12 facility under applicable State law; and

13 “(ii) was committed to the care and
14 custody or supervision, including post-
15 placement or parole supervision, of a juve-
16 nile correctional agency by a court of com-
17 petent jurisdiction or by operation of appli-
18 cable State law;”;

19 (6) in paragraph (28), by striking “and” at the
20 end;

21 (7) in paragraph (29), by striking the period at
22 the end and inserting a semicolon; and

23 (8) by adding at the end the following:

1 “(30) the term ‘core requirements’ means the
2 requirements described in paragraphs (11), (12),
3 (13), (14), and (15) of section 223(a);

4 “(31) the term ‘chemical agent’ means a spray
5 or injection used to temporarily incapacitate a per-
6 son, including oleoresin capsicum spray, tear gas,
7 and 2-chlorobenzalmalonitrile gas;

8 “(32) the term ‘isolation’—

9 “(A) means any instance in which a youth
10 is confined alone for more than 15 minutes in
11 a room or cell; and

12 “(B) does not include confinement during
13 regularly scheduled sleeping hours, or for not
14 more than 1 hour during any 24-hour period in
15 the room or cell in which the youth usually
16 sleeps, protective confinement (for injured
17 youths or youths whose safety is threatened),
18 separation based on an approved treatment pro-
19 gram, confinement or separation that is re-
20 quested by the youth, or the separation of the
21 youth from a group in a nonlocked setting for
22 the purpose of calming;

23 “(33) the term ‘restraints’ has the meaning
24 given that term in section 591 of the Public Health
25 Service Act (42 U.S.C. 290ii);

1 “(34) the term ‘evidence-based’ means a pro-
2 gram or practice that—

3 “(A) is demonstrated to be effective when
4 implemented with fidelity;

5 “(B) is based on a clearly articulated and
6 empirically supported theory;

7 “(C) has measurable outcomes, including a
8 detailed description of the outcomes produced
9 in a particular population, in rural and urban
10 areas; and

11 “(D) has been scientifically tested through
12 randomized control studies or comparison group
13 studies;

14 “(35) the term ‘promising’ means a program or
15 practice that is demonstrated to be effective based
16 on positive outcomes from 1 or more objective, inde-
17 pendent, and scientifically valid evaluations, as docu-
18 mented in writing to the Administrator;

19 “(36) the term ‘dangerous practice’ means an
20 act, procedure, or program that creates an unreason-
21 able risk of physical injury, pain, or psychological
22 harm to a juvenile subjected to the act, procedure,
23 or program;

24 “(37) the term ‘screening’ means a brief proc-
25 ess—

1 “(A) designed to identify youth who may
2 have mental health, behavioral health, sub-
3 stance abuse, or other needs requiring imme-
4 diate attention, intervention, and further eval-
5 uation; and

6 “(B) the purpose of which is to quickly
7 identify a youth with possible mental health, be-
8 havioral health, substance abuse, or other needs
9 in need of further assessment;

10 “(38) the term ‘assessment’ includes, at a min-
11 imum, an interview and review of available records
12 and other pertinent information—

13 “(A) by an appropriately trained profes-
14 sional who meets the criteria of the applicable
15 State for licensing and education in the mental
16 health, behavioral health, or substance abuse
17 field; and

18 “(B) which is designed to identify signifi-
19 cant mental health, behavioral health, or sub-
20 stance abuse treatment needs to be addressed
21 during a youth’s confinement;

22 “(39) the term ‘contact’ means the points at
23 which a youth and the juvenile justice system or
24 criminal justice system officially intersect, including

1 interactions with a juvenile justice, juvenile court, or
2 law enforcement official;

3 “(40) the term ‘trauma-informed’ means—

4 “(A) understanding the impact that expo-
5 sure to violence and trauma have on a youth’s
6 physical, psychological, and psychosocial devel-
7 opment;

8 “(B) recognizing when a youth has been
9 exposed to violence and trauma and is in need
10 of help to recover from the adverse impacts of
11 trauma; and

12 “(C) responding by helping in ways that
13 reflect awareness of the adverse impacts of
14 trauma;

15 “(41) the term ‘racial and ethnic disparity’
16 means minority youth populations are involved at a
17 decision point in the juvenile justice system at high-
18 er rates, incrementally or cumulatively, than non-mi-
19 nority youth at that decision point;

20 “(42) the term ‘status offender’ means—

21 “(A) a juvenile who is charged with or who
22 has committed an offense that would not be
23 criminal if committed by an adult; or

24 “(B) an individual under 18 years of age
25 who is charged with or who has committed an

1 offense of purchase or possession of any alco-
2 holic beverage; and

3 “(43) the term ‘rural’ means an area that is
4 not located in a metropolitan statistical area, as de-
5 fined by the Office of Management and Budget.”.

6 **TITLE II—JUVENILE JUSTICE**
7 **AND DELINQUENCY PREVEN-**
8 **TION**

9 **SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.**

10 Section 204 of the Juvenile Justice and Delinquency
11 Prevention Act of 1974 (42 U.S.C. 5614) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), in the first sen-
14 tence—

15 (i) by striking “a long-term plan, and
16 implement” and inserting the following: “a
17 long-term plan to improve the juvenile jus-
18 tice system in the United States, taking
19 into account scientific knowledge regarding
20 adolescent development and behavior and
21 regarding the effects of delinquency pre-
22 vention programs and juvenile justice
23 interventions on adolescents, and shall im-
24 plement”; and

1 (ii) by striking “research, and im-
2 provement of the juvenile justice system in
3 the United States” and inserting “and re-
4 search”; and

5 (B) in paragraph (2)(B), by striking “Fed-
6 eral Register” and all that follows and inserting
7 “Federal Register during the 30-day period
8 ending on October 1 of each year.”; and
9 (2) in subsection (b)—

10 (A) in paragraph (5), by adding “and” at
11 the end;

12 (B) in paragraph (6), by striking “; and”
13 and inserting a period; and

14 (C) by striking paragraph (7).

15 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**
16 **AND DELINQUENCY PREVENTION.**

17 Section 206 of the Juvenile Justice and Delinquency
18 Prevention Act of 1974 (42 U.S.C. 5616) is amended—

19 (1) in subsection (a)(1)—

20 (A) by inserting “the Administrator of the
21 Substance Abuse and Mental Health Services
22 Administration, the Secretary of Defense, the
23 Secretary of Agriculture, the Assistant Sec-
24 retary for Indian Affairs” after “the Secretary
25 of Health and Human Services,”; and

1 (B) by striking “Commissioner of Immi-
2 gration and Naturalization” and inserting “As-
3 sistant Secretary for Immigration and Customs
4 Enforcement”; and
5 (2) in subsection (c)—

6 (A) in paragraph (1), by striking “para-
7 graphs (12)(A), (13), and (14) of section
8 223(a) of this title” and inserting “the core re-
9 quirements”; and

10 (B) in paragraph (2)—

11 (i) in the matter preceding subpara-
12 graph (A), by inserting “, on an annual
13 basis” after “collectively”; and

14 (ii) by striking subparagraph (B) and
15 inserting the following:

16 “(B) not later than 120 days after the
17 completion of the last meeting of the Council
18 during any fiscal year, submit to the Committee
19 on Education and Labor of the House of Rep-
20 resentatives and the Committee on the Judici-
21 ary of the Senate a report that—

22 “(i) contains the recommendations de-
23 scribed in subparagraph (A);

24 “(ii) includes a detailed account of the
25 activities conducted by the Council during

1 the fiscal year, including a complete de-
2 tailed accounting of expenses incurred by
3 the Council to conduct operations in ac-
4 cordance with this section;

5 “(iii) is published on the websites of
6 the Department of Justice, Office of Juve-
7 nile Justice and Delinquency Prevention,
8 and the Council; and

9 “(iv) is in addition to the annual re-
10 port required under section 207.”.

11 **SEC. 203. ANNUAL REPORT.**

12 Section 207 of the Juvenile Justice and Delinquency
13 Prevention Act of 1974 (42 U.S.C. 5617) is amended—

14 (1) in the matter preceding paragraph (1), by
15 striking “a fiscal year” and inserting “each fiscal
16 year”;

17 (2) in paragraph (1)—

18 (A) in subparagraph (B), by inserting “,
19 ethnicity, as such term is defined by the United
20 States Census Bureau,” after “gender”;

21 (B) in subparagraph (E), by striking
22 “and” at the end;

23 (C) in subparagraph (F)—

24 (i) by inserting “and other” before
25 “disabilities,”; and

1 (ii) by striking the period at the end
2 and inserting a semicolon; and

3 (D) by adding at the end the following:

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

9 “(H) the number of status offense cases
10 petitioned to court, number of status offenders
11 held in secure detention, the findings used to
12 justify the use of secure detention, and the av-
13 erage period of time a status offender was held
14 in secure detention;

15 “(I) the number of juveniles in the custody
16 of secure detention and correctional facilities
17 operated by a State or unit of local government
18 who report to being pregnant; and

19 “(J) the number of juveniles whose of-
20 fenses originated on school grounds, during off-
21 campus activities, or due to a referral by any
22 school official.”;

23 (3) by adding at the end the following:

24 “(5) A description of the criteria used to deter-
25 mine what programs qualify as evidence-based and

1 promising programs under this title and title V and
2 a comprehensive list of those programs the Adminis-
3 trator has determined meet such criteria in both
4 rural and urban areas.

