

113TH CONGRESS
2D SESSION

S. 2999

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

IN THE SENATE OF THE UNITED STATES

DECEMBER 11, 2014

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

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Juvenile Justice and
5 Delinquency Prevention Reauthorization Act of 2014”.

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

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

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

- Sec. 101. Purposes.
- Sec. 102. Definitions.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

- Sec. 201. Concentration of Federal efforts.
 Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.
 Sec. 203. Annual report.
 Sec. 204. Allocation of funds.
 Sec. 205. State plans.
 Sec. 206. Authority to make grants.
 Sec. 207. Grants to Indian tribes.
 Sec. 208. Research and evaluation; statistical analyses; information dissemination.
 Sec. 209. Training and technical assistance.
 Sec. 210. Incentive grants for State and local programs.
 Sec. 211. Administrative authority.
 Sec. 212. Technical and conforming amendments.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

- Sec. 301. Definitions.
 Sec. 302. Grants for delinquency prevention programs.
 Sec. 303. Technical and conforming amendment.

TITLE IV—MISCELLANEOUS PROVISIONS

- Sec. 401. Evaluation by Government Accountability Office.
 Sec. 402. Authorization of appropriations.
 Sec. 403. Accountability and oversight.

TITLE V—JUVENILE ACCOUNTABILITY BLOCK GRANTS

- Sec. 501. Grant eligibility.

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

3 **SEC. 101. PURPOSES.**

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

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

8 (2) in paragraph (3), by striking the period at
 9 the end and inserting “; and”; and

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

1 “(4) to support a trauma-informed continuum
2 of programs (including delinquency prevention,
3 intervention, mental health and substance abuse
4 treatment, and aftercare) to address the needs of at-
5 risk youth and youth who come into contact with the
6 justice system.”.

7 **SEC. 102. DEFINITIONS.**

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

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

12 “(C) an Indian tribe; or”;

13 (2) by amending paragraph (18) to read as fol-
14 lows:

15 “(18) the term ‘Indian tribe’ has the meaning
16 given that term in section 102 of the Federally Rec-
17 ognized Indian Tribe List Act of 1994 (25 U.S.C.
18 479a);”;

19 (3) in paragraph (22), by striking “or confine
20 adults” and all that follows and inserting “or con-
21 fine adult inmates;”;

22 (4) by amending paragraph (25) to read as fol-
23 lows:

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

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

6 “(26) the term ‘adult inmate’—

7 “(A) means an individual who—

8 “(i) has reached the age of full crimi-
9 nal responsibility under applicable State
10 law; and

11 “(ii) has been arrested and is in cus-
12 tody for or awaiting trial on a criminal
13 charge, or is convicted of a criminal charge
14 offense; and

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

16 “(i) at the time of the time of the of-
17 fense, was younger than the maximum age
18 at which a youth can be held in a juvenile
19 facility under applicable State law; and

20 “(ii) was committed to the care and
21 custody of a juvenile correctional agency by
22 a court of competent jurisdiction or by op-
23 eration of applicable State law;”;

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

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

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

4 “(30) the term ‘core requirements’ means the
5 requirements described in paragraphs (11), (12),
6 (13), (14), and (15) of section 223(a);

7 “(31) the term ‘chemical agent’ means a spray
8 used to temporarily incapacitate a person, including
9 oleoresin capsicum spray, tear gas, and 2-
10 chlorobenzalmalononitrile gas;

11 “(32) the term ‘isolation’—

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

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

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

4 “(34) the term ‘evidence-based’ means a pro-
5 gram or practice that is demonstrated to be effective
6 and that—

7 “(A) is based on a clearly articulated and
8 empirically supported theory;

9 “(B) has measurable outcomes, including a
10 detailed description of what outcomes were pro-
11 duced in a particular population; and

12 “(C) has been scientifically tested, opti-
13 mally through randomized control studies or
14 comparison group studies;

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

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

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

3 “(A) designed to identify youth who may
4 have mental health or substance abuse needs
5 requiring immediate attention, intervention, and
6 further evaluation; and

7 “(B) the purpose of which is to quickly
8 identify a youth with a possible mental health
9 or substance abuse need in need of further as-
10 sessment;

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

14 “(A) by a mental health or substance
15 abuse professional who meets the criteria of the
16 applicable State for licensing and education in
17 the mental health or substance abuse field; and

18 “(B) which is designed to identify signifi-
19 cant mental health or substance abuse treat-
20 ment needs to be addressed during a youth’s
21 confinement;

22 “(39) the term ‘contact’ means the point at
23 which a youth interacts with the juvenile justice sys-
24 tem or criminal justice system, including interaction
25 with a juvenile justice, juvenile court, or law enforce-

1 ment official, and including brief, sustained, or re-
2 peated interaction;

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

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

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

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

15 “(41) the term ‘racial and ethnic disparity’
16 means youth of color are involved at a decision point
17 in the juvenile justice system at higher rates, incre-
18 mentally or cumulatively, than white non-Hispanic
19 youth at that decision point.”.

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

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

5 Section 204(a) of the Juvenile Justice and Delin-
6 quency Prevention Act of 1974 (42 U.S.C. 5614(a)) is
7 amended—

8 (1) in paragraph (1), in the first sentence—

9 (A) by striking “a long-term plan, and im-
10 plement” and inserting the following: “a long-
11 term plan to improve the juvenile justice system
12 in the United States, taking into account sci-
13 entific knowledge regarding adolescent develop-
14 ment and behavior and regarding the effects of
15 delinquency prevention programs and juvenile
16 justice interventions on adolescents, and shall
17 implement”; and

18 (B) by striking “research, and improve-
19 ment of the juvenile justice system in the
20 United States” and inserting “and research”;
21 and

22 (2) in paragraph (2)(B), by striking “Federal
23 Register” and all that follows and inserting “Federal
24 Register during the 30-day period ending on October
25 1 of each year.”.

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)(1)—

6 (A) by inserting “the Administrator of the
7 Substance Abuse and Mental Health Services
8 Administration, the Secretary of Defense, the
9 Secretary of Agriculture,” after “the Secretary
10 of Health and Human Services,”; and

11 (B) by striking “Commissioner of Immi-
12 gration and Naturalization” and inserting “As-
13 sistant Secretary for Immigration and Customs
14 Enforcement”; and

15 (2) in subsection (c)—

16 (A) in paragraph (1), by striking “para-
17 graphs (12)(A), (13), and (14) of section
18 223(a) of this title” and inserting “the core re-
19 quirements”; and

20 (B) in paragraph (2)—

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

24 (ii) by striking subparagraph (B) and
25 inserting the following:

1 “(B) not later than 120 days after the comple-
2 tion of the last meeting of the Council during any
3 fiscal year, submit to the Committee on Education
4 and Labor of the House of Representatives and the
5 Committee on the Judiciary of the Senate a report
6 that—

7 “(i) contains the recommendations de-
8 scribed in subparagraph (A);

9 “(ii) includes a detailed account of the ac-
10 tivities conducted by the Council during the fis-
11 cal year, including a complete detailed account-
12 ing of expenses incurred by the Council to con-
13 duct operations in accordance with this section;

14 “(iii) is published on the websites of the
15 Department of Justice and the Council; and

16 “(iv) is in addition to the annual report re-
17 quired under section 207.”.

18 **SEC. 203. ANNUAL REPORT.**

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

21 (1) in the matter preceding paragraph (1), by
22 striking “a fiscal year” and inserting “each fiscal
23 year”;

24 (2) in paragraph (1)—

1 (A) in subparagraph (B), by inserting “,
2 ethnicity,” after “race”;

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

5 (C) in subparagraph (F)—

6 (i) by inserting “and other” before
7 “disabilities,”; and

8 (ii) by striking the period at the end
9 and inserting a semicolon; and

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

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

16 “(H) the number of juveniles released from
17 custody and the type of living arrangement to
18 which each such juvenile was released;

19 “(I) the number of status offense cases pe-
20 titioned to court (including a breakdown by
21 type of offense and disposition), number of sta-
22 tus offenders held in secure detention, the find-
23 ings used to justify the use of secure detention,
24 and the average period of time a status of-
25 fender was held in secure detention;

1 “(J) the number of pregnant juveniles held
2 in the custody of secure detention and correc-
3 tional facilities operated by a State or unit of
4 local government; and

5 “(K) the number of juveniles whose of-
6 fenses originated on school grounds, during off-
7 campus activities, or due to a referral by any
8 school official.”; and

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

10 “(5) A description of the criteria used to deter-
11 mine what programs qualify as evidence-based and
12 promising programs under this title and title V and
13 a comprehensive list of those programs the Adminis-
14 trator has determined meet such criteria.

