

115TH CONGRESS
1ST SESSION

H. R. 1809

AN ACT

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,*

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Juvenile Justice Re-
3 form Act of 2017”.

4 SEC. 2. TABLE OF CONTENTS.

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

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Application of amendments.

TITLE I—DECLARATION OF FINDINGS, PURPOSE, AND
DEFINITIONS

- Sec. 101. Findings.
- Sec. 102. Purposes.
- Sec. 103. Definitions.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

- Sec. 201. Concentration of Federal efforts.
- Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Preven-
tion.
- Sec. 203. Annual report.
- Sec. 204. Allocation of funds.
- Sec. 205. State plans.
- Sec. 206. Repeal of juvenile delinquency prevention block grant program.
- Sec. 207. Research and evaluation; statistical analyses; information dissemina-
tion.
- Sec. 208. Training and technical assistance.
- Sec. 209. Authorization of appropriations.
- Sec. 210. Administrative authority.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY
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- Sec. 301. Short Title.
- Sec. 302. Definitions.
- Sec. 303. Duties and functions of the administrator.
- Sec. 304. Grants for delinquency prevention programs.
- Sec. 305. Grants for tribal delinquency prevention and response programs.
- Sec. 306. Authorization of appropriations.
- Sec. 307. Technical amendment.

TITLE IV—MISCELLANEOUS PROVISIONS

- Sec. 401. Evaluation by Government Accountability Office.
- Sec. 402. Accountability and oversight.

1 **SEC. 3. APPLICATION OF AMENDMENTS.**

2 The amendments made by this Act shall not apply
3 with respect to funds appropriated for any fiscal year that
4 begins before the date of the enactment of this Act.

5 **TITLE I—DECLARATION OF**
6 **FINDINGS, PURPOSE, AND**
7 **DEFINITIONS**

8 **SEC. 101. FINDINGS.**

9 Section 101(a)(9) of the Juvenile Justice and Delin-
10 quency Prevention Act of 1974 (42 U.S.C. 5601(a)(9)) is
11 amended by inserting “, including offenders who enter the
12 juvenile justice system as the result of sexual abuse, ex-
13 ploitation, and trauma,” after “young juvenile offenders”.

14 **SEC. 102. PURPOSES.**

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

17 (1) in paragraph (1), by inserting “, tribal,”
18 after “State”;

19 (2) in paragraph (2)—

20 (A) by inserting “, tribal,” after “State”;

21 and

22 (B) by striking “and” at the end;

23 (3) by amending paragraph (3) to read as fol-
24 lows:

25 “(3) to assist State, tribal, and local govern-
26 ments in addressing juvenile crime through the pro-

1 vision of technical assistance, research, training,
2 evaluation, and the dissemination of current and rel-
3 evant information on effective and evidence-based
4 programs and practices for combating juvenile delin-
5 quency; and”; and

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

7 “(4) to support a continuum of evidence-based
8 or promising programs (including delinquency pre-
9 vention, intervention, mental health, behavioral
10 health and substance abuse treatment, family serv-
11 ices, and services for children exposed to violence)
12 that are trauma informed, reflect the science of ado-
13 lescent development, and are designed to meet the
14 needs of at-risk youth and youth who come into con-
15 tact with the justice system.”.

16 **SEC. 103. DEFINITIONS.**

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

19 (1) in paragraph (8)—

20 (A) in subparagraph (B)(ii), by adding
21 “or” at the end;

22 (B) by striking subparagraph (C); and

23 (C) by redesignating subparagraph (D) as
24 subparagraph (C);

25 (2) in paragraph (18)—

1 (A) by inserting “for purposes of title II,”
2 before “the term”; and

3 (B) by adding at the end the following:
4 “that has a law enforcement function, as determined
5 by the Secretary of the Interior in consultation with
6 the Attorney General;”;

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

9 “(22) the term ‘jail or lockup for adults’ means
10 a secure facility that is used by a State, unit of local
11 government, or law enforcement authority to detain
12 or confine adult inmates;”;

13 (4) by amending paragraph (25) to read as fol-
14 lows:

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

18 (5) by amending paragraph (26) to read as fol-
19 lows:

20 “(26) the term ‘adult inmate’—

21 “(A) means an individual who—

22 “(i) has reached the age of full crimi-
23 nal responsibility under applicable State
24 law; and

1 “(ii) has been arrested and is in cus-
2 tody for or awaiting trial on a criminal
3 charge, or is convicted of a criminal of-
4 fense; and

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

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

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

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

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

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

21 “(30) the term ‘core requirements’—

22 “(A) means the requirements described in
23 paragraphs (11), (12), (13), and (15) of section
24 223(a); and

1 “(B) does not include the data collection
2 requirements described in subparagraphs (A)
3 through (K) of section 207(1);

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-chlorobenzalmalononitrile gas;

8 “(32) the term ‘isolation’—

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

12 “(B) does not include—

13 “(i) confinement during regularly
14 scheduled sleeping hours;

15 “(ii) separation based on a treatment
16 program approved by a licensed medical or
17 mental health professional;

18 “(iii) confinement or separation that
19 is requested by the youth; or

20 “(iv) the separation of the youth from
21 a group in a nonlocked setting for the lim-
22 ited 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 relevant to
8 juvenile justice, including a detailed description
9 of the outcomes produced in a particular popu-
10 lation, whether urban or rural; and

11 “(D) has been scientifically tested and
12 proven effective through randomized control
13 studies or comparison group studies and with
14 the ability to replicate and scale;

15 “(35) the term ‘promising’ means a program or
16 practice that—

17 “(A) is demonstrated to be effective based
18 on positive outcomes relevant to juvenile justice
19 from one or more objective, independent, and
20 scientifically valid evaluations, as documented
21 in writing to the Administrator; and

22 “(B) will be evaluated through a well-de-
23 signed and rigorous study, as described in para-
24 graph (34)(D);

1 “(36) the term ‘dangerous practice’ means an
2 act, procedure, or program that creates an unreason-
3 able risk of physical injury, pain, or psychological
4 harm to a juvenile subjected to the act, procedure,
5 or program;

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

8 “(A) designed to identify youth who may
9 have mental health, behavioral health, sub-
10 stance abuse, or other needs requiring imme-
11 diate attention, intervention, and further eval-
12 uation; and

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

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

20 “(A) by an appropriately trained profes-
21 sional who is licensed or certified by the appli-
22 cable State in the mental health, behavioral
23 health, or substance abuse fields; and

24 “(B) which is designed to identify signifi-
25 cant mental health, behavioral health, or sub-

1 stance abuse treatment needs to be addressed
2 during a youth’s confinement;

3 “(39) for purposes of section 223(a)(15), the
4 term ‘contact’ means the points at which a youth
5 and the juvenile justice system or criminal justice
6 system officially intersect, including interactions
7 with a juvenile justice, juvenile court, or law enforce-
8 ment official;

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

10 “(A) understanding the impact that expo-
11 sure to violence and trauma have on a youth’s
12 physical, psychological, and psychosocial devel-
13 opment;

14 “(B) recognizing when a youth has been
15 exposed to violence and trauma and is in need
16 of help to recover from the adverse impacts of
17 trauma; and

18 “(C) responding in ways that resist re-
19 traumatization;

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

1 “(42) the term ‘status offender’ means a juve-
2 nile who is charged with or who has committed an
3 offense that would not be criminal if committed by
4 an adult;

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

8 “(44) the term ‘internal controls’ means a proc-
9 ess implemented to provide reasonable assurance re-
10 garding the achievement of objectives in—

11 “(A) effectiveness and efficiency of oper-
12 ations, such as grant management practices;

13 “(B) reliability of reporting for internal
14 and external use; and

15 “(C) compliance with applicable laws and
16 regulations, as well as recommendations of the
17 Office of Inspector General and the Government
18 Accountability Office; and

19 “(45) the term ‘tribal government’ means the
20 governing body of an Indian tribe.”.

1 **TITLE II—JUVENILE JUSTICE**
2 **AND DELINQUENCY PREVEN-**
3 **TION**

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

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

7 (1) in subsection (a)—

8 (A) in paragraph (1), in the first sen-
9 tence—

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

20 (ii) by striking “research, and im-
21 provement of the juvenile justice system in
22 the United States” and inserting “and re-
23 search”; and

24 (B) in paragraph (2)(B), by striking “Fed-
25 eral Register” and all that follows and inserting

1 “Federal Register during the 30-day period
2 ending on October 1 of each year.”; and

3 (2) in subsection (b)—

4 (A) by striking paragraph (7);

5 (B) by redesignating paragraphs (5) and
6 (6) as paragraphs (6) and (7), respectively;

7 (C) by inserting after paragraph (4), the
8 following:

9 “(5) not later than 1 year after the date of en-
10 actment of the Juvenile Justice Reform Act of 2017,
11 in consultation with Indian tribes, develop a policy
12 for the Office of Juvenile Justice and Delinquency
13 Prevention to collaborate with representatives of In-
14 dian tribes with a criminal justice function on the
15 implementation of the provisions of this Act relating
16 to Indian tribes;”;

17 (D) in paragraph (6), as so redesignated,
18 by adding “and” at the end; and

19 (E) in paragraph (7), as so redesignated—

20 (i) by striking “monitoring”;

21 (ii) by striking “section 223(a)(15)”
22 and inserting “section 223(a)(14)”; and

23 (iii) by striking “to review the ade-
24 quacy of such systems; and” and inserting
25 “for monitoring compliance.”.