5 “(6) A description of funding provided to In-
6 dian tribes under this Act, or under the Tribal Law
7 and Order Act of 2010 (Public Law 111–211; 124
8 Stat. 2261), including direct Federal grants and
9 funding provided to Indian tribes through a State or
10 unit of local government.

11 “(7) An analysis and evaluation of the internal
12 controls at the Office of Juvenile Justice and Delin-
13 quency Prevention to determine if grantees are fol-
14 lowing the requirements of the Office of Juvenile
15 Justice and Delinquency Prevention grant programs
16 and what remedial action the Office of Juvenile Jus-
17 tice and Delinquency Prevention has taken to re-
18 cover any grant funds that are expended in violation
19 of the grant programs, including instances in
20 which—

21 “(A) supporting documentation was not
22 provided for cost reports;

23 “(B) unauthorized expenditures occurred;
24 or

1 “(C) subrecipients of grant funds were not
2 compliant with program requirements.

3 “(8) An analysis and evaluation of the total
4 amount of payments made to grantees that the Of-
5 fice of Juvenile Justice and Delinquency Prevention
6 recouped from grantees that were found to be in vio-
7 lation of policies and procedures of the Office of Ju-
8 venile Justice and Delinquency Prevention grant
9 programs, including—

10 “(A) the full name and location of the
11 grantee;

12 “(B) the violation of the program found;

13 “(C) the amount of funds sought to be re-
14 couped by the Office of Juvenile Justice and
15 Delinquency Prevention; and

16 “(D) the actual amount recouped by the
17 Office of Juvenile Justice and Delinquency Pre-
18 vention.”.

19 **SEC. 204. ALLOCATION OF FUNDS.**

20 (a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of
21 the Juvenile Justice and Delinquency Prevention Act of
22 1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2
23 percent” and inserting “5 percent”.

1 (b) OTHER ALLOCATIONS.—Section 222 of the Juve-
2 nile Justice and Delinquency Prevention Act of 1974 (42
3 U.S.C. 5632) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1), by striking “age
6 eighteen” and inserting “18 years of age, based
7 on the most recent census”; and

8 (B) by striking paragraphs (2) and (3) and
9 inserting the following:

10 “(2)(A) If the aggregate amount appropriated
11 for a fiscal year to carry out this title is less than
12 \$75,000,000, then—

13 “(i) the amount allocated to each State
14 other than a State described in clause (ii) for
15 that fiscal year shall be not less than \$400,000;
16 and

17 “(ii) the amount allocated to the Virgin Is-
18 lands of the United States, Guam, American
19 Samoa, and the Commonwealth of the Northern
20 Mariana Islands for that fiscal year shall be not
21 less than \$75,000.

22 “(B) If the aggregate amount appropriated for
23 a fiscal year to carry out this title is not less than
24 \$75,000,000, then—

1 “(i) the amount allocated to each State
2 other than a State described in clause (ii) for
3 that fiscal year shall be not less than \$600,000;
4 and

5 “(ii) the amount allocated to the Virgin Is-
6 lands of the United States, Guam, American
7 Samoa, and the Commonwealth of the Northern
8 Mariana Islands for that fiscal year shall be not
9 less than \$100,000.”;

10 (2) by redesignating subsections (c) and (d) as
11 subsections (d) and (e), respectively;

12 (3) by inserting after subsection (b) the fol-
13 lowing:

14 “(c)(1) If any amount allocated under subsection (a)
15 is withheld from a State due to noncompliance with the
16 core requirements, the funds shall be reallocated for an
17 improvement grant designed to assist the State in achiev-
18 ing compliance with the core requirements.

19 “(2) The Administrator shall condition a grant de-
20 scribed in paragraph (1) on the State—

21 “(A) with the approval of the Administrator,
22 developing specific action steps designed to restore
23 compliance with the core requirements; and

24 “(B) semiannually submitting to the Adminis-
25 trator a report on progress toward implementing the

1 specific action steps developed under subparagraph
2 (A).

3 “(3) The Administrator shall provide appropriate and
4 effective technical assistance directly or through an agree-
5 ment with a contractor to assist a State receiving an im-
6 provement grant described in paragraph (1) in achieving
7 compliance with the core requirements.”;

8 (4) in subsection (d), as redesignated, by strik-
9 ing “efficient administration, including monitoring,
10 evaluation, and one full-time staff position” and in-
11 serting “effective and efficient administration, in-
12 cluding the designation of not less than 1 person to
13 coordinate efforts to achieve and sustain compliance
14 with the core requirements”; and

15 (5) in subsection (e), as redesignated, by strik-
16 ing “5 per centum of the minimum” and inserting
17 “not more than 5 percent of the”.

18 **SEC. 205. STATE PLANS.**

19 Section 223 of the Juvenile Justice and Delinquency
20 Prevention Act of 1974 (42 U.S.C. 5633) is amended—

21 (1) in subsection (a)—

22 (A) in the matter preceding paragraph (1),
23 by striking “and shall describe the status of
24 compliance with State plan requirements” and
25 inserting “and shall describe how the State plan

1 is supported by or takes account of scientific
2 knowledge regarding adolescent development
3 and behavior and regarding the effects of delin-
4 quency prevention programs and juvenile justice
5 interventions on adolescents. Not later than 45
6 days after the date on which a plan or amended
7 plan submitted under this subsection is final-
8 ized, a State shall make the plan or amended
9 plan publicly available by posting the plan or
10 amended plan on the State's publicly available
11 website.”;

12 (B) in paragraph (3)—

13 (i) in subparagraph (A)—

14 (I) in clause (i), by inserting “ad-
15 olescent development,” after “con-
16 cerning”;

17 (II) in clause (ii)—

18 (aa) in subclause (II), by
19 striking “counsel for children and
20 youth” and inserting “publicly
21 supported court-appointed legal
22 counsel for children and youth
23 charged in delinquency matters”;

24 (bb) in subclause (III), by
25 striking “mental health, edu-

21

1 cation, special education” and in-
2 sserting “children’s mental health,
3 education, child and adolescent
4 substance abuse, special edu-
5 cation, services for youth with
6 disabilities”;

7 (cc) in subclause (V), by
8 striking “delinquents or potential
9 delinquents” and inserting “de-
10 linquent youth or youth at risk of
11 delinquency”;

12 (dd) in subclause (VI), by
13 striking “youth workers involved
14 with” and inserting “representa-
15 tives of”;

16 (ee) in subclause (VII), by
17 striking “and” at the end;

18 (ff) by striking subclause
19 (VIII) and inserting the fol-
20 lowing: and

21 “(VIII) persons with expertise
22 and competence in preventing and ad-
23 dressing mental health and substance
24 abuse needs in juvenile delinquents
25 and those at-risk of delinquency; and

1 “(IX) representatives of victim or
2 witness advocacy groups;”;

3 (III) in clause (iii), by striking
4 “a majority of which” and inserting
5 “at least 6”;

6 (IV) in clause (iv)—

7 (aa) by striking “one fifth of
8 which” and inserting “3”; and

9 (bb) by striking “24 at the
10 time of appointment” and insert-
11 ing “28 at the time of initial ap-
12 pointment”;

13 (ii) in subparagraph (D)(ii)—

14 (I) by striking “at least annu-
15 ally” and inserting “at least every 2
16 years”; and

17 (II) by striking “requirements of
18 paragraphs (11), (12), and (13)” and
19 inserting “core requirements”; and

20 (iii) in subparagraph (E)(i), by adding
21 “and” at the end;

22 (C) in paragraph (5)—

23 (i) in the matter preceding subpara-
24 graph (A), by striking “section 222(d)”
25 and inserting “section 222(e)”; and

1 (ii) in subparagraph (C), by striking
2 “Indian tribes” and all that follows
3 through “applicable to the detention and
4 confinement of juveniles” and inserting
5 “Indian tribes that agree to attempt to
6 comply with the core requirements applica-
7 ble to the detention and confinement of ju-
8 veniles”;