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

21 “(7) An analysis and evaluation of the internal
22 controls at the Office of Juvenile Justice and Delin-
23 quency Prevention to determine if grantees are fol-
24 lowing the requirements of the Office of Juvenile
25 Justice and Delinquency Prevention grant programs

1 and what remedial action the Office of Juvenile Jus-
2 tice and Delinquency Prevention has taken to re-
3 cover any grant funds that are expended in violation
4 of the grant programs, including instances in
5 which—

6 “(A) supporting documentation was not
7 provided for cost reports;

8 “(B) unauthorized expenditures occurred;
9 or

10 “(C) subrecipients of grant funds were not
11 compliant with program requirements.

12 “(8) An analysis and evaluation of the total
13 amount of payments made to grantees that the Of-
14 fice of Juvenile Justice and Delinquency Prevention
15 recouped from grantees that were found to be in vio-
16 lation of policies and procedures of the Office of Ju-
17 venile Justice and Delinquency Prevention grant
18 programs, including—

19 “(A) the full name and location of the
20 grantee;

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

22 “(C) the amount of funds sought to be re-
23 couped by the Office of Juvenile Justice and
24 Delinquency Prevention; and

1 “(D) the actual amount recouped by the
2 Office of Juvenile Justice and Delinquency Pre-
3 vention.”.

4 **SEC. 204. ALLOCATION OF FUNDS.**

5 (a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of
6 the Juvenile Justice and Delinquency Prevention Act of
7 1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2
8 percent” and inserting “5 percent”.

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

12 (1) in subsection (a)—

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

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

18 “(2)(A) If the aggregate amount appropriated
19 for a fiscal year to carry out this title is less than
20 \$75,000,000, then—

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

1 “(ii) the amount allocated to the Virgin Is-
2 lands of the United States, Guam, American
3 Samoa, and the Commonwealth of the Northern
4 Mariana Islands for that fiscal year shall be not
5 less than \$75,000.

6 “(B) If the aggregate amount appropriated for
7 a fiscal year to carry out this title is not less than
8 \$75,000,000, then—

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

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

18 (2) by redesignating subsections (c) and (d) as
19 subsections (d) and (e), respectively;

20 (3) by inserting after subsection (b) the fol-
21 lowing:

22 “(c)(1) If any amount allocated under subsection (a)
23 is withheld from a State due to noncompliance with the
24 core requirements, the funds shall be reallocated for an

1 improvement grant designed to assist the State in achiev-
2 ing compliance with the core requirements.

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

5 “(A) with the approval of the Administrator,
6 developing specific action steps designed to restore
7 compliance with the core requirements; and

8 “(B) semiannually submitting to the Adminis-
9 trator a report on progress toward implementing the
10 specific action steps developed under subparagraph
11 (A).

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

17 (4) in subsection (d), as redesignated, by strik-
18 ing “efficient administration, including monitoring,
19 evaluation, and one full-time staff position” and in-
20 sserting “effective and efficient administration, in-
21 cluding the designation of not less than 1 person to
22 coordinate efforts to achieve and sustain compliance
23 with the core requirements”; and

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

4 **SEC. 205. STATE PLANS.**

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

7 (1) in subsection (a)—

8 (A) in the matter preceding paragraph (1),
9 by striking “and shall describe the status of
10 compliance with State plan requirements.” and
11 inserting the following: “shall describe the sta-
12 tus of compliance with State plan requirements,
13 and shall describe how the State plan is sup-
14 ported by or takes account of scientific knowl-
15 edge regarding adolescent development and be-
16 havior and regarding the effects of delinquency
17 prevention programs and juvenile justice inter-
18 ventions on adolescents. Not later than 30 days
19 after the date on which a plan or amended plan
20 submitted under this subsection is finalized, a
21 State shall make the plan or amended plan pub-
22 licly available by posting the plan or amended
23 plan on the State’s publicly available website.”;

24 (B) in paragraph (3)—

25 (i) in subparagraph (A)—

1 (I) in clause (i), by inserting “ad-
2 olescent development,” after “con-
3 cerning”;

4 (II) in clause (ii)—

5 (aa) in subclause (II), by
6 striking “counsel for children and
7 youth” and inserting “publicly
8 supported court-appointed legal
9 counsel for children and youth
10 charged in delinquency matters”;

11 (bb) in subclause (III), by
12 striking “mental health, edu-
13 cation, special education” and in-
14 sserting “children’s mental health,
15 education, child and adolescent
16 substance abuse, special edu-
17 cation, services for youth with
18 disabilities”;

19 (cc) in subclause (V), by
20 striking “delinquents or potential
21 delinquents” and inserting “de-
22 linquent youth or youth at risk of
23 delinquency”;

24 (dd) in subclause (VII), by
25 striking “and” at the end;

1 (ee) by redesignating sub-
2 clause (VIII) as subclause (XI);

3 (ff) by inserting after sub-
4 clause (VII) the following:

5 “(VIII) the executive director or
6 the designee of the executive director
7 of a public or nonprofit entity that is
8 located in the State and receiving a
9 grant under part A of title III;

10 “(IX) persons with expertise and
11 competence in preventing and ad-
12 dressing mental health and substance
13 abuse needs in juvenile delinquents
14 and those at-risk of delinquency;

15 “(X) representatives of victim or
16 witness advocacy groups; and”;

17 (gg) in subclause (XI), as so
18 redesignated, by striking “dis-
19 abilities” and inserting “and
20 other disabilities, truancy reduc-
21 tion, school failure”;

22 (III) in clause (iv), by striking
23 “24 at the time of appointment” and
24 inserting “28”;

1 (ii) in subparagraph (D)(ii), by strik-
2 ing “requirements of paragraphs (11),
3 (12), and (13)” and inserting “core re-
4 quirements”; and

5 (iii) in subparagraph (E)(i), by adding
6 “and” at the end;
7 (C) in paragraph (5)—

8 (i) in the matter preceding subpara-
9 graph (A), by striking “section 222(d)”
10 and inserting “section 222(e)”; and

11 (ii) in subparagraph (C), by striking
12 “Indian tribes” and all that follows
13 through “applicable to the detention and
14 confinement of juveniles” and inserting
15 “Indian tribes that agree to attempt to
16 comply with the core requirements applica-
17 ble to the detention and confinement of ju-
18 veniles”;

19 (D) in paragraph (7)—

20 (i) in subparagraph (A), by striking
21 “performs law enforcement functions” and
22 inserting “has jurisdiction”; and

23 (ii) in subparagraph (B)—

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

1 “(i) a plan for ensuring that the chief ex-
2 ecutive officer of the State, State legislature,
3 and all appropriate public agencies in the State
4 with responsibility for provision of services to
5 children, youth, and families are informed of
6 the requirements of the State plan and compli-
7 ance with the core requirements;”;

8 (II) in clause (iii), by striking
9 “and” at the end; and

10 (III) by striking clause (iv) and
11 inserting the following:

12 “(iv) a plan to provide alternatives to de-
13 tention, including diversion to home-based or
14 community-based services that are culturally
15 and linguistically competent or treatment for
16 those youth in need of mental health, substance
17 abuse, or co-occurring disorder services at the
18 time such juveniles first come into contact with
19 the juvenile justice system;

20 “(v) a plan to reduce the number of chil-
21 dren housed in secure detention and corrections
22 facilities who are awaiting placement in residen-
23 tial treatment programs;

24 “(vi) a plan to engage family members,
25 where appropriate, in the design and delivery of

1 juvenile delinquency prevention and treatment
2 services, particularly post-placement; and