1 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**
2 **AND DELINQUENCY PREVENTION.**

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

5 (1) in subsection (a)—

6 (A) in paragraph (1)—

7 (i) by inserting “the Assistant Sec-
8 retary for Mental Health and Substance
9 Use, the Secretary of the Interior,” after
10 “the Secretary of Health and Human
11 Services,”; and

12 (ii) by striking “Commissioner of Im-
13 migration and Naturalization” and insert-
14 ing “Assistant Secretary for Immigration
15 and Customs Enforcement”; and

16 (B) in paragraph (2), by striking “United
17 States” and inserting “Federal Government”;
18 and

19 (2) in subsection (c)—

20 (A) in paragraph (1), by striking “para-
21 graphs (12)(A), (13), and (14) of section
22 223(a) of this title” and inserting “the core re-
23 quirements”; and

24 (B) in paragraph (2)—

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

4 (ii) by striking subparagraph (B) and
5 inserting the following:

6 “(B) not later than 120 days after the
7 completion of the last meeting of the Council
8 during any fiscal year, submit to the Committee
9 on Education and the Workforce of the House
10 of Representatives and the Committee on the
11 Judiciary of the Senate a report that—

12 “(i) contains the recommendations de-
13 scribed in subparagraph (A);

14 “(ii) includes a detailed account of the
15 activities conducted by the Council during
16 the fiscal year, including a complete de-
17 tailed accounting of expenses incurred by
18 the Council to conduct operations in ac-
19 cordance with this section;

20 “(iii) is published on the Web sites of
21 the Office of Juvenile Justice and Delin-
22 quency Prevention, the Council, and the
23 Department of Justice; and

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

1 **SEC. 203. ANNUAL REPORT.**

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

4 (1) in the matter preceding paragraph (1), by
5 striking “a fiscal year” and inserting “each fiscal
6 year”;

7 (2) in paragraph (1)—

8 (A) in subparagraph (B), by striking “and
9 gender” and inserting “, gender, and ethnicity,
10 as such term is defined by the Bureau of the
11 Census,”;

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

14 (C) in subparagraph (F)—

15 (i) by inserting “and other” before
16 “disabilities,”; and

17 (ii) by striking the period at the end
18 and inserting a semicolon; and

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

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

25 “(H) the number of status offense cases
26 petitioned to court, number of status offenders

1 held in secure detention, the findings used to
2 justify the use of secure detention, and the av-
3 erage period of time a status offender was held
4 in secure detention;

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

8 “(J) the number of juveniles whose offense
9 originated on school grounds, during school-
10 sponsored off-campus activities, or due to a re-
11 ferral by a school official, as collected and re-
12 ported by the Department of Education or simi-
13 lar State educational agency; and

14 “(K) the number of juveniles in the cus-
15 tody of secure detention and correctional facili-
16 ties operated by a State or unit of local govern-
17 ment who report being pregnant.”; and

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

19 “(5) A description of the criteria used to deter-
20 mine what programs qualify as evidence-based and
21 promising programs under this title and title V and
22 a comprehensive list of those programs the Adminis-
23 trator has determined meet such criteria in both
24 rural and urban areas.

1 “(6) A description of funding provided to In-
2 dian tribes under this Act or for a juvenile delin-
3 quency or prevention program under the Tribal Law
4 and Order Act of 2010 (Public Law 111–211; 124
5 Stat. 2261), including direct Federal grants and
6 funding provided to Indian tribes through a State or
7 unit of local government.

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

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

19 “(B) where unauthorized expenditures oc-
20 curred; or

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

23 “(8) An analysis and evaluation of the total
24 amount of payments made to grantees that the Of-
25 fice of Juvenile Justice and Delinquency Prevention

1 recouped from grantees that were found to be in vio-
2 lation of policies and procedures of the Office of Ju-
3 venile Justice and Delinquency Prevention grant
4 programs, including—

5 “(A) the full name and location of the
6 grantee;

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

8 “(C) the amount of funds sought to be re-
9 couped by the Office of Juvenile Justice and
10 Delinquency Prevention; and

11 “(D) the actual amount recouped by the
12 Office of Juvenile Justice and Delinquency Pre-
13 vention.”.

14 **SEC. 204. ALLOCATION OF FUNDS.**

15 (a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of
16 the Juvenile Justice and Delinquency Prevention Act of
17 1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2
18 percent” and inserting “5 percent”.

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

22 (1) in subsection (a)—

23 (A) in paragraph (1), by striking “age
24 eighteen” and inserting “18 years of age, based

1 on the most recent data available from the Bu-
2 reau of the Census”; and

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

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

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

11 “(ii) the amount allocated to the United States
12 Virgin Islands, Guam, American Samoa, and the
13 Commonwealth of the Northern Mariana Islands for
14 that fiscal year shall be not less than \$75,000.

15 “(B) If the aggregate amount appropriated for a fis-
16 cal year to carry out this title is not less than
17 \$75,000,000, then—

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

21 “(ii) the amount allocated to the United States
22 Virgin Islands, Guam, American Samoa, and the
23 Commonwealth of the Northern Mariana Islands for
24 that fiscal year shall be not less than \$100,000.”;

1 (2) in subsection (c), by striking “efficient ad-
2 ministration, including monitoring, evaluation, and
3 one full-time staff position” and inserting “effective
4 and efficient administration of funds, including the
5 designation of not less than one individual who shall
6 coordinate efforts to achieve and sustain compliance
7 with the core requirements and certify whether the
8 State is in compliance with such requirements”; and
9 (3) in subsection (d), by striking “5 per centum
10 of the minimum” and inserting “not more than 5
11 percent of the”.

12 **SEC. 205. STATE PLANS.**

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

15 (1) in subsection (a)—

16 (A) in the matter preceding paragraph (1),
17 by striking “and shall describe the status of
18 compliance with State plan requirements.” and
19 inserting “and shall describe how the State plan
20 is supported by or takes account of scientific
21 knowledge regarding adolescent development
22 and behavior and regarding the effects of delin-
23 quency prevention programs and juvenile justice
24 interventions on adolescents. Not later than 60
25 days after the date on which a plan or amended

1 plan submitted under this subsection is final-
2 ized, a State shall make the plan or amended
3 plan publicly available by posting the plan or
4 amended plan on the State’s publicly available
5 website.”;

6 (B) in paragraph (1), by striking “de-
7 scribed in section 299(c)(1)” and inserting “as
8 designated by the chief executive officer of the
9 State”;

10 (C) in paragraph (3)—

11 (i) in subparagraph (A)—

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

15 (II) in clause (ii)—

16 (aa) in subclause (II), by in-
17 serting “publicly supported court-
18 appointed legal counsel with ex-
19 perience representing juveniles in
20 delinquency proceedings,” after
21 “youth,”;

22 (bb) in subclause (III), by
23 striking “mental health, edu-
24 cation, special education” and in-
25 serting “child and adolescent

1 mental health, education, child
2 and adolescent substance abuse,
3 special education, services for
4 youth with disabilities”;

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

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

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

16 (ff) by striking subclause
17 (VIII) and inserting the fol-
18 lowing:

19 “(VIII) persons, licensed or cer-
20 tified by the applicable State, with ex-
21 pertise and competence in preventing
22 and addressing mental health and
23 substance abuse needs in delinquent
24 youth and youth at risk of delin-
25 quency;

1 “(IX) representatives of victim or
2 witness advocacy groups, including at
3 least one individual with expertise in
4 addressing the challenges of sexual
5 abuse and exploitation and trauma,
6 particularly the needs of youth who
7 experience disproportionate levels of
8 sexual abuse, exploitation, and trauma
9 before entering the juvenile justice
10 system; and

11 “(X) for a State in which one or
12 more Indian tribes are located, an In-
13 dian tribal representative or other in-
14 dividual with significant expertise in
15 tribal law enforcement and juvenile
16 justice in Indian tribal communities;”;

17 (III) in clause (iv), by striking
18 “24 at the time of appointment” and
19 inserting “28 at the time of initial ap-
20 pointment”; and

21 (IV) in clause (v) by inserting
22 “or, if not feasible and in appropriate
23 circumstances, who is the parent or
24 guardian of someone who has been or
25 is currently under the jurisdiction of

1 the juvenile justice system” after “ju-
2 venile justice system”;

3 (ii) in subparagraph (C), by striking
4 “30 days” and inserting “45 days”;

5 (iii) in subparagraph (D)—

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

8 (II) in clause (ii), by striking “at
9 least annually recommendations re-
10 garding State compliance with the re-
11 quirements of paragraphs (11), (12),
12 and (13)” and inserting “at least
13 every 2 years a report and necessary
14 recommendations regarding State
15 compliance with the core require-
16 ments”; and

17 (iv) in subparagraph (E)—

18 (I) in clause (i), by adding “and”
19 at the end; and

20 (II) in clause (ii), by striking the
21 period at the end and inserting a
22 semicolon;

23 (D) in paragraph (5)(C), by striking “In-
24 dian tribes” and all that follows through “appli-
25 cable to the detention and confinement of juve-

1 niles” and inserting “Indian tribes that agree
2 to attempt to comply with the core require-
3 ments applicable to the detention and confine-
4 ment of juveniles”;

5 (E) in paragraph (7)—

6 (i) in subparagraph (A), by striking
7 “performs law enforcement functions” and
8 inserting “has jurisdiction”; and

9 (ii) in subparagraph (B)—

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

12 (II) by striking clause (iv) and
13 inserting the following:

14 “(iv) a plan to provide alternatives to
15 detention for status offenders, survivors of
16 commercial sexual exploitation, and others,
17 where appropriate, such as specialized or
18 problem-solving courts or diversion to
19 home-based or community-based services
20 or treatment for those youth in need of
21 mental health, substance abuse, or co-oc-
22 curring disorder services at the time such
23 juveniles first come into contact with the
24 juvenile justice system;

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

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

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

15 “(viii) a plan to promote evidence-
16 based and trauma-informed programs and
17 practices; and

18 “(ix) not later than 1 year after the
19 date of enactment of the Juvenile Justice
20 Reform Act of 2017, a plan, which shall be
21 implemented not later than 2 years after
22 the date of enactment of the Juvenile Jus-
23 tice Reform Act of 2017, to—

24 “(I) eliminate the use of re-
25 straints of known pregnant juveniles

1 housed in secure juvenile detention
2 and correction facilities, during labor,
3 delivery, and post-partum recovery,
4 unless credible, reasonable grounds
5 exist to believe the detainee presents
6 an immediate and serious threat of
7 hurting herself, staff, or others; and

8 “(II) eliminate the use of abdom-
9 inal restraints, leg and ankle re-
10 straints, wrist restraints behind the
11 back, and four-point restraints on
12 known pregnant juveniles, unless—

13 “(aa) credible, reasonable
14 grounds exist to believe the de-
15 tainee presents an immediate and
16 serious threat of hurting herself,
17 staff, or others; or

18 “(bb) reasonable grounds
19 exist to believe the detainee pre-
20 sents an immediate and credible
21 risk of escape that cannot be rea-
22 sonably minimized through any
23 other method;”;

1 (F) in paragraph (8), by striking “exist-
2 ing” and inserting “evidence-based and prom-
3 ising”;

4 (G) in paragraph (9)—

5 (i) in the matter preceding subpara-
6 graph (A), by inserting “, with priority in
7 funding given to entities meeting the cri-
8 teria for evidence-based or promising pro-
9 grams” after “used for”;

10 (ii) in subparagraph (A)—

11 (I) in clause (i)—

12 (aa) by inserting “status of-
13 fenders and other” before “youth
14 who need”; and

15 (bb) by striking “and” at
16 the end;