9 (D) in paragraph (7)—

10 (i) in subparagraph (A), by striking
11 “performs law enforcement functions” and
12 inserting “has jurisdiction”; and

13 (ii) in subparagraph (B)—

14 (I) in clause (iii), by striking
15 “and” at the end; and

16 (II) by striking clause (iv) and
17 inserting the following:

18 “(iv) a plan to provide alternatives to
19 detention, including specialized or problem-
20 solving courts or diversion to home-based
21 or community-based services that are cul-
22 turally and linguistically competent or
23 treatment for those youth in need of men-
24 tal health, substance abuse, or co-occurring
25 disorder services at the time such juveniles

1 first come into contact with the juvenile
2 justice system;

3 “(v) a plan to reduce the number of
4 children housed in secure detention and
5 corrections facilities who are awaiting
6 placement in residential treatment pro-
7 grams;

8 “(vi) a plan to engage family mem-
9 bers, where appropriate, in the design and
10 delivery of juvenile delinquency prevention
11 and treatment services, particularly post-
12 placement;

13 “(vii) a plan to use community-based
14 services to address the needs of at-risk
15 youth or youth who have come into contact
16 with the juvenile justice system; and

17 “(viii) a plan to promote evidence-
18 based and trauma-informed programs and
19 practices.”;

20 (E) in paragraph (8), by striking “exist-
21 ing” and inserting “evidence-based and prom-
22 ising”;

23 (F) in paragraph (9)—

25

1 (i) in the matter preceding subpara-
2 graph (A) by striking “section 222(d)” and
3 inserting “section 222(e)”;

4 (ii) in subparagraph (A)(i), by insert-
5 ing “status offenders and other” before
6 “youth who need”;

7 (iii) in subparagraph (B)(i)—

8 (I) by striking “parents and
9 other family members” and inserting
10 “status offenders, other youth, and
11 the parents and other family members
12 of such offenders and youth”; and

13 (II) by striking “be retained”
14 and inserting “remain”;

15 (iv) by redesignating subparagraphs
16 (G) through (S) as subparagraphs (H)
17 through (T), respectively;

18 (v) in subparagraph (F), in the mat-
19 ter preceding clause (i), by striking “ex-
20 panding” and inserting “programs to ex-
21 pand”;

22 (vi) by inserting after subparagraph
23 (F), the following:

24 “(G) expanding access to publicly sup-
25 ported, court-appointed legal counsel and en-

1 hancing capacity for the competent representa-
2 tion of every child;”;

3 (vii) in subparagraph (M), as so re-
4 designated—

5 (I) in clause (i), by striking “re-
6 straints” and inserting “alternatives”;
7 and

8 (II) in clause (ii)—

9 (aa) by striking “by the pro-
10 vision by the Administrator”; and

11 (bb) by striking “to States”;

12 (viii) in subparagraph (S), as so re-
13 designated, by striking the “and” at the
14 end;

15 (ix) in subparagraph (T), as so redes-
16 ignated—

17 (I) by striking “suspected to be”;

18 (II) by striking “and discharge
19 plans” and inserting “provision of
20 treatment, and development of dis-
21 charge plans”; and

22 (III) by striking the period at the
23 end and inserting a semicolon; and

24 (x) by inserting after subparagraph
25 (T) the following:

“(U) programs and projects designed to inform juveniles of the opportunity and process for expunging juvenile records and to assist juveniles in pursuing juvenile record expungements for both adjudications and arrests not followed by adjudications;

“(V) programs that address the needs of girls in or at risk of entering the juvenile justice system, including young mothers, survivors of commercial sexual exploitation or domestic child sex trafficking, girls with disabilities, and girls of color, including girls who are members of an Indian tribe and;

“(W) monitoring for compliance with the core requirements and providing training and technical assistance on the core requirements to secure facilities.”;

(G) in paragraph (11)—

(i) in subparagraph (A)—

(I) in the matter preceding clause

(i), by inserting “and individuals under 18 years of age who are charged with or who have committed an offense of purchase or possession

1 of any alcoholic beverage” after “by
2 an adult”; and

3 (II) in the matter following
4 clause (iii), by striking “and” at the
5 end;

6 (ii) in subparagraph (B), by adding
7 “and” at the end; and

8 (iii) by adding at the end the fol-
9 lowing:

10 “(C) encourage the use of community-
11 based alternatives to secure detention, including
12 programs of public and nonprofit entities re-
13 ceiving a grant under part A of title III;”;

14 (H) in paragraph (12)(A), by striking
15 “contact” and inserting “sight or sound con-
16 tact”;

17 (I) in paragraph (13)—

18 (i) in the matter preceding subpara-
19 graph (A)—

20 (I) by striking “detained or”; and

21 (II) by inserting “or securely de-
22 tained in any facility or building that
23 contains a jail or lock-up for adult in-
24 mates” after “lockup for adults”; and

1 (ii) by striking “contact” each place it
2 appears and inserting “sight or sound con-
3 tact”;

4 (J) by striking paragraphs (22) and (27);

5 (K) by redesignating paragraphs (23)
6 through (26) as paragraphs (24) through (27),
7 respectively;

8 (L) by redesignating paragraphs (14)
9 through (21) as paragraphs (16) through (23),
10 respectively;

11 (M) by inserting after paragraph (13) the
12 following:

13 “(14) require that—

14 “(A) not later than 3 years after the date
15 of enactment of the Juvenile Justice and Delin-
16 quency Prevention Reauthorization Act of 2015,
17 unless a court finds, after a hearing and in
18 writing, that it is in the interest of justice, juve-
19 niles awaiting trial or other legal process who
20 are treated as adults for purposes of prosecu-
21 tion in criminal court and housed in a secure
22 facility—

23 “(i) shall not have sight or sound con-
24 tact with adult inmates; and

1 “(ii) except as provided in paragraph
2 (13), may not be held in any jail or lockup
3 for adults;

4 “(B) in determining under subparagraph
5 (A) whether it is in the interest of justice to
6 permit a juvenile to be held in any jail or lock-
7 up for adults, or have sight or sound contact
8 with adult inmates, a court shall consider—

9 “(i) the age of the juvenile;

10 “(ii) the physical and mental maturity
11 of the juvenile;

12 “(iii) the present mental state of the
13 juvenile, including whether the juvenile
14 presents an imminent risk of harm to the
15 juvenile;

16 “(iv) the nature and circumstances of
17 the alleged offense;

18 “(v) the juvenile’s history of prior de-
19 linquent acts;

20 “(vi) the relative ability of the avail-
21 able adult and juvenile detention facilities
22 to meet the specific needs of the juvenile
23 and to protect the public;

24 “(vii) whether placement in a juvenile
25 facility will better serve the long-term in-

1 terests of the juvenile and be more likely to
2 prevent recidivism;

3 “(viii) the availability of programs de-
4 signed to treat the juvenile’s behavioral
5 problems; and

6 “(ix) any other relevant factor; and

7 “(C) if a court determines under subpara-
8 graph (A) that it is in the interest of justice to
9 permit a juvenile to be held in any jail or lock-
10 up for adults—

11 “(i) the court shall hold a hearing not
12 less frequently than once every 30 days, or
13 in the case of a rural jurisdiction, not less
14 frequently than once every 45 days, to re-
15 view whether it is still in the interest of
16 justice to permit the juvenile to be so held
17 or have such sight or sound contact; and

18 “(ii) the juvenile shall not be held in
19 any jail or lockup for adults, or permitted
20 to have sight or sound contact with adult
21 inmates, for more than 180 days, unless
22 the court, in writing, determines there is
23 good cause for an extension or the juvenile
24 expressly waives this limitation;

1 “(15) implement policy, practice, and system
2 improvement strategies at the State, territorial,
3 local, and tribal levels, as applicable, to identify and
4 reduce racial and ethnic disparities among youth
5 who come into contact with the juvenile justice sys-
6 tem, without establishing or requiring numerical
7 standards or quotas, by—

8 “(A) establishing or designating existing
9 coordinating bodies, composed of juvenile jus-
10 tice stakeholders, (including representatives of
11 the educational system) at the State, local, or
12 tribal levels, to advise efforts by States, units of
13 local government, and Indian tribes to reduce
14 racial and ethnic disparities;

15 “(B) identifying and analyzing key decision
16 points in State, local, or tribal juvenile justice
17 systems to determine which points create racial
18 and ethnic disparities among youth who come
19 into contact with the juvenile justice system;

20 “(C) developing and implementing data
21 collection and analysis systems to identify
22 where racial and ethnic disparities exist in the
23 juvenile justice system and to track and analyze
24 such disparities; and