3 “(vii) a plan to use community-based serv-
4 ices to address the needs of at-risk youth or
5 youth who have come into contact with the ju-
6 venile justice system;”;

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

10 (F) in paragraph (9)—

11 (i) in the matter preceding subpara-
12 graph (A)—

13 (I) by striking “section 222(d)”
14 and inserting “section 222(e)”; and

15 (II) by striking “used for—” and
16 inserting “used for evidence-based and
17 trauma-informed—”;

18 (ii) in subparagraph (A)(i), by insert-
19 ing “status offenders and other” before
20 “youth who need”;

21 (iii) in subparagraph (B)(i)—

22 (I) by striking “parents and
23 other family members” and inserting
24 “status offenders, other youth, and

1 the parents and other family members
2 of such offenders and youth”; and

3 (II) by striking “be retained”
4 and inserting “remain”;

5 (iv) by redesignating subparagraphs
6 (G) through (S) as subparagraphs (H)
7 through (T), respectively;

8 (v) in subparagraph (F), in the mat-
9 ter preceding clause (i), by striking “ex-
10 panding” and inserting “programs to ex-
11 pand”;

12 (vi) by inserting after subparagraph
13 (F), the following:

14 “(G) expanding access to publicly sup-
15 ported, court-appointed legal counsel and en-
16 hancing capacity for the competent representa-
17 tion of every child;”;

18 (vii) in subparagraph (M), as so re-
19 designated—

20 (I) in clause (i), by striking “re-
21 straints” and inserting “alternatives”;

22 and

23 (II) in clause (ii), by striking “by
24 the provision”;

1 (viii) in subparagraph (S), as so re-
2 designated, by striking the “and” at the
3 end;

4 (ix) in subparagraph (T), as so redesi-
5 gnated, by striking the period at the end
6 and inserting a semicolon; and

7 (x) by inserting after subparagraph
8 (T) the following:

9 “(U) programs and projects designed to in-
10 form juveniles of the opportunity and process
11 for expunging juvenile records and to assist ju-
12 veniles in pursuing juvenile record
13 expungements for both adjudications and ar-
14 rests not followed by adjudications; and

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

22 (G) in paragraph (11)—

23 (i) in subparagraph (A)—

24 (I) in the matter preceding clause

25 (i), by inserting “and individuals

1 under 18 years of age who are
2 charged with or who have committed
3 an offense of purchase or public pos-
4 session of any alcoholic beverage”
5 after “by an adult”; and

6 (II) in the matter following
7 clause (iii), by striking “and” at the
8 end;

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

11 (iii) by adding at the end the fol-
12 lowing:

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

17 (H) in paragraph (12)(A), by striking
18 “contact” and inserting “sight or sound con-
19 tact”;

20 (I) in paragraph (13), by striking “con-
21 tact” each place it appears and inserting “sight
22 or sound contact”;

23 (J) by striking paragraph (22);

1 (K) by redesignating paragraphs (23)
2 through (28) as paragraphs (24) through (29),
3 respectively;

4 (L) by redesignating paragraphs (14)
5 through (21) as paragraphs (16) through (23),
6 respectively;

7 (M) by inserting after paragraph (13) the
8 following:

9 “(14) require that—

10 “(A) not later than 3 years after the date
11 of enactment of the Juvenile Justice and Delin-
12 quency Prevention Reauthorization Act of 2014,
13 unless a court finds, after a hearing and in
14 writing, that it is in the interest of justice, juve-
15 niles awaiting trial or other legal process who
16 are treated as adults for purposes of prosecu-
17 tion in criminal court and housed in a secure
18 facility—

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

21 “(ii) except as provided in paragraph
22 (13), may not be held in any jail or lockup
23 for adults;

24 “(B) in determining under subparagraph
25 (A) whether it is in the interest of justice to

1 permit a juvenile to be held in any jail or lock-
2 up for adults, or have sight or sound contact
3 with adult inmates, a court shall consider—

4 “(i) the age of the juvenile;

5 “(ii) the physical and mental maturity
6 of the juvenile;

7 “(iii) the present mental state of the
8 juvenile, including whether the juvenile
9 presents an imminent risk of harm to the
10 juvenile;

11 “(iv) the nature and circumstances of
12 the alleged offense;

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

15 “(vi) the relative ability of the avail-
16 able adult and juvenile detention facilities
17 to meet the specific needs of the juvenile
18 and to protect the public;

19 “(vii) whether placement in a juvenile
20 facility will better serve the long-term in-
21 terests of the juvenile and be more likely to
22 prevent recidivism;

23 “(viii) the availability of programs de-
24 signed to treat the juvenile’s behavioral
25 problems; and

1 “(ix) any other relevant factor; and

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

6 “(i) the court shall hold a hearing not
7 less frequently than once every 30 days to
8 review whether it is still in the interest of
9 justice to permit the juvenile to be so held
10 or have such sight or sound contact; and

11 “(ii) the juvenile shall not be held in
12 any jail or lockup for adults, or permitted
13 to have sight or sound contact with adult
14 inmates, for more than 180 days, unless
15 the court, in writing, determines there is
16 good cause for an extension or the juvenile
17 expressly waives this limitation;

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

1 “(A) establishing coordinating bodies, com-
2 posed of juvenile justice stakeholders at the
3 State, local, or tribal levels, to oversee and mon-
4 itor efforts by States, units of local government,
5 and Indian tribes to reduce racial and ethnic
6 disparities;

7 “(B) identifying and analyzing key decision
8 points in State, local, or tribal juvenile justice
9 and educational systems to determine which
10 points create racial and ethnic disparities
11 among youth who come into contact with the
12 juvenile justice system;

13 “(C) developing and implementing data
14 collection and analysis systems to identify
15 where racial and ethnic disparities exist in the
16 juvenile justice system and to track and analyze
17 such disparities;

18 “(D) developing and implementing a work
19 plan that includes measurable objectives for pol-
20 icy, practice, or other system changes, based on
21 the needs identified in the data collection and
22 analysis under subparagraphs (B) and (C); and

23 “(E) publicly reporting, on an annual
24 basis, the efforts made in accordance with sub-
25 paragraphs (B), (C), and (D);”;

1 (N) in paragraph (16), as so redesign-
2 nated—

3 (i) by striking “adequate system” and
4 inserting “effective system”;

5 (ii) by striking “requirements of para-
6 graph (11),” and all that follows through
7 “monitoring to the Administrator” and in-
8 serting “the core requirements are met,
9 and for annual reporting to the Adminis-
10 trator of such plan, including the results of
11 such monitoring and all related enforce-
12 ment and educational activities”; and

13 (iii) by striking “, in the opinion of
14 the Administrator,”;

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

17 (P) in paragraph (24), as so redesign-
18 nated—

19 (i) in subparagraphs (A), (B), and
20 (C), by striking “juvenile” each place it
21 appears and inserting “status offender”;

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

24 (iii) in subparagraph (C)—

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

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

5 (III) by adding at the end the
6 following:

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

11 “(I) the court shall issue a writ-
12 ten order that—

13 “(aa) identifies the valid
14 court order that has been vio-
15 lated;

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

21 “(cc) includes findings of
22 fact to support a determination
23 that there is no appropriate less
24 restrictive alternative available to
25 placing the status offender in

1 such a facility, with due consider-
2 ation to the best interest of the
3 juvenile;

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

11 “(ee) may not be renewed or
12 extended; and

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

21 lowing:

22 “(D) there are procedures in place to en-
23 sure that any status offender held in a secure
24 detention facility or correctional facility pursu-
25 ant to a court order described in this paragraph

1 does not remain in custody longer than 7 days
2 or the length of time authorized by the court,
3 whichever is shorter; and

4 “(E) not later than 3 years after the date
5 of enactment of the Juvenile Justice and Delin-
6 quency Prevention Reauthorization Act of 2014
7 with a 1-year extension for each additional year
8 that the State can demonstrate hardship as de-
9 termined by the Administrator, the State will
10 eliminate the use of valid court orders to pro-
11 vide secure lockup of status offenders;”;