17 (II) in clause (ii) by adding
18 “and” at the end; and

19 (III) by inserting after clause (ii)
20 the following:

21 “(iii) for youth who need specialized
22 intensive and comprehensive services that
23 address the unique issues encountered by
24 youth when they become involved with
25 gangs;”;

1 (iii) in subparagraph (B)(i)—

2 (I) by striking “parents and
3 other family members” and inserting
4 “status offenders, other youth, and
5 the parents and other family members
6 of such offenders and youth”; and

7 (II) by striking “be retained”
8 and inserting “remain”;

9 (iv) in subparagraph (E)—

10 (I) in the matter preceding clause
11 (i), by striking “delinquent” and in-
12 serting “at-risk or delinquent youth”;
13 and

14 (II) in clause (i), by inserting “,
15 including for truancy prevention and
16 reduction” before the semicolon;

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

21 (vi) by redesignating subparagraphs
22 (G) through (S) as subparagraphs (H)
23 through (T), respectively;

24 (vii) by inserting after subparagraph
25 (F), the following:

1 “(G) programs—

2 “(i) to ensure youth have access to
3 appropriate legal representation; and

4 “(ii) to expand access to publicly sup-
5 ported, court-appointed legal counsel who
6 are trained to represent juveniles in adju-
7 dication proceedings,

8 except that the State may not use more than 2
9 percent of the funds received under section 222
10 for these purposes;”;

11 (viii) in subparagraph (H), as so re-
12 designated, by striking “State,” each place
13 the term appears and inserting “State,
14 tribal,”;

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

17 (I) in clause (i)—

18 (aa) by inserting “pre-adju-
19 dication and” before “post-adju-
20 dication”;

21 (bb) by striking “restraints”
22 and inserting “alternatives”; and

23 (cc) by inserting “specialized
24 or problem-solving courts,” after
25 “(including”; and

1 (II) in clause (ii)—

2 (aa) by striking “by the pro-
3 vision by the Administrator”; and

4 (bb) by striking “to States”;

5 (x) in subparagraph (N), as redesign-
6 nated—

7 (I) by inserting “and reduce the
8 risk of recidivism” after “families”;
9 and

10 (II) by striking “so that such ju-
11 veniles may be retained in their
12 homes”;

13 (xi) in subparagraph (S), as so redes-
14 ignated, by striking “and” at the end;

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

17 (I) by inserting “or co-occurring
18 disorder” after “mental health”;

19 (II) by inserting “court-involved
20 or” before “incarcerated”;

21 (III) by striking “suspected to
22 be”;

23 (IV) by striking “and discharge
24 plans” and inserting “provision of

1 treatment, and development of dis-
2 charge plans”; and

3 (V) by striking the period at the
4 end and inserting a semicolon; and

5 (xiii) by inserting after subparagraph
6 (T) the following:

7 “(U) programs and projects designed—

8 “(i) to inform juveniles of the oppor-
9 tunity and process for sealing and
10 expunging juvenile records; and

11 “(ii) to assist juveniles in pursuing ju-
12 venile record sealing and expungements for
13 both adjudications and arrests not followed
14 by adjudications;

15 except that the State may not use more than 2
16 percent of the funds received under section 222
17 for these purposes;

18 “(V) programs that address the needs of
19 girls in or at risk of entering the juvenile justice
20 system, including pregnant girls, young moth-
21 ers, victims of sexual abuse, survivors of com-
22 mercial sexual exploitation or domestic child sex
23 trafficking, girls with disabilities, and girls of
24 color, including girls who are members of an In-
25 dian tribe; and

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

5 (H) by striking paragraph (11) and insert-
6 ing the following:

7 “(11)(A) in accordance with rules issued by the
8 Administrator, provide that a juvenile shall not be
9 placed in a secure detention facility or a secure cor-
10 rectional facility, if—

11 “(i) the juvenile is charged with or has
12 committed an offense that would not be crimi-
13 nal if committed by an adult, excluding—

14 “(I) a juvenile who is charged with or
15 has committed a violation of section
16 922(x)(2) of title 18, United States Code,
17 or of a similar State law;

18 “(II) a juvenile who is charged with
19 or has committed a violation of a valid
20 court order issued and reviewed in accord-
21 ance with paragraph (23); and

22 “(III) a juvenile who is held in ac-
23 cordance with the Interstate Compact on
24 Juveniles as enacted by the State; or

25 “(ii) the juvenile—

1 “(I) is not charged with any offense;

2 and

3 “(II)(aa) is an alien; or

4 “(bb) is alleged to be dependent, ne-
5 glected, or abused; and

6 “(B) require that—

7 “(i) not later than 3 years after the date
8 of enactment of the Juvenile Justice Reform
9 Act of 2017, unless a court finds, after a hear-
10 ing and in writing, that it is in the interest of
11 justice, juveniles awaiting trial or other legal
12 process who are treated as adults for purposes
13 of prosecution in criminal court and housed in
14 a secure facility—

15 “(I) shall not have sight or sound con-
16 tact with adult inmates; and

17 “(II) except as provided in paragraph
18 (13), may not be held in any jail or lockup
19 for adults;

20 “(ii) in determining under subparagraph
21 (A) whether it is in the interest of justice to
22 permit a juvenile to be held in any jail or lock-
23 up for adults, or have sight or sound contact
24 with adult inmates, a court shall consider—

25 “(I) the age of the juvenile;

1 “(II) the physical and mental matu-
2 rity of the juvenile;

3 “(III) the present mental state of the
4 juvenile, including whether the juvenile
5 presents an imminent risk of harm to the
6 juvenile;

7 “(IV) the nature and circumstances of
8 the alleged offense;

9 “(V) the juvenile’s history of prior de-
10 linquent acts;

11 “(VI) the relative ability of the avail-
12 able adult and juvenile detention facilities
13 to not only meet the specific needs of the
14 juvenile but also to protect the safety of
15 the public as well as other detained youth;
16 and

17 “(VII) any other relevant factor; and

18 “(iii) if a court determines under subpara-
19 graph (A) that it is in the interest of justice to
20 permit a juvenile to be held in any jail or lock-
21 up for adults—

22 “(I) the court shall hold a hearing not
23 less frequently than once every 30 days, or
24 in the case of a rural jurisdiction, not less
25 frequently than once every 45 days, to re-

- 1 view whether it is still in the interest of
2 justice to permit the juvenile to be so held
3 or have such sight or sound contact; and
4 “(II) the juvenile shall not be held in
5 any jail or lockup for adults, or permitted
6 to have sight or sound contact with adult
7 inmates, for more than 180 days, unless
8 the court, in writing, determines there is
9 good cause for an extension or the juvenile
10 expressly waives this limitation;”.
- 11 (I) in paragraph (12)(A), by striking “con-
12 tact” and inserting “sight or sound contact”;
- 13 (J) in paragraph (13), by striking “con-
14 tact” each place it appears and inserting “sight
15 or sound contact”;
- 16 (K) in paragraph (14)—
- 17 (i) by striking “adequate system” and
18 inserting “effective system”;
- 19 (ii) by inserting “lock-ups,” after
20 “monitoring jails,”;
- 21 (iii) by inserting “and” after “deten-
22 tion facilities,”;
- 23 (iv) by striking “, and non-secure fa-
24 cilities”;

1 (v) by striking “insure” and inserting
2 “ensure”;

3 (vi) by striking “requirements of
4 paragraphs (11), (12), and (13)” and in-
5 serting “core requirements”; and

6 (vii) by striking “, in the opinion of
7 the Administrator,”;

8 (L) by striking paragraphs (22) and (27);

9 (M) by redesignating paragraph (28) as
10 paragraph (27);

11 (N) by redesignating paragraphs (15)
12 through (21) as paragraphs (16) through (22),
13 respectively;

14 (O) by inserting after paragraph (14) the
15 following:

16 “(15) implement policy, practice, and system
17 improvement strategies at the State, territorial,
18 local, and tribal levels, as applicable, to identify and
19 reduce racial and ethnic disparities among youth
20 who come into contact with the juvenile justice sys-
21 tem, without establishing or requiring numerical
22 standards or quotas, by—

23 “(A) establishing or designating existing
24 coordinating bodies, composed of juvenile jus-
25 tice stakeholders, (including representatives of

1 the educational system) at the State, local, or
2 tribal levels, to advise efforts by States, units of
3 local government, and Indian tribes to reduce
4 racial and ethnic disparities;

5 “(B) identifying and analyzing data on
6 race and ethnicity at all decision points in
7 State, local, or tribal juvenile justice systems to
8 determine which key points create racial and
9 ethnic disparities among youth who come into
10 contact with the juvenile justice system; and

11 “(C) developing and implementing a work
12 plan that includes measurable objectives for pol-
13 icy, practice, or other system changes, based on
14 the needs identified in the data collection and
15 analysis under subparagraph (B);”;

16 (P) in paragraph (16), as so redesignated,
17 by inserting “ethnicity,” after “race,”;

18 (Q) in paragraph (21), as so redesignated,
19 by striking “local,” each place the term appears
20 and inserting “local, tribal,”;

21 (R) in paragraph (23)—

22 (i) in subparagraphs (A), (B), and
23 (C), by striking “juvenile” each place it
24 appears and inserting “status offender”;

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

3 (iii) in subparagraph (C)—

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

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

8 (III) by adding at the end the
9 following:

10 “(iii) if such court determines the sta-
11 tus offender should be placed in a secure
12 detention facility or correctional facility for
13 violating such order—

14 “(I) the court shall issue a writ-
15 ten order that—

16 “(aa) identifies the valid
17 court order that has been vio-
18 lated;

19 “(bb) specifies the factual
20 basis for determining that there
21 is reasonable cause to believe
22 that the status offender has vio-
23 lated such order;

24 “(cc) includes findings of
25 fact to support a determination

1 that there is no appropriate less
2 restrictive alternative available to
3 placing the status offender in
4 such a facility, with due consider-
5 ation to the best interest of the
6 juvenile;

7 “(dd) specifies the length of
8 time, not to exceed 7 days, that
9 the status offender may remain
10 in a secure detention facility or
11 correctional facility, and includes
12 a plan for the status offender’s
13 release from such facility; and

14 “(ee) may not be renewed or
15 extended; and

16 “(II) the court may not issue a
17 second or subsequent order described
18 in subclause (I) relating to a status
19 offender unless the status offender
20 violates a valid court order after the
21 date on which the court issues an
22 order described in subclause (I);” and
23 (iv) by adding at the end the fol-
24 lowing:

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

8 “(E) not later than September 30, 2020
9 (with a 1-year extension for each additional fis-
10 cal year that a State can demonstrate hardship,
11 as determined by the State, and submits in
12 writing evidence of such hardship to the Admin-
13 istrator which shall be considered approved un-
14 less the Administrator justifies to the State in
15 writing that the hardship does not qualify for
16 an exemption), the State will eliminate the use
17 of valid court orders to provide secure confine-
18 ment of status offenders, except that juveniles
19 may be held in secure confinement in accord-
20 ance with the Interstate Compact for Juveniles
21 if the judge issues a written order that—

22 “(i) specifies the factual basis to be-
23 lieve that the State has the authority to
24 detain the juvenile under the terms of the
25 Interstate Compact for Juveniles;

1 “(ii) includes findings of fact to sup-
2 port a determination that there is no ap-
3 propriate less restrictive alternative avail-
4 able to placing the juvenile in such a facil-
5 ity, with due consideration to the best in-
6 terest of the juvenile;

7 “(iii) specifies the length of time a ju-
8 venile may remain in secure confinement,
9 not to exceed 15 days, and includes a plan
10 for the return of the juvenile to the home
11 State of the juvenile; and

12 “(iv) may not be renewed or ex-
13 tended;”;

14 (S) in paragraph (26)—

15 (i) by inserting “and in accordance
16 with confidentiality concerns,” after “max-
17 imum extent practicable,”; and

18 (ii) by striking the semicolon at the
19 end and inserting the following: “, so as to
20 provide for—

21 “(A) data in child abuse or neglect reports
22 relating to juveniles entering the juvenile justice
23 system with a prior reported history of arrest,
24 court intake, probation and parole, juvenile de-
25 tention, and corrections; and

1 “(B) a plan to use the data described in
2 subparagraph (A) to provide necessary services
3 for the treatment of such victims of child abuse
4 or neglect;”;

5 (T) in paragraph (27), as so redesignated,
6 by striking the period at the end and inserting
7 a semicolon; and

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

9 “(28) provide for the coordinated use of funds
10 provided under this title with other Federal and
11 State funds directed at juvenile delinquency preven-
12 tion and intervention programs;

13 “(29) describe the policies, procedures, and
14 training in effect for the staff of juvenile State cor-
15 rectional facilities to eliminate the use of dangerous
16 practices, unreasonable restraints, and unreasonable
17 isolation, including by developing effective behavior
18 management techniques;

19 “(30) describe—

20 “(A) the evidence-based methods that will
21 be used to conduct mental health and substance
22 abuse screening, assessment, referral, and
23 treatment for juveniles who—

24 “(i) request a screening;

1 “(ii) show signs of needing a screen-
2 ing; or

3 “(iii) are held for a period of more
4 than 24 hours in a secure facility that pro-
5 vides for an initial screening; and

6 “(B) how the State will seek, to the extent
7 practicable, to provide or arrange for mental
8 health and substance abuse disorder treatment
9 for juveniles determined to be in need of such
10 treatment;

11 “(31) describe how reentry planning by the
12 State for juveniles will include—

13 “(A) a written case plan based on an as-
14 sessment of needs that includes—

15 “(i) the pre-release and post-release
16 plans for the juveniles;

17 “(ii) the living arrangement to which
18 the juveniles are to be discharged; and

19 “(iii) any other plans developed for
20 the juveniles based on an individualized as-
21 sessment; and

22 “(B) review processes;

23 “(32) provide an assurance that the agency of
24 the State receiving funds under this title collaborates
25 with the State educational agency receiving assist-

1 ance under part A of title I of the Elementary and
2 Secondary Education Act of 1965 (20 U.S.C. 6311
3 et seq.) to develop and implement a plan to ensure
4 that, in order to support educational progress—

5 “(A) the student records of adjudicated ju-
6 veniles, including electronic records if available,
7 are transferred in a timely manner from the
8 educational program in the juvenile detention or
9 secure treatment facility to the educational or
10 training program into which the juveniles will
11 enroll;

12 “(B) the credits of adjudicated juveniles
13 are transferred; and

14 “(C) adjudicated juveniles receive full or
15 partial credit toward high school graduation for
16 secondary school coursework satisfactorily com-
17 pleted before and during the period of time dur-
18 ing which the juveniles are held in custody, re-
19 gardless of the local educational agency or enti-
20 ty from which the credits were earned; and

21 “(33) describe policies and procedures to—

22 “(A) screen for, identify, and document in
23 records of the State the identification of victims
24 of domestic human trafficking, or those at risk
25 of such trafficking, upon intake; and

1 “(B) divert youth described in subpara-
2 graph (A) to appropriate programs or services,
3 to the extent practicable.”;

4 (2) by amending subsection (c) to read as fol-
5 lows:

6 “(c)(1) If a State fails to comply with any of the core
7 requirements in any fiscal year, then—

8 “(A) subject to subparagraph (B), the amount
9 allocated to such State under section 222 for the
10 subsequent fiscal year shall be reduced by not less
11 than 20 percent for each core requirement with re-
12 spect to which the failure occurs; and

13 “(B) the State shall be ineligible to receive any
14 allocation under such section for such fiscal year un-
15 less—

16 “(i) the State agrees to expend 50 percent
17 of the amount allocated to the State for such
18 fiscal year to achieve compliance with any such
19 core requirement with respect to which the
20 State is in noncompliance; or

21 “(ii) the Administrator determines that the
22 State—

23 “(I) has achieved substantial compli-
24 ance with such applicable requirements

1 with respect to which the State was not in
2 compliance; and

3 “(II) has made, through appropriate
4 executive or legislative action, an unequivocal
5 commitment to achieving full compliance
6 with such applicable requirements
7 within a reasonable time.

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

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

13 “(B) 50 percent of the unallocated funds shall
14 be used by the Administrator to provide additional
15 training and technical assistance to States for the
16 purpose of promoting compliance with the core requirements.”;

17
18 (3) in subsection (d)—

19 (A) by striking “described in paragraphs
20 (11), (12), (13), and (22) of subsection (a)”
21 and inserting “described in the core requirements”;
22 and

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

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

3 (4) in subsection (f)(2)—

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

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

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

9 “(g) COMPLIANCE DETERMINATION.—

10 “(1) IN GENERAL.—For each fiscal year, the
11 Administrator shall make a determination regarding
12 whether each State receiving a grant under this title
13 is in compliance or out of compliance with respect to
14 each of the core requirements.

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

16 “(A) issue an annual public report—

17 “(i) describing any determination de-
18 scribed in paragraph (1) made during the
19 previous year, including a summary of the
20 information on which the determination is
21 based and the actions to be taken by the
22 Administrator (including a description of
23 any reduction imposed under subsection
24 (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 “(3) DETERMINATIONS REQUIRED.—The Ad-
 9 ministrator may not—

10 “(A) determine that a State is ‘not out of
 11 compliance’, or issue any other determination
 12 not described in paragraph (1), with respect to
 13 any core requirement; or

14 “(B) otherwise fail to make the compliance
 15 determinations required under paragraph (1).”.

16 **SEC. 206. REPEAL OF JUVENILE DELINQUENCY PREVEN-**
 17 **TION BLOCK GRANT PROGRAM.**

18 Part C of title II of the Juvenile Justice and Delin-
 19 quency Prevention Act of 1974 (42 U.S.C. 5651 et seq.)
 20 is repealed.

21 **SEC. 207. RESEARCH AND EVALUATION; STATISTICAL**
 22 **ANALYSES; INFORMATION DISSEMINATION.**

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

25 (1) in subsection (a)—

1 (A) in paragraph (1)—

2 (i) in the matter preceding subpara-
3 graph (A), by striking “may” and inserting
4 “shall”;

5 (ii) in subparagraph (A), by striking
6 “plan and identify” and inserting “annu-
7 ally publish a plan to identify”; and

8 (iii) in subparagraph (B)—

9 (I) by striking clause (iii) and in-
10 serting the following:

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

15 (II) by striking clause (vii) and
16 inserting the following:

17 “(vii) the prevalence and duration of be-
18 havioral health needs (including mental health,
19 substance abuse, and co-occurring disorders)
20 among juveniles pre-placement and post-place-
21 ment in the juvenile justice system, including
22 an examination of the effects of secure confine-
23 ment;”;

1 (III) by redesignating clauses
2 (ix), (x), and (xi) as clauses (xvi),
3 (xvii), and (xviii), respectively; and
4 (IV) by inserting after clause
5 (viii) the following:

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

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

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

16 “(xii) identifying positive outcome meas-
17 ures, such as attainment of employment and
18 educational degrees, that States and units of
19 local government should use to evaluate the
20 success of programs aimed at reducing recidi-
21 vism of youth who have come in contact with
22 the juvenile justice system or criminal justice
23 system;

1 “(xiii) evaluating the impact and outcomes
2 of the prosecution and sentencing of juveniles
3 as adults;

4 “(xiv) evaluating the impact of fines, fees,
5 and other costs assessed by the juvenile justice
6 system on the long-term disposition of status
7 offenders and other juveniles;

8 “(xv) successful and cost-effective efforts
9 by States and units of local government to re-
10 duce recidivism through policies that provide for
11 consideration of appropriate alternative sanc-
12 tions to incarceration of youth facing nonviolent
13 charges, while ensuring that public safety is
14 preserved;”; and

15 (B) in paragraph (4)—

16 (i) in the matter preceding subpara-
17 graph (A)—

18 (I) by striking “date of enact-
19 ment of this paragraph, the” and in-
20 serting “date of enactment of the Ju-
21 venile Justice Reform Act of 2017,
22 the”; and

23 (II) by inserting “in accordance
24 with relevant confidentiality require-

1 ments” after “wards of the State”;

2 and

3 (ii) in subparagraph (D), by inserting

4 “and Indian tribes” after “State”;

5 (iii) in subparagraph (F), by striking

6 “and” at the end;

7 (iv) in subparagraph (G), by striking

8 the period at the end and inserting a semi-

9 colon; and

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

11 “(H) a description of the best practices in dis-
12 charge planning; and

13 “(I) an assessment of living arrangements for
14 juveniles who, upon release from confinement in a
15 State correctional facility, cannot return to the resi-
16 dence they occupied prior to such confinement.”;

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

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

21 “(f) NATIONAL RECIDIVISM MEASURE.—The Admin-
22 istrator, in accordance with applicable confidentiality re-
23 quirements and in consultation with experts in the field
24 of juvenile justice research, recidivism, and data collection,
25 shall—

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

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

6 “(3) make cumulative juvenile recidivism data
 7 that is collected from States available to the pub-
 8 lic.”.