1 “(D) developing and implementing a work
2 plan that includes measurable objectives for pol-
3 icy, practice, or other system changes, based on
4 the needs identified in the data collection and
5 analysis under subparagraphs (B) and (C).”;

6 (N) in paragraph (16), as so redesign-
7 nated—

8 (i) by striking “adequate system” and
9 inserting “effective system”;

10 (ii) by inserting “lock-ups,” after
11 “monitoring jails,”;

12 (iii) by inserting “and” after “deten-
13 tion facilities,”;

14 (iv) by striking “, and non-secure fa-
15 cilities”;

16 (v) by striking “insure” and inserting
17 “ensure”;

18 (vi) by striking “requirements of
19 paragraph (11),” and all that follows
20 through “monitoring to the Administrator”
21 and inserting “core requirements are met,
22 and for annual reporting to the Adminis-
23 trator”; and

24 (vii) by striking “, in the opinion of
25 the Administrator,”;

1 (O) in paragraph (17), as so redesignated,
2 by inserting “ethnicity,” after “race,”;

3 (P) in paragraph (24), as so redesign-
4 nated—

5 (i) in subparagraphs (A), (B), and
6 (C), by striking “juvenile” each place it
7 appears and inserting “status offender”;

8 (ii) in subparagraph (B), by striking
9 “and” at the end;

10 (iii) in subparagraph (C)—

11 (I) in clause (i), by striking
12 “and” at the end;

13 (II) in clause (ii), by adding
14 “and” at the end; and

15 (III) by adding at the end the
16 following:

17 “(iii) if such court determines the sta-
18 tus offender should be placed in a secure
19 detention facility or correctional facility for
20 violating such order—

21 “(I) the court shall issue a writ-
22 ten order that—

23 “(aa) identifies the valid
24 court order that has been vio-
25 lated;

1 “(bb) specifies the factual
2 basis for determining that there
3 is reasonable cause to believe
4 that the status offender has vio-
5 lated such order;

6 “(cc) includes findings of
7 fact to support a determination
8 that there is no appropriate less
9 restrictive alternative available to
10 placing the status offender in
11 such a facility, with due consider-
12 ation to the best interest of the
13 juvenile;

14 “(dd) specifies the length of
15 time, not to exceed 7 days, that
16 the status offender may remain
17 in a secure detention facility or
18 correctional facility, and includes
19 a plan for the status offender’s
20 release from such facility; and

21 “(ee) may not be renewed or
22 extended; and

23 “(II) the court may not issue a
24 second or subsequent order described
25 in subclause (I) relating to a status

1 offender, unless the status offender
2 violates a valid court order after the
3 date on which the court issues an
4 order described in subclause (I);” and
5 (iv) by adding at the end the fol-
6 lowing:

7 “(D) there are procedures in place to en-
8 sure that any status offender held in a secure
9 detention facility or correctional facility pursu-
10 ant to a court order described in this paragraph
11 does not remain in custody longer than 7 days
12 or the length of time authorized by the court,
13 whichever is shorter; and

14 “(E) not later than 3 years after the date
15 of enactment of the Juvenile Justice and Delin-
16 quency Prevention Reauthorization Act of 2015
17 with a 1-year extension for each additional year
18 that the State can demonstrate hardship as de-
19 termined by the Administrator, the State will
20 eliminate the use of valid court orders to pro-
21 vide secure confinement of status offenders;”;

22 (Q) in paragraph (26), as so redesignated,
23 by striking “section 222(d)” and inserting “sec-
24 tion 222(e)”;

1 (R) in paragraph (27), as so redesignated—
2

3 (i) by inserting “and in accordance
4 with confidentiality concerns,” after “maximum extent practicable,”; and
5

6 (ii) by striking the semicolon at the
7 end and inserting the following: “, so as to
8 provide for—

9 “(A) a compilation of data reflecting information on juveniles entering the juvenile justice
10 system with a prior reported history as victims
11 of child abuse or neglect through arrest, court
12 intake, probation and parole, juvenile detention,
13 and corrections; and
14

15 “(B) a plan to use the data described in
16 subparagraph (A) to provide necessary services
17 for the treatment of victims of child abuse and
18 neglect who have entered, or are at risk of entering, the juvenile justice system;”;
19

20 (S) in paragraph (28), by striking the period at the end and inserting a semicolon; and
21

22 (T) by adding at the end the following:

23 “(29) provide for the coordinated use of funds
24 provided under this Act with other Federal and

1 State funds directed at juvenile delinquency preven-
2 tion and intervention programs;

3 “(30) develop policies and procedures, and pro-
4 vide training for facility staff to eliminate the use of
5 dangerous practices, unreasonable restraints, and
6 unreasonable isolation, including by developing effec-
7 tive behavior management techniques;

8 “(31) describe—

9 “(A) the evidence-based methods that will
10 be used to conduct mental health and substance
11 abuse screening, assessment, referral, and
12 treatment for juveniles who—

13 “(i) request a screening;

14 “(ii) show signs of needing a screen-
15 ing; or

16 “(iii) are held for a period of more
17 than 24 hours in a secure facility that pro-
18 vides for an initial screening;

19 “(B) the method to be used by the State
20 to provide or arrange for mental health and
21 substance abuse disorder treatment for juve-
22 niles determined to be in need of such treat-
23 ment; and

24 “(C) the policies of the State designed to
25 develop and implement comprehensive collabo-

1 rative State or local plans to meet the service
2 needs of juveniles with mental health or sub-
3 stance abuse needs who come into contact with
4 the justice system and the families of the juve-
5 niles, including recognizing trauma histories of
6 juveniles and providing trauma-informed care;

7 “(32) describe reentry planning at the State
8 level for juveniles, including—

9 “(A) elements of written case plans for ju-
10 veniles, including if the plan is based on an as-
11 sessment of the needs of the juvenile and devel-
12 oped and updated in consultation with the juve-
13 nile, the family of the juvenile, and, if appro-
14 priate, counsel for the juvenile; and

15 “(B) the hearing and review processes; and

16 “(33) provide that the agency of the State re-
17 ceiving funds under this Act collaborate with the
18 State educational agency receiving assistance under
19 part A of title I of the Elementary and Secondary
20 Education Act of 1965 (20 U.S.C. 6311 et seq.) to
21 develop and implement a plan to ensure that, in
22 order to support educational progress—

23 “(A) the student records of adjudicated ju-
24 veniles, including electronic records if available,
25 are transferred in a timely manner from the

1 educational program in the juvenile detention or
2 secure treatment facility to the educational or
3 training program into which the juveniles will
4 enroll;

5 “(B) the credits of adjudicated juveniles
6 are transferred; and

7 “(C) adjudicated juveniles receive full or
8 partial credit toward high school graduation for
9 secondary school coursework satisfactorily com-
10 pleted before and during the period of time dur-
11 ing which the juveniles are held in custody, re-
12 gardless of the local educational agency or enti-
13 ty from which the credits were earned; and

14 “(34) provide a description of the use by the
15 State of funds for reentry and aftercare services for
16 juveniles released from the juvenile justice system.”;

17 (2) in subsection (d)—

18 (A) by striking “section 222(d)” and in-
19 serting “section 222(e)”;

20 (B) by striking “described in paragraphs
21 (11), (12), (13), and (22) of subsection (a)”
22 and inserting “described in the core require-
23 ments”; and

24 (C) by striking “the requirements under
25 paragraphs (11), (12), (13), and (22) of sub-

1 section (a)” and inserting “the core require-
2 ments”;

3 (3) in subsection (f)(2)—

4 (A) by striking subparagraph (A); and

5 (B) by redesignating subparagraphs (B)
6 through (E) and subparagraphs (A) through
7 (D); and

8 (4) by adding at the end the following:

9 “(g) COMPLIANCE DETERMINATION.—

10 “(1) IN GENERAL.—Not later than 60 days
11 after the date of receipt of information indicating
12 that a State may be out of compliance with any of
13 the core requirements, the Administrator shall deter-
14 mine whether the State is in compliance with the
15 core requirements.

16 “(2) REPORTING.—The Administrator shall—

17 “(A) issue an annual public report—

18 “(i) describing any determination de-
19 scribed in paragraph (1) made during the
20 previous year, including a summary of the
21 information on which the determination is
22 based and the actions to be taken by the
23 Administrator (including a description of
24 any reduction imposed under subsection
25 (c)); and

1 “(ii) for any such determination that
2 a State is out of compliance with any of
3 the core requirements, describing the basis
4 for the determination; and

5 “(B) make the report described in sub-
6 paragraph (A) available on a publicly available
7 website.”.