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

15 (R) in paragraph (27), as so redesign-
16 nated—

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

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

23 “(A) a compilation of data reflecting infor-
24 mation on juveniles entering the juvenile justice
25 system with a prior reported history as victims

1 of child abuse or neglect through arrest, court
2 intake, probation and parole, juvenile detention,
3 and corrections; and

4 “(B) a plan to use the data described in
5 subparagraph (A) to provide necessary services
6 for the treatment of victims of child abuse and
7 neglect who have entered, or are at risk of en-
8 tering, the juvenile justice system;”;

9 (S) in paragraph (28), as so redesign-
10 nated—

11 (i) by striking “establish policies” and
12 inserting “establish protocols, policies, pro-
13 cedures,”; and

14 (ii) by striking “and” at the end;

15 (T) in paragraph (29), as so redesignated,
16 by striking the period at the end and inserting
17 a semicolon; and

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

19 “(30) provide for the coordinated use of funds
20 provided under this Act with other Federal and
21 State funds directed at juvenile delinquency preven-
22 tion and intervention programs;

23 “(31) develop policies and procedures, and pro-
24 vide training for facility staff to eliminate the use of
25 dangerous practices, unreasonable restraints, and

1 unreasonable isolation, including by developing effective
2 behavior management techniques;

3 “(32) describe—

4 “(A) the evidence-based methods that will
5 be used to conduct mental health and substance
6 abuse screening, assessment, referral, and
7 treatment for all juveniles who—

8 “(i) request a screening;

9 “(ii) show signs of needing a screen-
10 ing; or

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

14 “(B) the method to be used by the State
15 to provide or arrange for mental health and
16 substance abuse disorder treatment for juve-
17 niles determined to be in need of such treat-
18 ment; and

19 “(C) the policies of the State designed to
20 develop and implement comprehensive collabo-
21 rative State or local plans to meet the service
22 needs of juveniles with mental health or sub-
23 stance abuse needs who come into contact with
24 the justice system and the families of the juve-

1 niles, including recognizing trauma histories of
2 juveniles and providing trauma-informed care;

3 “(33) provide procedural safeguards to adju-
4 dicated juveniles, including—

5 “(A) a written case plan for each juvenile,
6 based on an assessment of the needs of the ju-
7 venile and developed and updated in consulta-
8 tion with the juvenile, the family of the juvenile,
9 and, if appropriate, counsel for the juvenile,
10 that—

11 “(i) describes the pre-release and
12 post-release programs and reentry services
13 that will be provided to the juvenile;

14 “(ii) describes the living arrangement
15 to which the juvenile is to be discharged;
16 and

17 “(iii) establishes a plan for the enroll-
18 ment of the juvenile in post-release health
19 care, behavioral health care, educational,
20 vocational, training, family support, public
21 assistance, and legal services programs, as
22 appropriate; and

23 “(B) as appropriate, a hearing that—

24 “(i) shall take place in a family or ju-
25 venile court or another court (including a

1 tribal court) of competent jurisdiction, or
2 by an administrative body appointed or ap-
3 proved by the court, not later than 30 days
4 before the date on which the juvenile is
5 scheduled to be released, and at which the
6 juvenile would be represented by counsel;
7 and

8 “(ii) shall determine the discharge
9 plan for the juvenile, including a deter-
10 mination of whether a safe, appropriate,
11 and permanent living arrangement has
12 been secured for the juvenile and whether
13 enrollment in health care, behavioral health
14 care, educational, vocational, training, fam-
15 ily support, public assistance and legal
16 services, as appropriate, has been arranged
17 for the juvenile;

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

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

8 “(B) the credits of adjudicated juveniles
9 are transferred; and

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

17 “(35) provide a description of the use by the
18 State of funds for reentry and aftercare services for
19 juveniles released from the juvenile justice system.”;

20 (2) in subsection (c)—

21 (A) in the matter preceding paragraph

22 (1)—

23 (i) by striking “applicable require-
24 ments of paragraphs (11), (12), (13), and

1 (22) of subsection (a)” and inserting “core
2 requirements”; and

3 (ii) by striking “beginning after Sep-
4 tember 30, 2001, then”;

5 (B) in paragraph (1)—

6 (i) by striking “the subsequent fiscal
7 year” and inserting “that fiscal year”; and

8 (ii) by striking “, and” at the end and
9 inserting a semicolon;

10 (C) in paragraph (2)(B)(ii)—

11 (i) by inserting “, administrative,”
12 after “appropriate executive”; and

13 (ii) by striking the period at the end
14 and inserting “, as specified in section
15 222(c); and”; and

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

17 “(3) the State shall submit to the Adminis-
18 trator a report detailing the reasons for noncompli-
19 ance with the core requirements, including the plan
20 of the State to regain full compliance, and the State
21 shall make publicly available such report, not later
22 than 30 days after the date on which the Adminis-
23 trator approves the report, by posting the report on
24 a publicly available website.”;

25 (3) in subsection (d)—

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

3 (B) by striking “described in paragraphs
4 (11), (12), (13), and (22) of subsection (a)”
5 and inserting “described in the core require-
6 ments”; and

7 (C) by striking “the requirements under
8 paragraphs (11), (12), (13), and (22) of sub-
9 section (a)” and inserting “the core require-
10 ments”;

11 (4) in subsection (f)(2)—

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

13 (B) by redesignating subparagraphs (B)
14 through (E) and subparagraphs (A) through
15 (D); and

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

17 “(g) COMPLIANCE DETERMINATION.—

18 “(1) IN GENERAL.—Not later than 60 days
19 after the date of receipt of information indicating
20 that a State may be out of compliance with any of
21 the core requirements, the Administrator shall deter-
22 mine whether the State is in compliance with the
23 core requirements.

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

25 “(A) issue an annual public report—

1 “(i) describing any determination de-
2 scribed in paragraph (1) made during the
3 previous year, including a summary of the
4 information on which the determination is
5 based and the actions to be taken by the
6 Administrator (including a description of
7 any reduction imposed under subsection
8 (c)); and

9 “(ii) for any such determination that
10 a State is out of compliance with any of
11 the core requirements, describing the basis
12 for the determination; and

13 “(B) make the report described in sub-
14 paragraph (A) available on a publicly available
15 website.”.

16 **SEC. 206. AUTHORITY TO MAKE GRANTS.**

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

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

22 (2) in paragraph (5), by striking “juvenile of-
23 fenders and juveniles” and inserting “status offend-
24 ers, juvenile offenders, and juveniles”;

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

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

5 **SEC. 207. GRANTS TO INDIAN TRIBES.**

6 (a) **IN GENERAL.**—Section 246(a)(2) of the Juvenile
7 Justice and Delinquency Prevention Act of 1974 (42
8 U.S.C. 5656(a)(2)) is amended—

9 (1) by striking subparagraph (A);

10 (2) by redesignating subparagraphs (B)
11 through (E) as subparagraphs (A) through (D), re-
12 spectively; and

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

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

1 **SEC. 208. RESEARCH AND EVALUATION; STATISTICAL**
2 **ANALYSES; INFORMATION DISSEMINATION.**

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

5 (1) in subsection (a)—

6 (A) in paragraph (1)—

7 (i) in the matter proceeding subpara-
8 graph (A), by striking “may” and inserting
9 “shall”;

10 (ii) in subparagraph (A), by striking
11 “plan and identify” and inserting “annu-
12 ally publish a plan to identify”; and

13 (iii) in subparagraph (B)—

14 (I) by striking clause (iii) and in-
15 serting the following:

16 “(iii) successful efforts to prevent sta-
17 tus offenders and first-time minor offend-
18 ers from subsequent involvement with the
19 criminal justice system;”;

20 (II) by striking clause (vii) and
21 inserting the following:

22 “(vii) the prevalence and duration of
23 behavioral health needs (including mental
24 health, substance abuse, and co-occurring
25 disorders) among juveniles pre-placement
26 and post-placement when held in the cus-

1 tody of secure detention and corrections fa-
2 cilities, including an examination of the ef-
3 fects of confinement;”;

4 (III) by redesignating clauses
5 (ix), (x), and (xi) as clauses (xi), (xii),
6 and (xiii), respectively; and

7 (IV) by inserting after clause
8 (viii) the following:

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

12 “(x) methods to improve the recruit-
13 ment, selection, training, and retention of
14 professional personnel in the fields of med-
15 icine, law enforcement, the judiciary, juve-
16 nile justice, social work and child protec-
17 tion, education, and other relevant fields
18 who are engaged in, or intend to work in,
19 the field of prevention, identification, and
20 treatment of delinquency;”;

21 (B) in paragraph (4)—

22 (i) in the matter preceding subpara-
23 graph (A), by striking “date of enactment
24 of this paragraph,the” and inserting “date
25 of enactment of the Juvenile Justice and

1 Delinquency Prevention Reauthorization
2 Act of 2014, the”;

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

5 (iii) in subparagraph (G), by striking
6 the period at the end and inserting a semi-
7 colon; and

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

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

12 “(I) an assessment of living arrangements
13 for juveniles who cannot return to the homes of
14 the juveniles.”;

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

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

19 “(f) NATIONAL RECIDIVISM MEASURE.—The Admin-
20 istrator, in consultation with experts in the field of juve-
21 nile justice research, recidivism, and data collection,
22 shall—

23 “(1) establish a uniform method of data collec-
24 tion and technology that States shall use to evaluate
25 data on juvenile recidivism on an annual basis;

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

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

6 **SEC. 209. TRAINING AND TECHNICAL ASSISTANCE.**

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

9 (1) in subsection (a)—

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

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

14 (C) in paragraph (2), by inserting “may”
15 before “make grants to and contracts with”;

16 (2) in subsection (b)—

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

19 (B) in paragraph (1)—

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

22 (ii) by inserting “, including compli-
23 ance with the core requirements” after
24 “this title”; and

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

1 (C) in paragraph (2)—

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

4 (ii) by striking the period at the end
5 and inserting “; and”; and

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

7 “(3) shall, upon request, provide technical as-
8 sistance to States and units of local government on
9 achieving compliance with the amendments made by
10 the Juvenile Justice and Delinquency Prevention Re-
11 authorization Act of 2014; and

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

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

1 “(d) TECHNICAL ASSISTANCE TO STATES REGARD-
2 ING LEGAL REPRESENTATION OF CHILDREN.—The Ad-
3 ministrator shall—

4 “(1) develop and issue standards of practice for
5 attorneys representing children; and

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

8 “(e) TRAINING AND TECHNICAL ASSISTANCE FOR
9 LOCAL AND STATE JUVENILE DETENTION AND CORREC-
10 TIONS PERSONNEL.—The Administrator shall coordinate
11 training and technical assistance programs with juvenile
12 detention and corrections personnel of States and units
13 of local government to—

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

18 “(2) encourage alternative behavior manage-
19 ment techniques based on positive youth develop-
20 ment approaches.

21 “(f) TRAINING AND TECHNICAL ASSISTANCE TO
22 SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE
23 TREATMENT INCLUDING HOME-BASED OR COMMUNITY-
24 BASED CARE.—The Administrator shall provide training
25 and technical assistance, in conjunction with the appro-

1 priate public agencies, to individuals involved in making
2 decisions regarding the disposition of cases for youth who
3 enter the juvenile justice system about the appropriate
4 services and placement for youth with mental health or
5 substance abuse needs, including—

6 “(1) juvenile justice intake personnel;

7 “(2) probation officers;

8 “(3) juvenile court judges and court services
9 personnel;

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

11 and

12 “(5) family members of juveniles and family ad-
13 vocates.

14 “(g) GRANTS FOR JUVENILE COURT JUDGES AND
15 PERSONNEL.—The Attorney General, acting through the
16 Office of Juvenile Justice and Delinquency Prevention and
17 the Office of Justice Programs, shall make grants to im-
18 prove training, education, technical assistance, evaluation,
19 and research to enhance the capacity of State and local
20 courts, judges, and related judicial personnel to—

21 “(1) improve the lives of children currently in-
22 volved in or at risk of being involved in the juvenile
23 court system; and

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

1 **SEC. 210. INCENTIVE GRANTS FOR STATE AND LOCAL PRO-**
 2 **GRAMS.**

3 Title II of the Juvenile Justice and Delinquency Pre-
 4 vention Act of 1974 (42 U.S.C. 5611 et seq.) is amend-
 5 ed—

6 (1) by redesignating part F as part G; and

7 (2) by inserting after part E the following:

8 **“PART F—INCENTIVE GRANTS FOR STATE AND**
 9 **LOCAL PROGRAMS**

10 **“SEC. 271. INCENTIVE GRANTS.**

11 “(a) INCENTIVE GRANT FUNDS.—The Administrator
 12 may make incentive grants to a State, unit of local govern-
 13 ment, or combination of States and local governments to
 14 assist a State, unit of local government, or combination
 15 thereof in carrying out an activity identified in subsection
 16 (b)(1).

17 “(b) USE OF FUNDS.—

18 “(1) IN GENERAL.—An incentive grant made by
 19 the Administrator under this section may be used
 20 to—

21 “(A) increase the use of evidence-based or
 22 promising prevention and intervention pro-
 23 grams;

24 “(B) improve the recruitment, selection,
 25 training, and retention of professional personnel
 26 (including in the fields of medicine, law enforce-

1 ment, the judiciary, juvenile justice, social work,
2 and child prevention) who are engaged in, or in-
3 tend to work in, the field of prevention, inter-
4 vention, and treatment of juveniles to reduce
5 delinquency;

6 “(C) establish or support a partnership be-
7 tween juvenile justice agencies of a State or
8 unit of local government and mental health au-
9 thorities of a State or unit of local government
10 to establish and implement programs to ensure
11 there are adequate mental health and substance
12 abuse screening, assessment, referral, treat-
13 ment, and after-care services for juveniles who
14 come into contact with the justice system by—

15 “(i) carrying out programs that divert
16 from incarceration juveniles who come into
17 contact with the justice system (including
18 facilities contracted for operation by State
19 or local juvenile authorities) and have men-
20 tal health or substance abuse needs—

21 “(I) when such juveniles are at
22 imminent risk of being taken into cus-
23 tody;

24 “(II) at the time such juveniles
25 are initially taken into custody;

1 “(III) after such juveniles are
2 charged with an offense or act of juve-
3 nile delinquency;

4 “(IV) after such juveniles are ad-
5 judicated delinquent and before case
6 disposition; and

7 “(V) after such juveniles are
8 committed to secure placement; or

9 “(ii) improving treatment of juveniles
10 with mental health needs by working to en-
11 sure—

12 “(I) that—

13 “(aa) initial mental health
14 screening is—

15 “(AA) completed for a
16 juvenile immediately upon
17 entering the juvenile justice
18 system or a juvenile facility;
19 and

20 “(BB) conducted by
21 qualified health and mental
22 health professionals or by
23 staff who have been trained
24 by qualified health, mental

1 health, and substance abuse
2 professionals; and

3 “(bb) in the case of screen-
4 ing, results that indicate possible
5 need for mental health or sub-
6 stance abuse services are re-
7 viewed by qualified mental health
8 or substance abuse treatment
9 professionals not later than 24
10 hours after the screening;

11 “(II) that a juvenile who suffers
12 from an acute mental disorder, is sui-
13 cidal, or is in need of medical atten-
14 tion due to intoxication is—

15 “(aa) placed in or imme-
16 diately transferred to an appro-
17 priate medical or mental health
18 facility; and

19 “(bb) only admitted to a se-
20 cure correctional facility with
21 written medical clearance;

22 “(III) that—

23 “(aa) for a juvenile identi-
24 fied by a screening as needing a
25 mental health assessment, the

1 mental health assessment and
2 any indicated comprehensive eval-
3 uation or individualized treat-
4 ment plan are written and imple-
5 mented—

6 “(AA) not later than 2
7 weeks after the date on
8 which the juvenile enters the
9 juvenile justice system; or

10 “(BB) if a juvenile is
11 entering a secure facility,
12 not later than 1 week after
13 the date on which the juve-
14 nile enters the juvenile jus-
15 tice system; and