9 **SEC. 208. TRAINING AND TECHNICAL ASSISTANCE.**

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

12 (1) in subsection (a)—

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

15 (B) in paragraph (1)—

16 (i) by inserting “shall” before “de-
 17 velop and carry out projects”; and

18 (ii) by striking “and” after the semi-
 19 colon;

20 (C) in paragraph (2)—

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

23 (ii) by striking the period at the end
 24 and inserting “; and”; and

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

1 “(3) shall provide periodic training for States
2 regarding implementation of the core requirements,
3 current protocols and best practices for achieving
4 and monitoring compliance, and information sharing
5 regarding relevant Office resources on evidence-
6 based and promising programs or practices that pro-
7 mote the purposes of this Act.”;

8 (2) in subsection (b)—

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

11 (B) in paragraph (1)—

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

14 (ii) by inserting “, including compli-
15 ance with the core requirements” after
16 “this title”; and

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

18 (C) in paragraph (2)—

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

21 (ii) by striking the period at the end
22 and inserting a semicolon; and

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

24 “(3) shall provide technical assistance to States
25 and units of local government on achieving compli-

1 ance with the amendments to the core requirements
2 and State Plans made by the Juvenile Justice Re-
3 form Act of 2017, including training and technical
4 assistance and, when appropriate, pilot or dem-
5 onstration projects intended to develop and replicate
6 best practices for achieving sight and sound separa-
7 tion in facilities or portions of facilities that are
8 open and available to the general public and that
9 may or may not contain a jail or a lock-up; and

10 “(4) shall provide technical assistance to States
11 in support of efforts to establish partnerships be-
12 tween a State and a university, institution of higher
13 education, or research center designed to improve
14 the recruitment, selection, training, and retention of
15 professional personnel in the fields of medicine, law
16 enforcement, the judiciary, juvenile justice, social
17 work and child protection, education, and other rel-
18 evant fields who are engaged in, or intend to work
19 in, the field of prevention, identification, and treat-
20 ment of delinquency.”;

21 (3) in subsection (c)—

22 (A) by inserting “prosecutors,” after “pub-
23 lic defenders,”; and

24 (B) by inserting “status offenders and”
25 after “needs of”; and

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

2 “(d) BEST PRACTICES REGARDING LEGAL REP-
3 RESENTATION OF CHILDREN.—In consultation with ex-
4 perts in the field of juvenile defense, the Administrator
5 shall—

6 “(1) share best practices, which may include
7 sharing standards of practice developed by recog-
8 nized entities in the profession, for attorneys rep-
9 resenting children; and

10 “(2) provide a State, if it so requests, technical
11 assistance to implement any of the best practices
12 shared under paragraph (1).

13 “(e) TRAINING AND TECHNICAL ASSISTANCE FOR
14 LOCAL AND STATE JUVENILE DETENTION AND CORREC-
15 TIONS PERSONNEL.—The Administrator shall coordinate
16 training and technical assistance programs with juvenile
17 detention and corrections personnel of States and units
18 of local government—

19 “(1) to promote methods for improving condi-
20 tions of juvenile confinement, including methods that
21 are designed to minimize the use of dangerous prac-
22 tices, unreasonable restraints, and isolation and
23 methods responsive to cultural differences; and

24 “(2) to encourage alternative behavior manage-
25 ment techniques based on positive youth develop-

1 ment approaches, which may include policies and
2 procedures to train personnel to be culturally com-
3 petent.

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

14 “(1) juvenile justice intake personnel;

15 “(2) probation officers;

16 “(3) juvenile court judges and court services
17 personnel;

18 “(4) prosecutors and court-appointed counsel;

19 and

20 “(5) family members of juveniles and family ad-
21 vocates.

22 “(g) TRAINING AND TECHNICAL ASSISTANCE TO
23 SUPPORT JUVENILE COURT JUDGES AND PERSONNEL.—
24 The Attorney General, acting through the Office of Juve-
25 nile Justice and Delinquency Prevention and the Office

1 of Justice Programs, shall provide training and technical
2 assistance, in conjunction with the appropriate public
3 agencies, to enhance the capacity of State and local courts,
4 judges, and related judicial personnel to—

5 “(1) improve the lives of children currently in-
6 volved in or at risk of being involved in the juvenile
7 court system; and

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

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

19 **SEC. 209. AUTHORIZATION OF APPROPRIATIONS.**

20 Section 299 of the Juvenile Justice and Delinquency
21 Prevention Act of 1974 (42 U.S.C. 5671) is amended—

22 (1) by striking subsections (b) and (c), and re-
23 designating subsection (d) as subsection (b);

24 (2) in subsection (a)—

1 (A) in the heading, by striking “(EXCLUD-
2 ING PARTS C AND E)”;

3 (B) by striking paragraph (1) and insert-
4 ing the following:

5 “(1) There are authorized to be appropriated to carry
6 out this title—

7 “(A) \$76,125,000 for fiscal year 2018;

8 “(B) \$76,125,000 for fiscal year 2019;

9 “(C) \$77,266,875 for fiscal year 2020;

10 “(D) \$78,425,878 for fiscal year 2021; and

11 “(E) \$79,602,266 for fiscal year 2022.”; and

12 (C) in paragraph (2)—

13 (i) in the matter preceding subpara-
14 graph (A), by striking “(other than parts
15 C and E)”; and

16 (ii) in subparagraph (C), by striking
17 “part D” and inserting “parts D and E”.

18 **SEC. 210. ADMINISTRATIVE AUTHORITY.**

19 Section 299A of the Juvenile Justice and Delin-
20 quency Prevention Act of 1974 (42 U.S.C. 5672) is
21 amended—

22 (1) in subsection (d)—

23 (A) by inserting “(1)” before “The Admin-
24 istrator”;

1 (B) by striking “, after appropriate con-
2 sultation with representatives of States and
3 units of local government,”;

4 (C) by inserting “guidance,” after “regula-
5 tions,”; and

6 (D) by adding at the end the following: “In
7 developing guidance and procedures, the Ad-
8 ministrator shall consult with representatives of
9 States and units of local government, including
10 those individuals responsible for administration
11 of this Act and compliance with the core re-
12 quirements.

13 “(2) The Administrator shall ensure that—

14 “(A) reporting, compliance reporting, State
15 plan requirements, and other similar documentation
16 as may be required from States is requested in a
17 manner that respects confidentiality, encourages effi-
18 ciency and reduces the duplication of reporting ef-
19 forts; and

20 “(B) States meeting all the core requirements
21 are encouraged to experiment with offering innova-
22 tive, data-driven programs designed to further im-
23 prove the juvenile justice system.”; and

1 (2) in subsection (e), by striking “requirements
2 described in paragraphs (11), (12), and (13) of sec-
3 tion 223(a)” and inserting “core requirements”.

4 **TITLE III—INCENTIVE GRANTS**
5 **FOR LOCAL DELINQUENCY**
6 **PREVENTION PROGRAMS**

7 **SEC. 301. SHORT TITLE.**

8 Section 501 of the Incentive Grants for Local Delin-
9 quency Prevention Programs Act of 2002 (42 U.S.C. 5601
10 note) is amended—

11 (1) by inserting “Youth Promise” before “In-
12 centive Grants”; and

13 (2) by striking “2002” and inserting “2017”.

14 **SEC. 302. DEFINITIONS.**

15 Section 502 of the Incentive Grants for Local Delin-
16 quency Prevention Programs Act of 2002 (42 U.S.C.
17 5781) is amended to read as follows:

18 **“SEC. 502. DEFINITIONS.**

19 “In this title—

20 “(1) the term ‘at-risk’ has the meaning given
21 that term in section 1432 of the Elementary and
22 Secondary Education Act of 1965 (20 U.S.C. 6472);

23 “(2) the term ‘eligible entity’ means—

1 “(A) a unit of local government that is in
2 compliance with the requirements of part B of
3 title II; or

4 “(B) a nonprofit organization in partner-
5 ship with a unit of local government described
6 in subparagraph (A);

7 “(3) the term ‘delinquency prevention program’
8 means a delinquency prevention program that is evi-
9 dence-based or promising and that may include—

10 “(A) alcohol and substance abuse preven-
11 tion or treatment services;

12 “(B) tutoring and remedial education, es-
13 pecially in reading and mathematics;

14 “(C) child and adolescent health and men-
15 tal health services;

16 “(D) recreation services;

17 “(E) leadership and youth development ac-
18 tivities;

19 “(F) the teaching that individuals are and
20 should be held accountable for their actions;

21 “(G) assistance in the development of job
22 training skills;

23 “(H) youth mentoring programs;

24 “(I) after-school programs;

- 1 “(J) coordination of a continuum of serv-
2 ices, which may include—
- 3 “(i) early childhood development serv-
4 ices;
- 5 “(ii) voluntary home visiting pro-
6 grams;
- 7 “(iii) nurse-family partnership pro-
8 grams;
- 9 “(iv) parenting skills training;
- 10 “(v) child abuse prevention programs;
- 11 “(vi) family stabilization programs;
- 12 “(vii) child welfare services;
- 13 “(viii) family violence intervention
14 programs;
- 15 “(ix) adoption assistance programs;
- 16 “(x) emergency, transitional and per-
17 manent housing assistance;
- 18 “(xi) job placement and retention
19 training;
- 20 “(xii) summer jobs programs;
- 21 “(xiii) alternative school resources for
22 youth who have dropped out of school or
23 demonstrate chronic truancy;
- 24 “(xiv) conflict resolution skill training;
- 25 “(xv) restorative justice programs;

1 “(xvi) mentoring programs;

2 “(xvii) targeted gang prevention,
3 intervention and exit services;

4 “(xviii) training and education pro-
5 grams for pregnant teens and teen par-
6 ents; and

7 “(xix) pre-release, post-release, and
8 reentry services to assist detained and in-
9 carcerated youth with transitioning back
10 into and reentering the community; and

11 “(K) other data-driven evidence-based or
12 promising prevention programs;

13 “(4) the term ‘local policy board’, when used
14 with respect to an eligible entity, means a policy
15 board that the eligible entity will engage in the de-
16 velopment of the eligible entity’s plan described in
17 section 504(e)(5), and that includes—

18 “(A) not fewer than 15 and not more than
19 21 members; and

20 “(B) a balanced representation of—

21 “(i) public agencies and private non-
22 profit organizations serving juveniles and
23 their families; and

24 “(ii) business and industry;

1 “(C) at least one representative of the
2 faith community, one adjudicated youth, and
3 one parent of an adjudicated youth; and

4 “(D) in the case of an eligible entity de-
5 scribed in paragraph (1)(B), a representative of
6 the nonprofit organization of the eligible entity;

7 “(5) the term ‘mentoring’ means matching 1
8 adult with 1 or more youths for the purpose of pro-
9 viding guidance, support, and encouragement
10 through regularly scheduled meetings for not less
11 than 9 months;

12 “(6) the term ‘State advisory group’ means the
13 advisory group appointed by the chief executive offi-
14 cer of a State under a plan described in section
15 223(a); and

16 “(7) the term ‘State entity’ means the State
17 agency designated under section 223(a)(1) or the en-
18 tity receiving funds under section 223(d).”.