8 **SEC. 206. REALLOCATION OF GRANT FUNDS.**

9 Section 223(c) of the Juvenile Justice and Delin-
10 quency Prevention Act of 1974 (42 U.S.C. 5633(c)) is
11 amended to read as follows:

12 “(c)(1) If a State fails to comply with any of the core
13 requirements in any fiscal year—

14 “(A) subject to subparagraph (B), the amount
15 allocated to such State under section 222 for that
16 fiscal year shall be reduced by not less than 20 per-
17 cent for each core requirement with respect to which
18 the failure occurs; and

19 “(B) the State shall be ineligible to receive any
20 allocation under such section for such fiscal year un-
21 less—

22 “(i) the State agrees to expend 50 percent
23 of the amount allocated to the State for such
24 fiscal year to achieve compliance with any such

1 paragraph with respect to which the State is in
2 noncompliance; or

3 “(ii) the Administrator determines that the
4 State—

5 “(I) has achieved substantial compli-
6 ance with such applicable requirements
7 with respect to which the State was not in
8 compliance; and

9 “(II) has made, through appropriate
10 executive, administrative, or legislative ac-
11 tion, an unequivocal commitment to achiev-
12 ing full compliance with such applicable re-
13 quirements within a reasonable time.

14 “(2) Of the total amount of funds not allocated for
15 a fiscal year under paragraph (1)—

16 “(A) 50 percent of the unallocated funds shall
17 be reallocated under section 222 to States that have
18 not failed to comply with the core requirements; and

19 “(B) 50 percent of the unallocated funds shall
20 be used by the Administrator to provide additional
21 training and technical assistance to States relating
22 to compliance with the core requirements.”.

1 **SEC. 207. AUTHORITY TO MAKE GRANTS.**

2 Section 241(a) of the Juvenile Justice and Delin-
3 quency Prevention Act of 1974 (42 U.S.C. 5651(a)) is
4 amended—

5 (1) in paragraph (1), by inserting “status of-
6 fenders,” before “juvenile offenders, and juveniles”;

7 (2) in paragraph (5), by striking “juvenile of-
8 fenders and juveniles” and inserting “status offend-
9 ers, juvenile offenders, and juveniles”;

10 (3) in paragraph (10), by inserting “, including
11 juveniles with disabilities” before the semicolon; and

12 (4) in paragraph (17), by inserting “truancy
13 prevention and reduction,” after “mentoring,”.

14 **SEC. 208. ELIGIBILITY OF STATES.**

15 Section 243(a)(1)(A) of the Juvenile Justice and De-
16 linquency Prevention Act of 1974 (42 U.S.C.
17 5653(a)(1)(A)) is amended by striking “5” and inserting
18 “10”.

19 **SEC. 209. GRANTS TO INDIAN TRIBES.**

20 (a) IN GENERAL.—Section 246(a)(2) of the Juvenile
21 Justice and Delinquency Prevention Act of 1974 (42
22 U.S.C. 5656(a)(2)) is amended—

23 (1) by striking subparagraph (A);

24 (2) by redesignating subparagraphs (B)
25 through (E) as subparagraphs (A) through (D), re-
26 spectively; and

1 (3) in subparagraph (B)(ii), as redesignated, by
2 striking “subparagraph (B)” and inserting “sub-
3 paragraph (A)”.

4 (b) **TECHNICAL AND CONFORMING AMENDMENT.**—
5 Section 223(a)(7)(A) of the Juvenile Justice and Delin-
6 quency Prevention Act of 1974 (42 U.S.C. 5633(a)(7)(A))
7 is amended by striking “(including any geographical area
8 in which an Indian tribe performs law enforcement func-
9 tions)” and inserting “(including any geographical area of
10 which an Indian tribe has jurisdiction)”.

11 **SEC. 210. RESEARCH AND EVALUATION; STATISTICAL**
12 **ANALYSES; INFORMATION DISSEMINATION.**

13 Section 251 of the Juvenile Justice and Delinquency
14 Prevention Act of 1974 (42 U.S.C. 5661) is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (1)—

17 (i) in the matter proceeding subpara-
18 graph (A), by striking “may” and inserting
19 “shall”;

20 (ii) in subparagraph (A), by striking
21 “plan and identify” and inserting “annu-
22 ally publish a plan to identify”; and

23 (iii) in subparagraph (B)—

24 (I) by striking clause (iii) and in-
25 serting the following:

1 “(iii) successful efforts to prevent sta-
2 tus offenders and first-time minor offend-
3 ers from subsequent involvement with the
4 criminal justice system;”;

5 (II) by striking clause (vii) and
6 inserting the following:

7 “(vii) the prevalence and duration of
8 behavioral health needs (including mental
9 health, substance abuse, and co-occurring
10 disorders) among juveniles pre-placement
11 and post-placement when held in the cus-
12 tody of secure detention and corrections fa-
13 cilities, including an examination of the ef-
14 fects of confinement;”;

15 (III) by redesignating clauses
16 (ix), (x), and (xi) as clauses (xi), (xii),
17 and (xiii), respectively; and

18 (IV) by inserting after clause
19 (viii) the following:

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

23 “(x) methods to improve the recruit-
24 ment, selection, training, and retention of
25 professional personnel in the fields of med-

1 icine, law enforcement, the judiciary, juve-
2 nile justice, social work and child protec-
3 tion, education, and other relevant fields
4 who are engaged in, or intend to work in,
5 the field of prevention, identification, and
6 treatment of delinquency;” and

7 (B) in paragraph (4)—

8 (i) in the matter preceding subpara-
9 graph (A), by striking “date of enactment
10 of this paragraph, the” and inserting “date
11 of enactment of the Juvenile Justice and
12 Delinquency Prevention Reauthorization
13 Act of 2015, the”;

14 (ii) in subparagraph (F), by striking
15 “and” at the end;

16 (iii) in subparagraph (G), by striking
17 the period at the end and inserting a semi-
18 colon; and

19 (iv) by adding at the end the fol-
20 lowing:

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

23 “(I) an assessment of living arrangements
24 for juveniles who cannot return to the homes of
25 the juveniles.”;

1 (2) in subsection (b), in the matter preceding
2 paragraph (1), by striking “may” and inserting
3 “shall”; and

4 (3) by adding at the end the following:

5 “(f) NATIONAL RECIDIVISM MEASURE.—The Admin-
6 istrator, in consultation with experts in the field of juve-
7 nile justice research, recidivism, and data collection,
8 shall—

9 “(1) establish a uniform method of data collec-
10 tion and technology that States may use to evaluate
11 data on juvenile recidivism on an annual basis;

12 “(2) establish a common national juvenile re-
13 cidivism measurement system; and

14 “(3) make cumulative juvenile recidivism data
15 that is collected from States available to the pub-
16 lic.”.

17 **SEC. 211. TRAINING AND TECHNICAL ASSISTANCE.**

18 Section 252 of the Juvenile Justice and Delinquency
19 Prevention Act of 1974 (42 U.S.C. 5662) is amended—

20 (1) in subsection (a)—

21 (A) in the matter preceding paragraph (1),
22 by striking “may”;

23 (B) in paragraph (1), by inserting “shall”
24 before “develop and carry out projects”; and

1 (C) in paragraph (2), by inserting “may”
2 before “make grants to and contracts with”;
3 (2) in subsection (b)—

4 (A) in the matter preceding paragraph (1),
5 by striking “may”;

6 (B) in paragraph (1)—

7 (i) by inserting “shall” before “de-
8 velop and implement projects”;

9 (ii) by inserting “, including compli-
10 ance with the core requirements” after
11 “this title”; and

12 (iii) by striking “and” at the end;

13 (C) in paragraph (2)—

14 (i) by inserting “may” before “make
15 grants to and contracts with”; and

16 (ii) by striking the period at the end
17 and inserting “; and”; and

18 (D) by adding at the end the following:

19 “(3) shall, upon request, provide technical as-
20 sistance to States and units of local government on
21 achieving compliance with the amendments made by
22 the Juvenile Justice and Delinquency Prevention Re-
23 authorization Act of 2015; and

24 “(4) shall provide technical assistance to States
25 in support of efforts to establish partnerships be-

1 tween a State and a university, institution of higher
2 education, or research center designed to improve
3 the recruitment, selection, training, and retention of
4 professional personnel in the fields of medicine, law
5 enforcement, the judiciary, juvenile justice, social
6 work and child protection, education, and other rel-
7 evant fields who are engaged in, or intend to work
8 in, the field of prevention, identification, and treat-
9 ment of delinquency.”; and

10 (3) by adding at the end the following:

11 “(d) TECHNICAL ASSISTANCE TO STATES REGARD-
12 ING LEGAL REPRESENTATION OF CHILDREN.—In con-
13 sultation with the American Bar Association (commonly
14 known as the ‘ABA’) and experts in the field of juvenile
15 defense, the Administrator shall—

16 “(1) develop and issue standards of practice for
17 attorneys representing children; and

18 “(2) ensure that the standards issued under
19 paragraph (1) are adapted for use in States.