16 “(bb) the assessments de-
17 scribed in item (aa) are com-
18 pleted by qualified health, mental
19 health, and substance abuse pro-
20 fessionals;

21 “(IV) that—

22 “(aa) if the need for treat-
23 ment is indicated by the assess-
24 ment of a juvenile, the juvenile is

1 referred to or treated by a quali-
2 fied professional;

3 “(bb) a juvenile who is re-
4 ceiving treatment for a mental
5 health or substance abuse need
6 on the date of the assessment
7 continues to receive treatment;

8 “(cc) treatment of a juvenile
9 continues until a qualified mental
10 health professional determines
11 that the juvenile is no longer in
12 need of treatment; and

13 “(dd) treatment plans for
14 juveniles are reevaluated at least
15 every 30 days;

16 “(V) that—

17 “(aa) discharge plans are
18 prepared for an incarcerated ju-
19 venile when the juvenile enters
20 the correctional facility in order
21 to integrate the juvenile back
22 into the family and the commu-
23 nity;

24 “(bb) discharge plans for an
25 incarcerated juvenile are updated,

1 in consultation with the family or
2 guardian of a juvenile, before the
3 juvenile leaves the facility; and

4 “(cc) discharge plans ad-
5 dress the provision of aftercare
6 services;

7 “(VI) that any juvenile in the ju-
8 venile justice system receiving psycho-
9 tropic medications is—

10 “(aa) under the care of a li-
11 censed psychiatrist; and

12 “(bb) monitored regularly by
13 trained staff to evaluate the effi-
14 cacy and side effects of the psy-
15 chotropic medications; and

16 “(VII) that specialized treatment
17 and services are continually available
18 to a juvenile in the juvenile justice
19 system who has—

20 “(aa) a history of mental
21 health needs or treatment;

22 “(bb) a documented history
23 of sexual offenses or sexual
24 abuse, as a victim or perpetrator;

1 “(cc) substance abuse needs
2 or a health problem, learning dis-
3 ability, or history of family abuse
4 or violence; or

5 “(dd) developmental disabil-
6 ities;

7 “(D) provide ongoing training, in conjunc-
8 tion with the public or private agency that pro-
9 vides mental health services, to individuals in-
10 volved in making decisions involving youth who
11 enter the juvenile justice system (including in-
12 take personnel, law enforcement, prosecutors,
13 juvenile court judges, public defenders, mental
14 health and substance abuse service providers
15 and administrators, probation officers, and par-
16 ents) that focuses on—

17 “(i) the availability of screening and
18 assessment tools and the effective use of
19 such tools;

20 “(ii) the purpose, benefits, and need
21 to increase availability of mental health or
22 substance abuse treatment programs (in-
23 cluding home-based and community-based
24 programs) available to juveniles within the
25 jurisdiction of the recipient;

1 “(iii) the availability of public and pri-
2 vate services available to juveniles to pay
3 for mental health or substance abuse treat-
4 ment programs; or

5 “(iv) the appropriate use of effective
6 home-based and community-based alter-
7 natives to juvenile justice or mental health
8 system institutional placement; and

9 “(E) develop comprehensive collaborative
10 plans to address the service needs of juveniles
11 with mental health or substance abuse disorders
12 who are at risk of coming into contact with the
13 juvenile justice system that—

14 “(i) revise and improve the delivery of
15 intensive home-based and community-based
16 services to juveniles who have been in con-
17 tact with or who are at risk of coming into
18 contact with the justice system;

19 “(ii) determine how the service needs
20 of juveniles with mental health or sub-
21 stance abuse disorders who come into con-
22 tact with the juvenile justice system will be
23 furnished from the initial detention stage
24 until after discharge in order for those ju-

1 veniles to avoid further contact with the
2 justice system;

3 “(iii) demonstrate that the State or
4 unit of local government has entered into
5 appropriate agreements with all entities re-
6 sponsible for providing services under the
7 plan, such as the agency of the State or
8 unit of local government charged with ad-
9 ministering juvenile justice programs, the
10 agency of the State or unit of local govern-
11 ment charged with providing mental health
12 services, the agency of the State or unit of
13 local government charged with providing
14 substance abuse treatment services, the
15 educational agency of the State or unit of
16 local government, the child welfare system
17 of the State or local government, and pri-
18 vate nonprofit community-based organiza-
19 tions;

20 “(iv) ensure that the State or unit of
21 local government has in effect any laws
22 necessary for services to be delivered in ac-
23 cordance with the plan;

24 “(v) establish a network of individuals
25 (or incorporate an existing network) to

1 provide coordination between mental health
2 service providers, substance abuse service
3 providers, probation and parole officers,
4 judges, corrections personnel, law enforce-
5 ment personnel, State and local edu-
6 cational agency personnel, parents and
7 families, and other appropriate parties re-
8 garding effective treatment of juveniles
9 with mental health or substance abuse dis-
10 orders;

11 “(vi) provide for cross-system training
12 among law enforcement personnel, correc-
13 tions personnel, State and local educational
14 agency personnel, mental health service
15 providers, and substance abuse service pro-
16 viders to enhance collaboration among sys-
17 tems;

18 “(vii) provide for coordinated and ef-
19 fective aftercare programs for juveniles
20 who have been diagnosed with a mental
21 health or substance abuse disorder and
22 who are discharged from home-based care,
23 community-based care, any other treat-
24 ment program, secure detention facilities,
25 secure correctional facilities, or jail;

1 “(viii) provide for the purchase of
2 technical assistance to support the imple-
3 mentation of the plan;

4 “(ix) estimate the costs of imple-
5 menting the plan and propose funding
6 sources sufficient to meet the non-Federal
7 funding requirements for implementation
8 of the plan under subsection (c)(2)(E);

9 “(x) describe the methodology to be
10 used to identify juveniles at risk of coming
11 into contact with the juvenile justice sys-
12 tem;

13 “(xi) provide a written plan to ensure
14 that all training and services provided
15 under the plan will be culturally and lin-
16 guistically competent; and

17 “(xii) describe the outcome measures
18 and benchmarks that will be used to evalu-
19 ate the progress and effectiveness of the
20 plan.

21 “(2) COORDINATION AND ADMINISTRATION.—A
22 State or unit of local government receiving a grant
23 under this section shall ensure that—

1 “(A) the use of the grant under this sec-
2 tion is developed as part of the State plan re-
3 quired under section 223(a); and

4 “(B) not more than 5 percent of the
5 amount received under this section is used for
6 administration of the grant under this section.

7 “(c) APPLICATION.—

8 “(1) IN GENERAL.—A State or unit of local
9 government desiring a grant under this section shall
10 submit an application at such time, in such manner,
11 and containing such information as the Adminis-
12 trator may prescribe.

13 “(2) CONTENTS.—In accordance with guide-
14 lines that shall be established by the Administrator,
15 each application for incentive grant funding under
16 this section shall—

17 “(A) describe any activity or program the
18 funding would be used for and how the activity
19 or program is designed to carry out 1 or more
20 of the activities described in subsection (b);

21 “(B) if any of the funds provided under
22 the grant would be used for evidence-based or
23 promising prevention or intervention programs,
24 include a detailed description of the studies,
25 findings, or practice knowledge that support the

1 assertion that such programs qualify as evi-
2 dence-based or promising;

3 “(C) for any program for which funds pro-
4 vided under the grant would be used that is not
5 evidence-based or promising, include a detailed
6 description of any studies, findings, or practice
7 knowledge which support the effectiveness of
8 the program;

9 “(D) if the funds provided under the grant
10 will be used for an activity described in sub-
11 section (b)(1)(D), include a certification that
12 the State or unit of local government—

13 “(i) will work with public or private
14 entities in the area to administer the train-
15 ing funded under subsection (b)(1)(D), to
16 ensure that such training is comprehensive,
17 constructive, linguistically and culturally
18 competent, and of a high quality;

19 “(ii) is committed to a goal of increas-
20 ing the diversion of juveniles coming under
21 its jurisdiction into appropriate home-
22 based or community-based care when the
23 interest of the juvenile and public safety
24 allow;

1 “(iii) intends to use amounts provided
2 under a grant under this section for an ac-
3 tivity described in subsection (b)(1)(D) to
4 further such goal; and

5 “(iv) has a plan to demonstrate, using
6 appropriate benchmarks, the progress of
7 the agency in meeting such goal; and

8 “(E) if the funds provided under the grant
9 will be used for an activity described in sub-
10 section (b)(1)(D), include a certification that
11 not less than 25 percent of the total cost of the
12 training described in subsection (b)(1)(D) that
13 is conducted with the grant under this section
14 will be contributed by non-Federal sources.