19 **SEC. 303. DUTIES AND FUNCTIONS OF THE ADMINIS-**
20 **TRATOR.**

21 Section 503 of the Incentive Grants for Local Delin-
22 quency Prevention Programs Act of 2002 (42 U.S.C.
23 5782) is amended—

24 (1) by striking paragraph (1); and

1 (2) by redesignating paragraphs (2) through
2 (4) as paragraphs (1) through (3), respectively.

3 **SEC. 304. GRANTS FOR DELINQUENCY PREVENTION PRO-**
4 **GRAMS.**

5 Section 504 of the Incentive Grants for Local Delin-
6 quency Prevention Programs Act of 2002 (42 U.S.C. 5781
7 et seq.) is amended to read as follows:

8 **“SEC. 504. GRANTS FOR LOCAL DELINQUENCY PREVEN-**
9 **TION PROGRAMS.**

10 “(a) PURPOSE.—The purpose of this section is to en-
11 able local communities to address the unmet needs of at-
12 risk or delinquent youth, including through a continuum
13 of delinquency prevention programs for juveniles who have
14 had contact with the juvenile justice system or who are
15 likely to have contact with the juvenile justice system.

16 “(b) PROGRAM AUTHORIZED.—The Administrator
17 shall—

18 “(1) for each fiscal year for which less than
19 \$25,000,000 is appropriated under section 506,
20 award grants to not fewer than 3 State entities, but
21 not more than 5 State entities, that apply under
22 subsection (c) and meet the requirements of sub-
23 section (d); or

24 “(2) for each fiscal year for which \$25,000,000
25 or more is appropriated under section 506, award

1 grants to not fewer than 5 State entities that apply
2 under subsection (c) and meet the requirements of
3 subsection (d).

4 “(c) STATE APPLICATION.—To be eligible to receive
5 a grant under this section, a State entity shall submit an
6 application to the Administrator, which includes the fol-
7 lowing:

8 “(1) An assurance the State entity will use—

9 “(A) not more than 10 percent of such
10 grant, in the aggregate—

11 “(i) for the costs incurred by the
12 State entity to carry out this section, ex-
13 cept that not more than 3 percent of such
14 grant may be used for such costs; and

15 “(ii) to provide technical assistance to
16 eligible entities receiving a subgrant under
17 subsection (e) in carrying out delinquency
18 prevention programs under the subgrant;
19 and

20 “(B) the remainder of such grant to award
21 subgrants to eligible entities under subsection
22 (e).

23 “(2) An assurance that such grant will supple-
24 ment, and not supplant, State and local efforts to
25 prevent juvenile delinquency.

1 “(3) An assurance the State entity will evaluate
2 the capacity of eligible entities receiving a subgrant
3 under subsection (e) to fulfill the requirements
4 under such subsection.

5 “(4) An assurance that such application was
6 prepared after consultation with, and participation
7 by, the State advisory group, units of local govern-
8 ment, community-based organizations, and organiza-
9 tions that carry out programs, projects, or activities
10 to prevent juvenile delinquency in the local juvenile
11 justice system served by the State entity.

12 “(d) APPROVAL OF STATE APPLICATIONS.—In
13 awarding grants under this section for a fiscal year, the
14 Administrator may not award a grant to a State entity
15 for a fiscal year unless—

16 “(1)(A) the State that will be served by the
17 State entity submitted a plan under section 223 for
18 such fiscal year; and

19 “(B) such plan is approved by the Adminis-
20 trator for such fiscal year; or

21 “(2) after finding good cause for a waiver, the
22 Administrator waives the plan required under sub-
23 paragraph (A) for such State for such fiscal year.

24 “(e) SUBGRANT PROGRAM.—

25 “(1) PROGRAM AUTHORIZED.—

1 “(A) IN GENERAL.—Each State entity re-
2 ceiving a grant under this section shall award
3 subgrants to eligible entities in accordance with
4 this subsection.

5 “(B) PRIORITY.—In awarding subgrants
6 under this subsection, the State entity shall give
7 priority to eligible entities that demonstrate
8 ability in—

9 “(i) plans for service and agency co-
10 ordination and collaboration including the
11 collocation of services;

12 “(ii) innovative ways to involve the
13 private nonprofit and business sector in de-
14 linquency prevention activities;

15 “(iii) developing data-driven preven-
16 tion plans, employing evidence-based pre-
17 vention strategies, and conducting program
18 evaluations to determine impact and effec-
19 tiveness;

20 “(iv) identifying under the plan sub-
21 mitted under paragraph (5) potential sav-
22 ings and efficiencies associated with suc-
23 cessful implementation of such plan; and

24 “(v) describing how such savings and
25 efficiencies may be used to carry out delin-

1 quency prevention programs and be rein-
2 vested in the continuing implementation of
3 such programs after the end of the
4 subgrant period.

5 “(C) SUBGRANT PROGRAM PERIOD AND DI-
6 VERSITY OF PROJECTS.—

7 “(i) PROGRAM PERIOD.—A subgrant
8 awarded to an eligible entity by a State en-
9 tity under this section shall be for a period
10 of not more than 5 years, of which the eli-
11 gible entity—

12 “(I) may use not more than 18
13 months for completing the plan sub-
14 mitted by the eligible entity under
15 paragraph (5); and

16 “(II) shall use the remainder of
17 the subgrant period, after planning
18 period described in subclause (I), for
19 the implementation of such plan.

20 “(ii) DIVERSITY OF PROJECTS.—In
21 awarding subgrants under this subsection,
22 a State entity shall ensure, to the extent
23 practicable and applicable, that such sub-
24 grants are distributed throughout different

1 areas, including urban, suburban, and
2 rural areas.

3 “(2) LOCAL APPLICATION.—An eligible entity
4 that desires a subgrant under this subsection shall
5 submit an application to the State entity in the
6 State of the eligible entity, at such time and in such
7 manner as determined by the State entity, and that
8 includes—

9 “(A) a description of—

10 “(i) the local policy board and local
11 partners the eligible entity will engage in
12 the development of the plan described in
13 paragraph (5);

14 “(ii) the unmet needs of at-risk or de-
15 linquent youth in the community;

16 “(iii) available resources in the com-
17 munity to meet the unmet needs identified
18 in the needs assessment described in para-
19 graph (5)(A);

20 “(iv) potential costs to the community
21 if the unmet needs are not addressed;

22 “(B) a specific time period for the plan-
23 ning and subsequent implementation of its con-
24 tinuum of local delinquency prevention pro-
25 grams;

1 “(C) the steps the eligible entity will take
2 to implement the plan under subparagraph (A);
3 and

4 “(D) a plan to continue the grant activity
5 with non-Federal funds, if proven successful ac-
6 cording to the performance evaluation process
7 under paragraph (5)(D), after the grant period.

8 “(3) MATCHING REQUIREMENT.—An eligible
9 entity desiring a subgrant under this subsection
10 shall agree to provide a 50 percent match of the
11 amount of the subgrant, which may include the
12 value of in-kind contributions.

13 “(4) SUBGRANT REVIEW.—

14 “(A) REVIEW.—Not later than the end of
15 the second year of a subgrant period for a
16 subgrant awarded to an eligible entity under
17 this subsection and before awarding the remain-
18 ing amount of the subgrant to the eligible enti-
19 ty, the State entity shall—

20 “(i) ensure that the eligible entity has
21 completed the plan submitted under para-
22 graph (2) and that the plan meets the re-
23 quirements of such paragraph; and

24 “(ii) verify that the eligible entity will
25 begin the implementation of its plan upon

1 receiving the next installment of its
2 subgrant award.

3 “(B) TERMINATION.—If the State entity
4 finds through the review conducted under sub-
5 paragraph (A) that the eligible entity has not
6 met the requirements of clause (i) of such sub-
7 paragraph, the State entity shall reallocate the
8 amount remaining on the subgrant of the eligi-
9 ble entity to other eligible entities receiving a
10 subgrant under this subsection or award the
11 amount to an eligible entity during the next
12 subgrant competition under this subsection.

13 “(5) LOCAL USES OF FUNDS.—An eligible enti-
14 ty that receives a subgrant under this subsection
15 shall use the funds to implement a plan to carry out
16 delinquency prevention programs in the community
17 served by the eligible entity in a coordinated manner
18 with other delinquency prevention programs or enti-
19 ties serving such community, which includes—

20 “(A) an analysis of the unmet needs of at-
21 risk or delinquent youth in the community—

22 “(i) which shall include—

23 “(I) the available resources in the
24 community to meet the unmet needs;
25 and

1 “(II) factors present in the com-
2 munity that may contribute to delin-
3 quency, such as homelessness, food in-
4 security, teen pregnancy, youth unem-
5 ployment, family instability, lack of
6 educational opportunity; and

7 “(ii) may include an estimate—

8 “(I) for the most recent year for
9 which reliable data is available, the
10 amount expended by the community
11 and other entities for delinquency ad-
12 judication for juveniles and the incar-
13 ceration of adult offenders for of-
14 fenses committed in such community;
15 and

16 “(II) of potential savings and ef-
17 ficiencies that may be achieved
18 through the implementation of the
19 plan;

20 “(B) a minimum 3-year comprehensive
21 strategy to address the unmet needs and an es-
22 timate of the amount or percentage of non-Fed-
23 eral funds that are available to carry out the
24 strategy;

1 “(C) a description of how delinquency pre-
2 vention programs under the plan will be coordi-
3 nated;

4 “(D) a description of the performance eval-
5 uation process of the delinquency prevention
6 programs to be implemented under the plan,
7 which shall include performance measures to
8 assess efforts to address the unmet needs of
9 youth in the community analyzed under sub-
10 paragraph (A);

11 “(E) the evidence or promising evaluation
12 on which such delinquency prevention programs
13 are based; and

14 “(F) if such delinquency prevention pro-
15 grams are proven successful according to the
16 performance evaluation process under subpara-
17 graph (D), a strategy to continue such pro-
18 grams after the subgrant period with non-Fed-
19 eral funds, including a description of how any
20 estimated savings or efficiencies created by the
21 implementation of the plan may be used to con-
22 tinue such programs.”.