20 “(e) TRAINING AND TECHNICAL ASSISTANCE FOR
21 LOCAL AND STATE JUVENILE DETENTION AND CORREC-
22 TIONS PERSONNEL.—The Administrator shall coordinate
23 training and technical assistance programs with juvenile
24 detention and corrections personnel of States and units
25 of local government to—

1 “(1) promote methods for improving conditions
2 of juvenile confinement, including methods that are
3 designed to minimize the use of dangerous practices,
4 unreasonable restraints, and isolation; and

5 “(2) encourage alternative behavior manage-
6 ment techniques based on positive youth develop-
7 ment approaches.

8 “(f) TRAINING AND TECHNICAL ASSISTANCE TO
9 SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE
10 TREATMENT INCLUDING HOME-BASED OR COMMUNITY-
11 BASED CARE.—The Administrator shall provide training
12 and technical assistance, in conjunction with the appro-
13 priate public agencies, to individuals involved in making
14 decisions regarding the disposition and management of
15 cases for youth who enter the juvenile justice system about
16 the appropriate services and placement for youth with
17 mental health or substance abuse needs, including—

18 “(1) juvenile justice intake personnel;

19 “(2) probation officers;

20 “(3) juvenile court judges and court services
21 personnel;

22 “(4) prosecutors and court-appointed counsel;
23 and

24 “(5) family members of juveniles and family ad-
25 vocates.

1 “(g) GRANTS FOR JUVENILE COURT JUDGES AND
2 PERSONNEL.—The Attorney General, acting through the
3 Office of Juvenile Justice and Delinquency Prevention and
4 the Office of Justice Programs, shall make grants to im-
5 prove training, education, technical assistance, evaluation,
6 and research to enhance the capacity of State and local
7 courts, judges, and related judicial personnel to—

8 “(1) improve the lives of children currently in-
9 involved in or at risk of being involved in the juvenile
10 court system; and

11 “(2) carry out the requirements of this Act.

12 “(h) FREE AND REDUCED PRICE SCHOOL LUNCHES
13 FOR INCARCERATED JUVENILES.—The Attorney General,
14 in consultation with the Secretary of Agriculture, shall
15 provide guidance to States relating to options for school
16 food authorities in the States to apply for reimbursement
17 for free or reduced price lunches under the Richard B.
18 Russell National School Lunch Act (42 U.S.C. 1751 et
19 seq.) for juveniles who are incarcerated and would, if not
20 incarcerated, be eligible for free or reduced price lunches
21 under that Act.”.

22 **SEC. 212. ADMINISTRATIVE AUTHORITY.**

23 Section 299A(e) of the Juvenile Justice and Delin-
24 quency Prevention Act of 1974 (42 U.S.C. 5672(e)) is
25 amended by striking “requirements described in para-

1 graphs (11), (12), and (13) of section 223(a)” and insert-
2 ing “core requirements”.

3 **SEC. 213. TECHNICAL AND CONFORMING AMENDMENTS.**

4 The Juvenile Justice and Delinquency Prevention Act
5 of 1974 (42 U.S.C. 5601 et seq.) is amended—

6 (1) in section 204(b)(6) (42 U.S.C.
7 5614(b)(6)), by striking “section 223(a)(15)” and
8 inserting “section 223(a)(14)”;

9 (2) in subparagraph (C) of section 246(a)(2)
10 (42 U.S.C. 5656(a)(2)), as redesignated by section
11 208, by striking “section 222(c)” and inserting “sec-
12 tion 222(d)”;

13 (3) in section 299D(b) (42 U.S.C. 5675(b)), by
14 striking “section 222(c)” and inserting “section
15 222(d)”.

16 **TITLE III—INCENTIVE GRANTS**
17 **FOR LOCAL DELINQUENCY**
18 **PREVENTION PROGRAMS**

19 **SEC. 301. DEFINITIONS.**

20 Section 502 of the Incentive Grants for Local Delin-
21 quency Prevention Programs Act of 2002 (42 U.S.C.
22 5781) is amended—

23 (1) in the section heading, by striking “DEFINI-
24 TION” and inserting “DEFINITIONS”; and

1 (2) by striking “this title, the term” and insert-
2 ing the following: “this title—

3 “(1) the term ‘mentoring’ means matching 1
4 adult with 1 or more youths (not to exceed 4 youths)
5 for the purpose of providing guidance, support, and
6 encouragement aimed at developing the character of
7 the youths, where the adult and youths meet regu-
8 larly for not less than 4 hours each month for not
9 less than a 9-month period; and

10 “(2) the term”.

11 **SEC. 302. GRANTS FOR DELINQUENCY PREVENTION PRO-**
12 **GRAMS.**

13 Section 504(a) of the Incentive Grants for Local De-
14 linquency Prevention Programs Act of 2002 (42 U.S.C.
15 5783(a)) is amended—

16 (1) in paragraph (7), by striking “and” at the
17 end;

18 (2) in paragraph (8), by striking the period at
19 the end and inserting “; and”; and

20 (3) by adding at the end the following:

21 “(9) mentoring programs.”.

22 **SEC. 303. TECHNICAL AND CONFORMING AMENDMENT.**

23 The Juvenile Justice and Delinquency Prevention Act
24 of 1974 is amended by striking title V, as added by the
25 Juvenile Justice and Delinquency Prevention Act of 1974

1 (Public Law 93–415; 88 Stat. 1133) (relating to miscella-
2 neous and conforming amendments).

3 **TITLE IV—MISCELLANEOUS**
4 **PROVISIONS**

5 **SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY**
6 **OFFICE.**

7 (a) EVALUATION.—Not later than October 1, 2015,
8 the Comptroller General of the United States shall—

9 (1) conduct a comprehensive analysis and eval-
10 uation regarding the performance of the Office of
11 Juvenile Justice Delinquency and Prevention (re-
12 ferred to in this section as “the agency”), its func-
13 tions, its programs, and its grants;

14 (2) conduct a comprehensive audit and evalua-
15 tion of a selected, statistically significant sample of
16 grantees (as determined by the Comptroller General)
17 that receive Federal funds under grant programs ad-
18 ministered by the Office of Juvenile Justice Delin-
19 quency and Prevention including a review of internal
20 controls to prevent fraud, waste, and abuse of funds
21 by grantees; and

22 (3) submit a report in accordance with sub-
23 section (d).

24 (b) CONSIDERATIONS FOR EVALUATION.—In con-
25 ducting the analysis and evaluation under subsection

1 (a)(1), and in order to document the efficiency and public
2 benefit of the Juvenile Justice and Delinquency Preven-
3 tion Act of 1974 (42 U.S.C. 5601 et seq.), excluding the
4 Runaway and Homeless Youth Act (42 U.S.C. 5701 et
5 seq.) and the Missing Children's Assistance Act (42
6 U.S.C. 5771 et seq.), the Comptroller General shall take
7 into consideration—

8 (1) the extent to which the jurisdiction of, and
9 the programs administered by, the agency duplicate
10 or conflict with the jurisdiction and programs of
11 other agencies;

12 (2) the potential benefits of consolidating pro-
13 grams administered by the agency with similar or
14 duplicative programs of other agencies, and the po-
15 tential for consolidating those programs;

16 (3) whether present functions or operations are
17 impeded or enhanced by existing statutes, rules, and
18 procedures;

19 (4) the number and types of beneficiaries or
20 persons served by programs carried out by the agen-
21 cy;

22 (5) the manner with which the agency seeks
23 public input and input from State and local govern-
24 ments on the performance of the functions of the
25 agency;

1 (6) the extent to which the agency complies
2 with section 552 of title 5, United States Code (com-
3 monly known as the Freedom of Information Act);

4 (7) whether greater oversight is needed of pro-
5 grams developed with grants made by the agency;
6 and

7 (8) the extent to which changes are necessary
8 in the authorizing statutes of the agency in order for
9 the functions of the agency to be performed in a
10 more efficient and effective manner.