15 “(d) REQUIREMENTS FOR GRANTS TO ESTABLISH
16 PARTNERSHIPS.—

17 “(1) MANDATORY REPORTING.—A State or unit
18 of local government receiving a grant for an activity
19 described in subsection (b)(1)(C) shall keep records
20 of the incidence and types of mental health and sub-
21 stance abuse disorders in the juvenile justice popu-
22 lation of the State or unit of local government, the
23 range and scope of services provided, and barriers to
24 service. The State or unit of local government shall

1 submit an analysis of this information yearly to the
2 Administrator.

3 “(2) STAFF RATIOS FOR CORRECTIONAL FA-
4 CILITIES.—A State or unit of local government re-
5 ceiving a grant for an activity described in sub-
6 section (b)(1)(C) shall require that a secure correc-
7 tional facility operated by or on behalf of that State
8 or unit of local government—

9 “(A) has a minimum ratio of not fewer
10 than 1 mental health and substance abuse
11 counselor for every 50 juveniles, who shall be
12 professionally trained and certified or licensed;

13 “(B) has a minimum ratio of not fewer
14 than 1 clinical psychologist for every 100 juve-
15 niles; and

16 “(C) has a minimum ratio of not fewer
17 than 1 licensed psychiatrist for every 100 juve-
18 niles receiving psychiatric care.

19 “(3) LIMITATION ON ISOLATION.—A State or
20 unit of local government receiving a grant for an ac-
21 tivity described in subsection (b)(1)(C) shall require
22 that—

23 “(A) isolation is used only for immediate
24 and short-term security or safety reasons;

1 “(B) no juvenile is placed in isolation with-
2 out approval of the facility superintendent or
3 chief medical officer or their official staff des-
4 ignee;

5 “(C) all instances in which a juvenile is
6 placed in isolation are documented in the file of
7 the juvenile along with the justification;

8 “(D) a juvenile is in isolation only the
9 amount of time necessary to achieve the secu-
10 rity and safety of the juvenile and staff;

11 “(E) staff monitor each juvenile in isola-
12 tion once every 15 minutes and conduct a pro-
13 fessional review of the need for isolation at least
14 every 4 hours; and

15 “(F) any juvenile held in isolation for 24
16 hours is examined by a physician or licensed
17 psychologist.

18 “(4) MEDICAL AND MENTAL HEALTH EMER-
19 GENCIES.—A State or unit of local government re-
20 ceiving a grant for an activity described in sub-
21 section (b)(1)(C) shall require that a correctional fa-
22 cility operated by or on behalf of that State or unit
23 of local government has written policies and proce-
24 dures on suicide prevention. All staff working in a
25 correctional facility operated by or on behalf of a

1 State or unit of local government receiving a grant
2 for an activity described in subsection (b)(1)(C) shall
3 be trained and certified annually in suicide preven-
4 tion. A correctional facility operated by or on behalf
5 of a State or unit of local government receiving a
6 grant for an activity described in subsection
7 (b)(1)(C) shall have a written arrangement with a
8 hospital or other facility for providing emergency
9 medical and mental health care. Physical and mental
10 health services shall be available to an incarcerated
11 juvenile 24 hours per day, 7 days per week.

12 “(5) IDEA AND REHABILITATION ACT.—A
13 State or unit of local government receiving a grant
14 for an activity described in subsection (b)(1)(C) shall
15 require that all juvenile facilities operated by or on
16 behalf of the State or unit of local government abide
17 by all mandatory requirements and timelines set
18 forth under the Individuals with Disabilities Edu-
19 cation Act (20 U.S.C. 1400 et seq.) and section 504
20 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

21 “(6) FISCAL RESPONSIBILITY.—A State or unit
22 of local government receiving a grant for an activity
23 described in subsection (b)(1)(C) shall provide for
24 such fiscal control and fund accounting procedures
25 as may be necessary to ensure prudent use, proper

1 disbursement, and accurate accounting of funds re-
2 ceived under this section that are used for an activ-
3 ity described in subsection (b)(1)(C).”.

4 **SEC. 211. ADMINISTRATIVE AUTHORITY.**

5 Section 299A(e) of the Juvenile Justice and Delin-
6 quency Prevention Act of 1974 (42 U.S.C. 5672(e)) is
7 amended by striking “requirements described in para-
8 graphs (11), (12), and (13) of section 223(a)” and insert-
9 ing “core requirements”.

10 **SEC. 212. TECHNICAL AND CONFORMING AMENDMENTS.**

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

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

16 (2) in section 246(a)(2)(D) (42 U.S.C.
17 5656(a)(2)(D)), by striking “section 222(c)” and in-
18 serting “section 222(d)”; and

19 (3) in section 299D(b) (42 U.S.C. 5675(b)), by
20 striking “section 222(c)” and inserting “section
21 222(d)”.

1 **TITLE III—INCENTIVE GRANTS**
2 **FOR LOCAL DELINQUENCY**
3 **PREVENTION PROGRAMS**

4 **SEC. 301. DEFINITIONS.**

5 Section 502 of the Incentive Grants for Local Delin-
6 quency Prevention Programs Act of 2002 (42 U.S.C.
7 5781) is amended—

8 (1) in the section heading, by striking “**DEFI-**
9 **NITION**” and inserting “**DEFINITIONS**”; and

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

12 “(1) the term ‘mentoring’ means matching 1
13 adult with 1 or more youths (not to exceed 4 youths)
14 for the purpose of providing guidance, support, and
15 encouragement aimed at developing the character of
16 the youths, where the adult and youths meet regu-
17 larly for not less than 4 hours each month for not
18 less than a 9-month period; and

19 “(2) the term”.

20 **SEC. 302. GRANTS FOR DELINQUENCY PREVENTION PRO-**
21 **GRAMS.**

22 Section 504(a) of the Incentive Grants for Local De-
23 linquency Prevention Programs Act of 2002 (42 U.S.C.
24 5783(a)) is amended—

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

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

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

6 “(9) mentoring programs.”.

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

8 The Juvenile Justice and Delinquency Prevention Act
9 of 1974 is amended by striking title V, as added by the
10 Juvenile Justice and Delinquency Prevention Act of 1974
11 (Public Law 93–415; 88 Stat. 1133) (relating to miscella-
12 neous and conforming amendments).

13 **TITLE IV—MISCELLANEOUS**
14 **PROVISIONS**

15 **SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY**
16 **OFFICE.**

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

19 (1) conduct a comprehensive analysis and eval-
20 uation regarding the performance of the Office of
21 Juvenile Justice Delinquency and Prevention (re-
22 ferred to in this section as “the agency”), its func-
23 tions, its programs, and its grants;

24 (2) conduct a comprehensive audit and evalua-
25 tion of a selected, statistically significant sample of

1 grantees (as determined by the Comptroller General)
2 that receive Federal funds under grant programs ad-
3 ministered by the Office of Juvenile Justice Delin-
4 quency and Prevention including a review of internal
5 controls to prevent fraud, waste, and abuse of funds
6 by grantees; and

7 (3) submit a report in accordance with sub-
8 section (d).

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

18 (1) the extent to which the jurisdiction of, and
19 the programs administered by, the agency duplicate
20 or conflict with the jurisdiction and programs of
21 other agencies;

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

1 (3) whether present functions or operations are
2 impeded or enhanced by existing statutes, rules, and
3 procedures;

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

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

17 (8) 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.—The Comptroller General of
24 the United States shall submit a report regarding
25 the evaluation conducted under subsection (a) and

1 audit under subsection (b), together with supporting
 2 materials, to the Speaker of the House of Represent-
 3 atives and the President pro tempore of the Senate,
 4 and be made available to the public, not later than
 5 October 1, 2011.