1 **SEC. 305. GRANTS FOR TRIBAL DELINQUENCY PREVENTION**
 2 **AND RESPONSE PROGRAMS.**

3 The Incentive Grants for Local Delinquency Preven-
 4 tion Programs Act of 2002 (42 U.S.C. 5781 et seq.) is
 5 amended by redesignating section 505 as section 506 and
 6 by inserting after section 504 the following:

7 **“SEC. 505. GRANTS FOR TRIBAL DELINQUENCY PREVEN-**
 8 **TION AND RESPONSE PROGRAMS.**

9 “(a) IN GENERAL.—The Administrator shall make
 10 grants under this section, on a competitive basis, to eligi-
 11 ble Indian tribes (or consortia of Indian tribes) as de-
 12 scribed in subsection (b)—

13 “(1) to support and enhance—

14 “(A) tribal juvenile delinquency prevention
 15 services; and

16 “(B) the ability of Indian tribes to respond
 17 to, and care for, at-risk or delinquent youth
 18 upon release; and

19 “(2) to encourage accountability of Indian trib-
 20 al governments with respect to preventing juvenile
 21 delinquency, and responding to, and caring for, juve-
 22 nile offenders.

23 “(b) ELIGIBLE INDIAN TRIBES.—To be eligible to re-
 24 ceive a grant under this section, an Indian tribe or consor-
 25 tium of Indian tribes shall submit to the Administrator

1 an application in such form as the Administrator may re-
2 quire.

3 “(c) CONSIDERATIONS.—In providing grants under
4 this section, the Administrator shall take into consider-
5 ation, with respect to the Indian tribe to be served, the—

6 “(1) juvenile delinquency rates;

7 “(2) school dropout rates; and

8 “(3) number of youth at risk of delinquency.

9 “(d) AVAILABILITY OF FUNDS.—Of the amount
10 available for a fiscal year to carry out this title, 11 percent
11 shall be available to carry out this section.”.

12 **SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 506, as redesignated by section 305, is
14 amended to read as follows:

15 **“SEC. 506. AUTHORIZATION OF APPROPRIATIONS.**

16 “There are authorized to be appropriated to carry out
17 this title—

18 “(1) \$91,857,500 for fiscal year 2018;

19 “(2) \$91,857,500 for fiscal year 2019;

20 “(3) \$93,235,362 for fiscal year 2020;

21 “(4) \$94,633,892 for fiscal year 2021; and

22 “(5) \$96,053,401 for fiscal year 2022.”.

23 **SEC. 307. TECHNICAL AMENDMENT.**

24 Title V of the Juvenile Justice and Delinquency Pre-
25 vention Act of 1974 as enacted by Public Law 93–415

1 (88 Stat. 1133) (relating to miscellaneous and conforming
2 amendments) is repealed.

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

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

7 (a) EVALUATION.—Not later than 1 year after the
8 date of enactment of this Act, the Comptroller General
9 of the United States shall—

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

15 (2) conduct a comprehensive audit and evalua-
16 tion of a selected, sample of grantees (as determined
17 by the Comptroller General) that receive Federal
18 funds under grant programs administered by the
19 agency including a review of internal controls (as de-
20 fined in section 103 of the Juvenile Justice and De-
21 linquency Prevention Act of 1974 (42 U.S.C. 5603),
22 as amended by this Act) to prevent fraud, waste,
23 and abuse of funds by grantees; and

24 (3) submit a report in accordance with sub-
25 section (d).

1 (b) CONSIDERATIONS FOR EVALUATION.—In con-
2 ducting the analysis and evaluation under subsection
3 (a)(1), and in order to document the efficiency and public
4 benefit of the Juvenile Justice and Delinquency Preven-
5 tion Act of 1974 (42 U.S.C. 5601 et seq.), excluding the
6 Runaway and Homeless Youth Act (42 U.S.C. 5701 et
7 seq.) and the Missing Children’s Assistance Act (42
8 U.S.C. 5771 et seq.), the Comptroller General shall take
9 into consideration—

10 (1) the outcome and results of the programs
11 carried out by the agency and those programs ad-
12 ministered through grants by the agency;

13 (2) the extent to which the agency has complied
14 with the Government Performance and Results Act
15 of 1993 (Public Law 103–62; 107 Stat. 285);

16 (3) the extent to which the jurisdiction of, and
17 the programs administered by, the agency duplicate
18 or conflict with the jurisdiction and programs of
19 other agencies;

20 (4) the potential benefits of consolidating pro-
21 grams administered by the agency with similar or
22 duplicative programs of other agencies, and the po-
23 tential for consolidating those programs;

24 (5) whether less restrictive or alternative meth-
25 ods exist to carry out the functions of the agency

1 and whether current functions or operations are im-
2 peded or enhanced by existing statutes, rules, and
3 procedures;

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

7 (7) the manner with which the agency seeks
8 public input and input from State and local govern-
9 ments on the performance of the functions of the
10 agency;

11 (8) the extent to which the agency complies
12 with section 552 of title 5, United States Code (com-
13 monly known as the Freedom of Information Act);

14 (9) whether greater oversight is needed of pro-
15 grams developed with grants made by the agency;
16 and

17 (10) the extent to which changes are necessary
18 in the authorizing statutes of the agency in order for
19 the functions of the agency to be performed in a
20 more efficient and effective manner.

21 (c) CONSIDERATIONS FOR AUDITS.—In conducting
22 the audit and evaluation under subsection (a)(2), and in
23 order to document the efficiency and public benefit of the
24 Juvenile Justice and Delinquency Prevention Act of 1974
25 (42 U.S.C. 5601 et seq.), excluding the Runaway and

1 Homeless Youth Act (42 U.S.C. 5701 et seq.) and the
2 Missing Children's Assistance Act (42 U.S.C. 5771 et
3 seq.), the Comptroller General shall take into consider-
4 ation—

5 (1) whether grantees timely file Financial Sta-
6 tus Reports;

7 (2) whether grantees have sufficient internal
8 controls to ensure adequate oversight of grant fund
9 received;

10 (3) whether disbursements were accompanied
11 with adequate supporting documentation (including
12 invoices and receipts);

13 (4) whether expenditures were authorized;

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

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

18 (7) whether contracts were bid in accordance
19 with program guidelines; and

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

22 (d) REPORT.—

23 (1) IN GENERAL.—Not later than 1 year after
24 the date of enactment of this Act, the Comptroller
25 General of the United States shall—

1 (A) submit a report regarding the evalua-
 2 tion conducted under subsection (a) and audit
 3 under subsection (b), to the Speaker of the
 4 House of Representatives and the President pro
 5 tempore of the Senate; and

6 (B) make the report described in subpara-
 7 graph (A) available to the public.

8 (2) CONTENTS.—The report submitted in ac-
 9 cordance with paragraph (1) shall include all audit
 10 findings determined by the selected, statistically sig-
 11 nificant sample of grantees as required by subsection
 12 (a)(2) and shall include the name and location of
 13 any selected grantee as well as any findings required
 14 by subsection (a)(2).

15 **SEC. 402. ACCOUNTABILITY AND OVERSIGHT.**

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

19 **“TITLE VI—ACCOUNTABILITY**
 20 **AND OVERSIGHT**

21 **“SEC. 601. ACCOUNTABILITY AND OVERSIGHT.**

22 “(a) SENSE OF CONGRESS.—It is the sense of Con-
 23 gress that, in order to ensure that at-risk youth, and youth
 24 who come into contact with the juvenile justice system or

1 the criminal justice system, are treated fairly and that the
2 outcome of that contact is beneficial to the Nation—

3 “(1) the Department of Justice, through its Of-
4 fice of Juvenile Justice and Delinquency Prevention,
5 must restore meaningful enforcement of the core re-
6 quirements in title II; and

7 “(2) States, which are entrusted with a fiscal
8 stewardship role if they accept funds under title II
9 must exercise vigilant oversight to ensure full com-
10 pliance with the core requirements for juveniles pro-
11 vided for in title II.

12 “(b) ACCOUNTABILITY.—

13 “(1) AGENCY PROGRAM REVIEW.—

14 “(A) PROGRAMMATIC AND FINANCIAL AS-
15 SESSMENT.—

16 “(i) IN GENERAL.—Not later than 60
17 days after the date of enactment of the Ju-
18 venile Justice Reform Act of 2017, the Di-
19 rector of the Office of Audit, Assessment,
20 and Management of the Office of Justice
21 Programs at the Department of Justice
22 (referred to in this section as the ‘Direc-
23 tor’) shall—

24 “(I) conduct a comprehensive
25 analysis and evaluation of the internal

1 controls of the Office of Juvenile Jus-
2 tice and Delinquency Prevention (re-
3 ferred to in this section as the ‘agen-
4 cy’) to determine if States and Indian
5 tribes receiving grants are following
6 the requirements of the agency grant
7 programs and what remedial action
8 the agency has taken to recover any
9 grant funds that are expended in vio-
10 lation of grant programs, including in-
11 stances where—

12 “(aa) supporting docu-
13 mentation was not provided for
14 cost reports;

15 “(bb) unauthorized expendi-
16 tures occurred; and

17 “(cc) subrecipients of grant
18 funds were not in compliance
19 with program requirements;

20 “(II) conduct a comprehensive
21 audit and evaluation of a selected sta-
22 tistically significant sample of States
23 and Indian tribes (as determined by
24 the Director) that have received Fed-
25 eral funds under title II, including a

1 review of internal controls to prevent
2 fraud, waste, and abuse of funds by
3 grantees; and

4 “(III) submit a report in accord-
5 ance with clause (iv).

6 “(ii) CONSIDERATIONS FOR EVALUA-
7 TIONS.—In conducting the analysis and
8 evaluation under clause (i)(I), and in order
9 to document the efficiency and public ben-
10 efit of titles II and V, the Director shall
11 take into consideration the extent to
12 which—

13 “(I) greater oversight is needed
14 of programs developed with grants
15 made by the agency;

16 “(II) changes are necessary in
17 the authorizing statutes of the agency
18 in order that the functions of the
19 agency can be performed in a more ef-
20 ficient and effective manner; and

21 “(III) the agency has imple-
22 mented recommendations issued by
23 the Comptroller General or Office of
24 Inspector General relating to the

1 grant making and grant monitoring
2 responsibilities of the agency.