11 (c) CONSIDERATIONS FOR AUDITS.—In conducting
12 the audit and evaluation under subsection (a)(2), and in
13 order to document the efficiency and public benefit of the
14 Juvenile Justice and Delinquency Prevention Act of 1974
15 (42 U.S.C. 5601 et seq.), excluding the Runaway and
16 Homeless Youth Act (42 U.S.C. 5701 et seq.) and the
17 Missing Children’s Assistance Act (42 U.S.C. 5771 et
18 seq.), the Comptroller General shall take into consider-
19 ation—

20 (1) whether grantees timely file Financial Sta-
21 tus Reports;

22 (2) whether grantees have sufficient internal
23 controls to ensure adequate oversight of grant fund
24 received;

1 (3) whether disbursements were accompanied
2 with adequate supporting documentation (including
3 invoices and receipts);

4 (4) whether expenditures were authorized;

5 (5) whether subrecipients of grant funds were
6 complying with program requirements;

7 (6) whether salaries and fringe benefits of per-
8 sonnel were adequately supported by documentation;

9 (7) whether contracts were bid in accordance
10 with program guidelines; and

11 (8) whether grant funds were spent in accord-
12 ance with program goals and guidelines.

13 (d) REPORT.—

14 (1) IN GENERAL.—The Comptroller General of
15 the United States shall submit a report regarding
16 the evaluation conducted under subsection (a) and
17 audit under subsection (b), together with supporting
18 materials, to the Speaker of the House of Represent-
19 atives and the President pro tempore of the Senate,
20 and be made available to the public, not later than
21 October 1, 2011.

22 (2) CONTENTS.—The report submitted in ac-
23 cordance with paragraph (1) shall include all audit
24 findings determined by the selected, statistically sig-
25 nificant sample of grantees as required by subsection

1 (a)(2) and shall include the name and location of
2 any selected grantee as well as any findings required
3 by subsection (a)(2).

4 **SEC. 402. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) IN GENERAL.—The Juvenile Justice and Delin-
6 quency Prevention Act of 1974 (42 U.S.C. 5601 et seq.)
7 is amended by adding at the end the following:

8 **“TITLE VI—AUTHORIZATION OF**
9 **APPROPRIATIONS; ACCOUNT-**
10 **ABILITY AND OVERSIGHT**

11 **“SEC. 601. AUTHORIZATION OF APPROPRIATIONS.**

12 “(a) IN GENERAL.—There are authorized to be ap-
13 propriated to carry out this Act—

14 “(1) \$159,000,000 for fiscal year 2016;

15 “(2) \$162,180,000 for fiscal year 2017;

16 “(3) \$165,423,600 for fiscal year 2018;

17 “(4) \$168,732,072 for fiscal year 2019; and

18 “(5) \$172,106,713 for fiscal year 2020.

19 “(b) MENTORING PROGRAMS.—Not more than 20
20 percent of the amount authorized to be appropriated
21 under subsection (a) for a fiscal year may be used for
22 mentoring programs.”.

23 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
24 The Juvenile Justice and Delinquency Prevention Act of
25 1974 is amended by striking—

- 1 (1) section 299 (42 U.S.C. 5671);
- 2 (2) section 388 (42 U.S.C. 5751);
- 3 (3) section 408 (42 U.S.C. 5777); and
- 4 (4) section 505 (42 U.S.C. 5784).

5 **SEC. 403. ACCOUNTABILITY AND OVERSIGHT.**

6 (a) IN GENERAL.—Title VI of the Juvenile Justice
7 and Delinquency Prevention Act of 1974, as added by this
8 Act, is amended by adding at the end the following:

9 **“SEC. 602. ACCOUNTABILITY AND OVERSIGHT.**

10 “(a) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that, in order to ensure that at-risk youth who come
12 into contact with the criminal justice system are treated
13 fairly and the outcome of that contact is beneficial to the
14 Nation—

15 “(1) the Department of Justice, through its Of-
16 fice of Juvenile Justice and Delinquency Prevention,
17 must restore meaningful enforcement of the core
18 protections in this Act;

19 “(2) the Attorney General should, not later
20 than 90 days after the date of enactment of this
21 Act, issue a proposed rule to update existing Federal
22 regulations used to make State compliance deter-
23 minations and provide participating States with
24 technical assistance to develop more effective and
25 comprehensive data collection systems; and

1 “(3) States, which are entrusted with a fiscal
2 stewardship role if they accept funds under this Act,
3 must exercise vigilant oversight to ensure full com-
4 pliance with the core protections for juveniles pro-
5 vided for in this Act.

6 “(b) ACCOUNTABILITY.—

7 “(1) AGENCY PROGRAM REVIEW.—

8 “(A) IN GENERAL.—Not less often than
9 once every 2 years, the Administrator shall con-
10 duct, for each State and Indian tribe receiving
11 a grant under this Act, a programmatic and fi-
12 nancial review of all grants awarded to the
13 State or Indian tribe under this Act in order to
14 prevent waste, fraud, and abuse by grantees.

15 “(B) CONTENTS.—Each review under sub-
16 paragraph (A) shall, at a minimum, examine—

17 “(i) whether the funds awarded were
18 used in accordance with the law, program
19 guidance, and any applicable plans; and

20 “(ii) the extent to which funds award-
21 ed under this Act enhanced the ability of
22 the grantee to improve its juvenile justice
23 system and juvenile justice delinquency
24 prevention programs.

1 “(C) AUTHORIZATION OF APPROPRIA-
2 TIONS.—In addition to any other amounts au-
3 thorized to be appropriated to the Adminis-
4 trator, there are authorized to be appropriated
5 to the Administrator for reviews under this
6 paragraph such sums as are necessary for fiscal
7 year 2016 and each fiscal year thereafter.

8 “(2) OFFICE OF INSPECTOR GENERAL PER-
9 FORMANCE AUDITS.—

10 “(A) IN GENERAL.—In order to ensure the
11 effective and appropriate use of grants adminis-
12 tered under this Act, the Inspector General of
13 the Department of Justice each year shall con-
14 duct audits of a sample of States and Indian
15 tribes that receive grants under this Act.

16 “(B) DETERMINING SAMPLES.—The sam-
17 ple selected for audits under subparagraph (A)
18 shall be—

19 “(i) of an appropriate size to—

20 “(I) assess the overall integrity
21 of the grant programs described in
22 subparagraph (A); and

23 “(II) act as a deterrent to finan-
24 cial mismanagement; and

25 “(ii) selected based on—

1 “(I) the size of the grants award-
2 ed to the recipient;

3 “(II) the past grant management
4 performance of the recipient;

5 “(III) concerns identified by the
6 Administrator, including referrals
7 from the Administrator; and

8 “(IV) such other factors as deter-
9 mined by the Inspector General of the
10 Department of Justice.

11 “(C) COMPREHENSIVE AUDITING.—During
12 the 5-year period beginning on the date of en-
13 actment of this section, the Inspector General
14 of the Department of Justice shall conduct not
15 fewer than 1 audit of each State or Indian tribe
16 that receives a grant under this Act.

17 “(D) REPORT BY THE INSPECTOR GEN-
18 ERAL.—

19 “(i) IN GENERAL.—The Inspector
20 General of the Department of Justice shall
21 submit to the appropriate committees of
22 Congress—

23 “(I) not later than 90 days after
24 the date of enactment of this section,
25 a report on the estimated amount of

1 grant funds disbursed by the Office of
2 Juvenile Justice and Delinquency Pre-
3 vention since fiscal year 1997 that did
4 not meet the requirements for awards
5 of formula grants to States under this
6 Act; and

7 “(II) an annual report on every
8 audit conducted under this section
9 during the fiscal year preceding the
10 report.

11 “(ii) CONTENTS.—Each report sub-
12 mitted under clause (i)(II) shall describe,
13 for the fiscal year preceding the report—

14 “(I) the audits conducted under
15 subparagraph (A);

16 “(II) the findings of the Inspec-
17 tor General with respect to the audits
18 conducted under subparagraph (A);

19 “(III) whether the funds awarded
20 under this Act were used in accord-
21 ance with law, program guidance, and
22 applicable plans; and

23 “(IV) the extent to which funds
24 awarded under this Act enhanced the
25 ability of a grantee to improve its ju-

1 venile justice system and juvenile jus-
2 tice programs.

3 “(iii) DEADLINE.—For each year, the
4 report required under clause (i)(II) shall
5 be submitted not later than December 31.

6 “(E) PUBLIC AVAILABILITY ON
7 WEBSITE.—The Inspector General of the De-
8 partment of Justice shall make each audit con-
9 ducted under subparagraph (A) available on the
10 website of the Inspector General, subject to re-
11 daction as the Inspector General determines
12 necessary to protect classified and other sen-
13 sitive information.

14 “(F) PROVISION OF INFORMATION TO AD-
15 MINISTRATOR.—The Inspector General of the
16 Department of Justice shall provide to the Ad-
17 ministrators any findings and recommendations
18 from audits conducted under subparagraph (A).