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

13 **SEC. 402. AUTHORIZATION OF APPROPRIATIONS.**

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

17 **“TITLE VI—AUTHORIZATION OF**
 18 **APPROPRIATIONS; ACCOUNT-**
 19 **ABILITY AND OVERSIGHT**

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

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

23 “(1) \$159,000,000 for fiscal year 2015;

24 “(2) \$162,180,000 for fiscal year 2016;

25 “(3) \$165,423,600 for fiscal year 2017;

1 “(4) \$168,732,072 for fiscal year 2018; and

2 “(5) \$172,106,713 for fiscal year 2019.

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

7 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
8 The Juvenile Justice and Delinquency Prevention Act of
9 1974 is amended by striking—

10 (1) section 299 (42 U.S.C. 5671);

11 (2) section 388 (42 U.S.C. 5751);

12 (3) section 408 (42 U.S.C. 5777); and

13 (4) section 505 (42 U.S.C. 5784).

14 **SEC. 403. ACCOUNTABILITY AND OVERSIGHT.**

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

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

19 “All grants awarded by the Attorney General under
20 this Act shall be subject to the following accountability
21 provisions:

22 “(1) AUDIT REQUIREMENT.—

23 “(A) DEFINITIONS.—In this paragraph—

1 “(i) the term ‘Inspector General’
2 means the Inspector General of the De-
3 partment of Justice; and

4 “(ii) the term ‘unresolved audit find-
5 ing’ means a finding in the final audit re-
6 port of the Inspector General—

7 “(I) that the audited grantee has
8 used grant funds for an unauthorized
9 expenditure or otherwise unallowable
10 cost; and

11 “(II) that is not closed or re-
12 solved during the 12-month period be-
13 ginning on the date on which the final
14 audit report is issued.

15 “(B) REQUIREMENT.—Beginning in the
16 first fiscal year beginning after the date of en-
17 actment of this Act, and in each fiscal year
18 thereafter, the Inspector General shall conduct
19 audits of recipients of grants under this Act to
20 prevent waste, fraud, and abuse of funds by
21 grantees.

22 “(C) NUMBER OF GRANTEES TO BE AU-
23 DITED.—The Inspector General shall determine
24 the appropriate number of grantees to be au-
25 dited under subparagraph (B) each fiscal year.

1 “(D) MANDATORY EXCLUSION.—A recipi-
2 ent of grant funds under this Act that is found
3 to have an unresolved audit finding shall not be
4 eligible to receive grant funds under this Act
5 during the first 2 fiscal years beginning after
6 the 12-month period described in subparagraph
7 (A)(ii)(II).

8 “(E) PRIORITY.—In awarding grants
9 under this Act, the Attorney General shall give
10 priority an eligible entity that did not have an
11 unresolved audit finding during the 3 fiscal
12 years prior to the date on which the eligible en-
13 tity submits an application for a grant under
14 this Act.

15 “(F) REIMBURSEMENT.—If an entity is
16 awarded grant funds under this Act during the
17 2-fiscal-year period in which the entity is barred
18 from receiving grants under subparagraph (D),
19 the Attorney General shall—

20 “(i) deposit an amount equal to the
21 amount of the grant funds that were im-
22 properly awarded to the grantee into the
23 General Fund of the Treasury; and

24 “(ii) seek to recoup the costs of the
25 repayment to the General Fund under

1 clause (i) from the grantee that was erro-
2 neously awarded grant funds.

3 “(2) NONPROFIT ORGANIZATION REQUIRE-
4 MENTS.—

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

12 “(B) PROHIBITION.—The Attorney Gen-
13 eral may not award a grant under any grant
14 program described in this Act to a nonprofit or-
15 ganization that holds money in offshore ac-
16 counts for the purpose of avoiding paying the
17 tax described in section 511(a) of the Internal
18 Revenue Code of 1986.

19 “(C) DISCLOSURE.—

20 “(i) IN GENERAL.—Each nonprofit or-
21 ganization that is awarded a grant under
22 a grant program described in this Act and
23 uses the procedures prescribed in regula-
24 tions to create a rebuttable presumption of
25 reasonableness for the compensation of its

1 officers, directors, trustees, and key em-
2 ployees, shall disclose to the Attorney Gen-
3 eral, in the application for the grant, the
4 process for determining such compensa-
5 tion, including—

6 “(I) the independent persons in-
7 volved in reviewing and approving
8 such compensation;

9 “(II) the comparability data
10 used; and

11 “(III) contemporaneous substan-
12 tiation of the deliberation and deci-
13 sion.

14 “(ii) PUBLIC INSPECTION UPON RE-
15 QUEST.—Upon request, the Attorney Gen-
16 eral shall make the information disclosed
17 under clause (i) available for public inspec-
18 tion.

19 “(3) CONFERENCE EXPENDITURES.—

20 “(A) LIMITATION.—No amounts author-
21 ized to be appropriated to the Department of
22 Justice under this Act may be used by the At-
23 torney General, or by any individual or organi-
24 zation awarded discretionary funds through a
25 cooperative agreement under this Act, to host

1 or support any expenditure for conferences that
2 uses more than \$20,000 in funds made avail-
3 able to the Department of Justice, unless the
4 Deputy Attorney General or such Assistant At-
5 torney Generals, Directors, or principal deputies
6 as the Deputy Attorney General may designate,
7 provides prior written authorization that the
8 funds may be expended to host a conference.

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

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

21 “(4) PROHIBITION ON LOBBYING ACTIVITY.—

22 “(A) IN GENERAL.—Amounts authorized
23 to be appropriated under this Act may not be
24 utilized by any recipient of a grant made using
25 such amounts to—

1 “(i) lobby any representative of the
2 Department of Justice regarding the
3 award of grant funding; or

4 “(ii) lobby any representative of a
5 Federal, State, local, or tribal government
6 regarding the award of grant funding.

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

12 “(i) require the grant recipient to
13 repay the grant in full; and

14 “(ii) prohibit the grant recipient from
15 receiving another grant under this Act for
16 not less than 5 years.

17 “(5) ANNUAL CERTIFICATION.—Beginning in
18 the first fiscal year beginning after the date of en-
19 actment of the Juvenile Justice and Delinquency
20 Prevention Reauthorization Act of 2014, the Attor-
21 ney General shall submit, to the Committee on the
22 Judiciary and the Committee on Appropriations of
23 the Senate and the Committee on the Judiciary and
24 the Committee on Appropriations of the House of
25 Representatives, an annual certification that—

1 “(A) all audits issued by the Office of the
2 Inspector General of the Department of Justice
3 under paragraph (1) have been completed and
4 reviewed by the appropriate Assistant Attorney
5 General or Director;

6 “(B) all mandatory exclusions required
7 under paragraph (1)(D) have been issued;

8 “(C) all reimbursements required under
9 paragraph (1)(F)(i) have been made; and

10 “(D) includes a list of any grant recipients
11 excluded under paragraph (1)(D) during the
12 preceding fiscal year.”.

13 (b) TECHNICAL AND CONFORMING AMENDMENT.—

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

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

21 (3) SAVINGS CLAUSE.—In the case of an entity
22 that is barred from receiving grant funds under
23 paragraph (2) or (7)(B)(ii) of section 407 of the Ju-
24 venile Justice and Delinquency Prevention Act of
25 1974 (42 U.S.C. 5776a), the amendment made by

1 paragraph (1) of this subsection shall not affect the
 2 applicability to the entity, or to the Attorney Gen-
 3 eral with respect to the entity, of paragraph (2), (3),
 4 or (7) of such section 407, as in effect on the day
 5 before the effective date under paragraph (2) of this
 6 subsection.

7 **TITLE V—JUVENILE ACCOUNT-**
 8 **ABILITY BLOCK GRANTS**

9 **SEC. 501. GRANT ELIGIBILITY.**

10 Section 1802(a) of title I of the Omnibus Crime Con-
 11 trol and Safe Streets Act of 1968 (42 U.S.C. 3796ee-
 12 2(a)) is amended—

13 (1) in paragraph (1), by striking “and” at the
 14 end;

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

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

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

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