3 “(iii) CONSIDERATIONS FOR AU-
4 DITS.—In conducting the audit and evalua-
5 tion under clause (i)(II), and in order to
6 document the efficiency and public benefit
7 of titles II and V, the Director shall take
8 into consideration—

9 “(I) whether grantees timely file
10 Financial Status Reports;

11 “(II) whether grantees have suf-
12 ficient internal controls to ensure ade-
13 quate oversight of grant funds re-
14 ceived;

15 “(III) whether grantees’ asser-
16 tions of compliance with the core re-
17 quirements were accompanied with
18 adequate supporting documentation;

19 “(IV) whether expenditures were
20 authorized;

21 “(V) whether subrecipients of
22 grant funds were complying with pro-
23 gram requirements; and

1 “(VI) whether grant funds were
2 spent in accordance with the program
3 goals and guidelines.

4 “(iv) REPORT.—The Director shall—

5 “(I) submit to the Congress a re-
6 port outlining the results of the anal-
7 ysis, evaluation, and audit conducted
8 under clause (i), including supporting
9 materials, to the Speaker of the
10 House of Representatives and the
11 President pro tempore of the Senate;
12 and

13 “(II) shall make such report
14 available to the public online, not later
15 than 1 year after the date of enact-
16 ment of this section.

17 “(B) ANALYSIS OF INTERNAL CON-
18 TROLS.—

19 “(i) IN GENERAL.—Not later than 30
20 days after the date of enactment of the Ju-
21 venile Justice Reform Act of 2017, the Ad-
22 ministrator shall initiate a comprehensive
23 analysis and evaluation of the internal con-
24 trols of the agency to determine whether,
25 and to what extent, States and Indian

1 tribes that receive grants under titles II
2 and V are following the requirements of
3 the grant programs authorized under titles
4 II and V.

5 “(ii) REPORT.—Not later than 180
6 days after the date of enactment of the Ju-
7 venile Justice Reform Act of 2017, the Ad-
8 ministrator shall submit to Congress a re-
9 port containing—

10 “(I) the findings of the analysis
11 and evaluation conducted under clause
12 (i);

13 “(II) a description of remedial
14 actions, if any, that will be taken by
15 the Administrator to enhance the in-
16 ternal controls of the agency and re-
17 coup funds that may have been ex-
18 pended in violation of law, regulations,
19 or program requirements issued under
20 titles II and V; and

21 “(III) a description of—

22 “(aa) the analysis conducted
23 under clause (i);

24 “(bb) whether the funds
25 awarded under titles II and V

1 have been used in accordance
2 with law, regulations, program
3 guidance, and applicable plans;
4 and

5 “(cc) the extent to which
6 funds awarded to States and In-
7 dian tribes under titles II and V
8 enhanced the ability of grantees
9 to fulfill the core requirements.

10 “(C) REPORT BY THE ATTORNEY GEN-
11 ERAL.—Not later than 180 days after the date
12 of enactment of the Juvenile Justice Reform
13 Act of 2017, the Attorney General shall submit
14 to the appropriate committees of the Congress
15 a report on the estimated amount of formula
16 grant funds disbursed by the agency since fiscal
17 year 2010 that did not meet the requirements
18 for awards of formula grants to States under
19 title II.

20 “(2) OFFICE OF INSPECTOR GENERAL PER-
21 FORMANCE AUDITS.—

22 “(A) IN GENERAL.—In order to ensure the
23 effective and appropriate use of grants adminis-
24 tered under this Act (excluding title III) and to
25 prevent waste, fraud, and abuse of funds by

1 grantees, the Inspector General of the Depart-
2 ment of Justice shall periodically conduct audits
3 of grantees that receive grants under this Act
4 covering each grant recipient at least once every
5 3 years.

6 “(B) PUBLIC AVAILABILITY ON
7 WEBSITE.—The Attorney General shall make
8 the summary of each review conducted under
9 this section available on the website of the De-
10 partment of Justice, subject to redaction as the
11 Attorney General determines necessary to pro-
12 tect classified and other sensitive information.

13 “(C) MANDATORY EXCLUSION.—A recipi-
14 ent of grant funds under this Act (excluding ti-
15 tles II and III) that is found to have an unre-
16 solved audit finding shall not be eligible to re-
17 ceive grant funds under this Act (excluding title
18 III) during the first 2 fiscal years beginning
19 after the 12-month period beginning on the
20 date on which the audit report is issued.

21 “(D) PRIORITY.—In awarding grants
22 under this Act (excluding title III), the Admin-
23 istrator shall give priority to an eligible entity
24 that did not have an unresolved audit finding
25 during the 3 fiscal years prior to the date on

1 which the eligible entity submits an application
2 for the grant involved.

3 “(E) REIMBURSEMENT.—If a grant recipi-
4 ent under this Act (excluding title III) is
5 awarded such funds under this Act during the
6 2-fiscal-year period in which the recipient is
7 barred from receiving grants under subpara-
8 graph (C), the Attorney General shall—

9 “(i) deposit an amount equal to the
10 amount of the grant funds that were im-
11 properly awarded to the grantee into the
12 general fund of the Treasury; and

13 “(ii) seek to recoup the costs of the
14 repayment to the general fund under
15 clause (i) from the grantee that was erro-
16 neously awarded grant funds.

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

21 “(i) that the audited recipient has
22 used grant funds for an unauthorized ex-
23 penditure or otherwise unallowable cost;
24 and

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

5 “(3) CONFERENCE EXPENDITURES.—

6 “(A) LIMITATION.—No amounts author-
7 ized to be appropriated to the Department of
8 Justice under this Act may be used by the At-
9 torney General, or by any individual or organi-
10 zation awarded discretionary funds through a
11 cooperative agreement under this Act, to host
12 or support any expenditure for conferences that
13 uses more than \$20,000 in funds made avail-
14 able to the Department of Justice, unless the
15 Deputy Attorney General or such Assistant At-
16 torney Generals, Directors, or principal deputies
17 as the Deputy Attorney General may designate,
18 provides prior written authorization that the
19 funds may be expended to host a conference.

20 “(B) WRITTEN APPROVAL.—Written ap-
21 proval under subparagraph (A) shall include a
22 written estimate of all costs associated with the
23 conference, including the cost of all food and
24 beverages, audiovisual equipment, honoraria for
25 speakers, and entertainment.

1 “(C) REPORT.—The Deputy Attorney Gen-
2 eral shall submit an annual report to the Com-
3 mittee on the Judiciary of the Senate and the
4 Committee on Education and the Workforce of
5 the House of Representatives on all conference
6 expenditures approved under this paragraph.

7 “(4) PROHIBITION ON LOBBYING ACTIVITY.—

8 “(A) IN GENERAL.—Amounts authorized
9 to be appropriated under this Act may not be
10 utilized by any recipient of a grant made using
11 such amounts—

12 “(i) to lobby any representative of the
13 Department of Justice regarding the
14 award of grant funding; or

15 “(ii) to lobby any representative of a
16 Federal, State, local, or tribal government
17 regarding the award of grant funding.

18 “(B) PENALTY.—If the Attorney General
19 determines that any recipient of a grant made
20 using amounts authorized to be appropriated
21 under this Act has violated subparagraph (A),
22 the Attorney General shall—

23 “(i) require the recipient to repay the
24 grant in full; and

1 “(ii) prohibit the recipient to receive
2 another grant under this Act for not less
3 than 5 years.

4 “(C) CLARIFICATION.—For purposes of
5 this paragraph, submitting an application for a
6 grant under this Act shall not be considered
7 lobbying activity in violation of subparagraph
8 (A).

9 “(c) PREVENTING DUPLICATIVE GRANTS.—

10 “(1) IN GENERAL.—Before the Attorney Gen-
11 eral awards a grant to an applicant under this Act,
12 the Attorney General shall compare potential grant
13 awards with other grants awarded under this Act to
14 determine if duplicate grant awards are awarded for
15 the same purpose.

16 “(2) REPORT.—If the Attorney General awards
17 duplicate grants to the same applicant for the same
18 purpose the Attorney General shall submit to the
19 Committee on the Judiciary of the Senate and the
20 Committee on Education and the Workforce of the
21 House of Representatives a report that includes—

22 “(A) a list of all duplicate grants awarded,
23 including the total dollar amount of any dupli-
24 cate grants awarded; and

1 “(B) the reason the Attorney General
2 awarded the duplicative grant.

3 “(d) COMPLIANCE WITH AUDITING STANDARDS.—
4 The Administrator shall comply with the Generally Ac-
5 cepted Government Auditing Standards, published by the
6 General Accountability Office (commonly known as the
7 ‘Yellow Book’), in the conduct of fiscal, compliance, and
8 programmatic audits of States.”.

9 (b) TECHNICAL AND CONFORMING AMENDMENT.—

10 (1) IN GENERAL.—The Juvenile Justice and
11 Delinquency Prevention Act of 1974 is amended by
12 striking paragraphs (6) and (7) of section 407 (42
13 U.S.C. 5776a).

14 (2) EFFECTIVE DATE.—The amendment made
15 by paragraph (1) shall take effect on the first day
16 of the first fiscal year that begins after the date of
17 enactment of this Act.

18 (3) SAVINGS CLAUSE.—In the case of an entity
19 that is barred from receiving grant funds under
20 paragraph (7)(B)(ii) of section 407 of the Juvenile
21 Justice and Delinquency Prevention Act of 1974 (42
22 U.S.C. 5776a), the amendment made by paragraph
23 (1) of this subsection shall not affect the applica-
24 bility to the entity, or to the Attorney General with
25 respect to the entity, of paragraph (7) of such sec-

tion 407, as in effect on the day before the effective date of the amendment made by paragraph (1).

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) TITLE III.—Section 388(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U. S. C. 5751(a)) is amended—

(A) in paragraph (1), by striking “140,000,000” and all that follows through “2013”, and inserting “101,980,000 for each of the fiscal years 2018 through 2022” before the period;

(B) in paragraph (3)(B), by striking “There” and all that follows through “2013”, and inserting “Of the amount made available for a fiscal year to carry out this title, not more than 1 percent may be used to carry out section 345” before the period; and

(C) in paragraph (4), by striking “\$25,000,000” and all that follows through “2013”, and inserting “\$17,141,000 for each of the fiscal years 2018 through 2022”.

(2) TITLE IV.—Section 408 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42

- 1 U. S. C. 5777) is amended by striking “2018” and
- 2 inserting “2022”.

Passed the House of Representatives May 23, 2017.

Attest:

Clerk.

115TH CONGRESS
1ST SESSION

H. R. 1809

AN ACT

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