19 “(G) EVALUATION OF GRANTS MANAGE-
20 MENT AND OVERSIGHT.—Not later than 1 year
21 after the date of enactment of this section, the
22 Inspector General of the Department of Justice
23 shall review and evaluate the grants manage-
24 ment and oversight practices of the Office of
25 Juvenile Justice and Delinquency Prevention,

1 including assessment of and recommendations
2 relating to—

3 “(i) the skills, resources, and capabili-
4 ties of the workforce; and

5 “(ii) any additional resources and
6 staff necessary to carry out such manage-
7 ment and oversight.

8 “(H) AUTHORIZATION OF APPROPRIA-
9 TIONS.—In addition to any other amounts au-
10 thorized to be appropriated to the Inspector
11 General of the Department of Justice, there are
12 authorized to be appropriated to the Inspector
13 General of the Department of Justice for audits
14 under subparagraph (A) such sums as are nec-
15 essary for fiscal year 2016, and each fiscal year
16 thereafter.

17 “(I) MANDATORY EXCLUSION.—A recipient
18 of grant funds under this Act that is found to
19 have an unresolved audit finding shall not be el-
20 igible to receive grant funds under this Act dur-
21 ing the first 2 fiscal years beginning after the
22 12-month period beginning on the date on
23 which the audit report is issued.

24 “(J) PRIORITY.—In awarding grants
25 under this Act, the Administrator shall give pri-

1 ority to a State or Indian tribe that did not
2 have an unresolved audit finding during the 3
3 fiscal years prior to the date on which the eligi-
4 ble entity submits an application for a grant
5 under this Act.

6 “(K) REIMBURSEMENT.—If a State or In-
7 dian tribe is awarded grant funds under this
8 Act during the 2-fiscal-year period in which the
9 entity is barred from receiving grants under
10 subparagraph (I), the Attorney General shall—

11 “(i) deposit an amount equal to the
12 amount of the grant funds that were im-
13 properly awarded to the grantee into the
14 General Fund of the Treasury; and

15 “(ii) seek to recoup the costs of the
16 repayment to the General Fund under
17 clause (i) from the grantee that was erro-
18 neously awarded grant funds.

19 “(L) DEFINITION.—In this paragraph, the
20 term ‘unresolved audit finding’ means a finding
21 in the final audit report of the Inspector Gen-
22 eral—

23 “(i) that the audited State or Indian
24 tribe has used grant funds for an unau-

1 thorized expenditure or otherwise unallow-
2 able cost; and

3 “(ii) that is not closed or resolved
4 during the 12-month period beginning on
5 the date on which the final audit report is
6 issued.

7 “(3) NONPROFIT ORGANIZATION REQUIRE-
8 MENTS.—

9 “(A) DEFINITION.—For purposes of this
10 paragraph and the grant programs described in
11 this Act, the term ‘nonprofit organization’
12 means an organization that is described in sec-
13 tion 501(c)(3) of the Internal Revenue Code of
14 1986 and is exempt from taxation under section
15 501(a) of such Code.

16 “(B) PROHIBITION.—The Administrator
17 may not award a grant under any grant pro-
18 gram described in this Act to a nonprofit orga-
19 nization that holds money in offshore accounts
20 for the purpose of avoiding paying the tax de-
21 scribed in section 511(a) of the Internal Rev-
22 enue Code of 1986.

23 “(C) DISCLOSURE.—

24 “(i) IN GENERAL.—Each nonprofit or-
25 ganization that is awarded a grant under

1 a grant program described in this Act and
2 uses the procedures prescribed in regula-
3 tions to create a rebuttable presumption of
4 reasonableness for the compensation of its
5 officers, directors, trustees, and key em-
6 ployees, shall disclose to the Administrator,
7 in the application for the grant, the proc-
8 ess for determining such compensation, in-
9 cluding—

10 “(I) the independent persons in-
11 volved in reviewing and approving
12 such compensation;

13 “(II) the comparability data
14 used; and

15 “(III) contemporaneous substan-
16 tiation of the deliberation and deci-
17 sion.

18 “(ii) PUBLIC INSPECTION UPON RE-
19 QUEST.—Upon request, the Administrator
20 shall make the information disclosed under
21 clause (i) available for public inspection.

22 “(4) CONFERENCE EXPENDITURES.—

23 “(A) LIMITATION.—No amounts author-
24 ized to be appropriated to the Department of
25 Justice under this Act may be used by the At-

1 torney General, or by any individual or organi-
2 zation awarded discretionary funds through a
3 cooperative agreement under this Act, to host
4 or support any expenditure for conferences that
5 uses more than \$20,000 in funds made avail-
6 able to the Department of Justice, unless the
7 Deputy Attorney General or such Assistant At-
8 torney Generals, Directors, or principal deputies
9 as the Deputy Attorney General may designate,
10 provides prior written authorization that the
11 funds may be expended to host a conference.

12 “(B) WRITTEN APPROVAL.—Written ap-
13 proval under subparagraph (A) shall include a
14 written estimate of all costs associated with the
15 conference, including the cost of all food and
16 beverages, audiovisual equipment, honoraria for
17 speakers, and entertainment.

18 “(C) REPORT.—The Deputy Attorney Gen-
19 eral shall submit an annual report to the Com-
20 mittee on the Judiciary of the Senate and the
21 Committee on the Judiciary of the House of
22 Representatives on all conference expenditures
23 approved under this paragraph.

24 “(5) PROHIBITION ON LOBBYING ACTIVITY.—

1 “(A) IN GENERAL.—Amounts authorized
2 to be appropriated under this Act may not be
3 utilized by any recipient of a grant made using
4 such amounts to—

5 “(i) lobby any representative of the
6 Department of Justice regarding the
7 award of grant funding; or

8 “(ii) lobby any representative of a
9 Federal, State, local, or tribal government
10 regarding the award of grant funding.

11 “(B) PENALTY.—If the Attorney General
12 determines that any recipient of a grant made
13 using amounts authorized to be appropriated
14 under this Act has violated subparagraph (A),
15 the Attorney General shall—

16 “(i) require the grant recipient to
17 repay the grant in full; and

18 “(ii) prohibit the grant recipient from
19 receiving another grant under this Act for
20 not less than 5 years.

21 “(6) ANNUAL CERTIFICATION.—Beginning in
22 the first fiscal year beginning after the date of en-
23 actment of this section, the Attorney General shall
24 submit, to the Committee on the Judiciary and the
25 Committee on Appropriations of the Senate and the

1 Committee on the Judiciary and the Committee on
2 Appropriations of the House of Representatives, an
3 annual certification that—

4 “(A) all audits issued by the Office of the
5 Inspector General of the Department of Justice
6 under paragraph (2) have been completed and
7 reviewed by the appropriate Assistant Attorney
8 General or Director;

9 “(B) all mandatory exclusions required
10 under paragraph (2)(I) have been issued;

11 “(C) all reimbursements required under
12 paragraph (2)(K)(i) have been made; and

13 “(D) includes a list of any grant recipients
14 excluded under paragraph (2)(I) during the
15 preceding fiscal year.”.

16 (b) TECHNICAL AND CONFORMING AMENDMENT.—

17 (1) IN GENERAL.—The Juvenile Justice and
18 Delinquency Prevention Act of 1974 is amended by
19 striking section 407 (42 U.S.C. 5776a).

20 (2) EFFECTIVE DATE.—The amendment made
21 by paragraph (1) shall take effect on the first day
22 of the first fiscal year beginning after the date of en-
23 actment of this Act.

24 (3) SAVINGS CLAUSE.—In the case of an entity
25 that is barred from receiving grant funds under

1 paragraph (2) or (7)(B)(ii) of section 407 of the Ju-
2 venile Justice and Delinquency Prevention Act of
3 1974 (42 U.S.C. 5776a), the amendment made by
4 paragraph (1) of this subsection shall not affect the
5 applicability to the entity, or to the Attorney Gen-
6 eral with respect to the entity, of paragraph (2), (3),
7 or (7) of such section 407, as in effect on the day
8 before the effective date under paragraph (2) of this
9 subsection.

10 **TITLE V—JUVENILE ACCOUNT-** 11 **ABILITY BLOCK GRANTS**

12 **SEC. 501. GRANT ELIGIBILITY.**

13 Section 1802(a) of title I of the Omnibus Crime Con-
14 trol and Safe Streets Act of 1968 (42 U.S.C. 3796ee—
15 2(a)) is amended—

16 (1) in paragraph (1), by striking “and” at the
17 end;

18 (2) in paragraph (2), by striking the period at
19 the end and inserting “; and”; and

20 (3) by adding at the end the following:

21 “(3) assurances that the State agrees to comply
22 with the core requirements, as defined in section 103
23 of the Juvenile Justice and Delinquency Prevention
24 Act of 1974 (42 U.S.C. 5603), applicable to the de-
25 tention and confinement of juveniles.”.