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

IN THE SENATE OF THE UNITED STATES

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

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

SEC. 2. TABLE OF CONTENTS.

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1  TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

2  SEC. 101. PURPOSES.

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

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

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

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

SEC. 102. DEFINITIONS.

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

(1) in paragraph (8), by amending subparagraph (C) to read as follows:

“(C) an Indian tribe; or”;

(2) by amending paragraph (18) to read as follows:

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

(3) in paragraph (22), by striking “or confine adults” and all that follows and inserting “or confine adult inmates;”;

(4) by amending paragraph (25) to read as follows:
“(25) the term ‘sight or sound contact’ means any physical, clear visual, or verbal contact, that is not brief and inadvertent;”;

(5) by amending paragraph (26) to read as follows:

“(26) the term ‘adult inmate’—

“(A) means an individual who—

“(i) has reached the age of full criminal responsibility under applicable State law; and

“(ii) has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal charge offense; and

“(B) does not include an individual who—

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

“(ii) was committed to the care and custody of a juvenile correctional agency by a court of competent jurisdiction or by operation of applicable State law;”;

(6) in paragraph (28), by striking “and” at the end;
(7) in paragraph (29), by striking the period at the end and inserting a semicolon; and

(8) by adding at the end the following:

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

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

“(32) the term ‘isolation’—

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

“(B) does not include confinement during regularly scheduled sleeping hours, or for not more than 1 hour during any 24-hour period in the room or cell in which the youth usually sleeps, protective confinement (for injured youths or youths whose safety is threatened), separation based on an approved treatment program, confinement that is requested by the youth, or the separation of the youth from a group in a nonlocked setting for the purpose of calming;
“(33) the term ‘restraints’ has the meaning given that term in section 591 of the Public Health Service Act (42 U.S.C. 290ii);

“(34) the term ‘evidence-based’ means a program or practice that is demonstrated to be effective and that—

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

“(B) has measurable outcomes, including a detailed description of what outcomes were produced in a particular population; and

“(C) has been scientifically tested, optimally through randomized control studies or comparison group studies;

“(35) the term ‘promising’ means a program or practice that is demonstrated to be effective based on positive outcomes from 1 or more objective, independent, and scientifically valid evaluations, as documented in writing to the Administrator;

“(36) the term ‘dangerous practice’ means an act, procedure, or program that creates an unreasonable risk of physical injury, pain, or psychological harm to a juvenile subjected to the act, procedure, or program;
“(37) the term ‘screening’ means a brief process—

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

“(B) the purpose of which is to quickly identify a youth with a possible mental health or substance abuse need in need of further assessment;

“(38) the term ‘assessment’ includes, at a minimum, an interview and review of available records and other pertinent information—

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

“(B) which is designed to identify significant mental health or substance abuse treatment needs to be addressed during a youth’s confinement;

“(39) the term ‘contact’ means the point at which a youth interacts with the juvenile justice system or criminal justice system, including interaction with a juvenile justice, juvenile court, or law enforce-
ment official, and including brief, sustained, or re-
peated interaction;

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

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

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

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

“(41) the term ‘racial and ethnic disparity’
means youth of color are involved at a decision point
in the juvenile justice system at higher rates, incre-
mentally or cumulatively, than white non-Hispanic
youth at that decision point.”.
TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.

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

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

(A) by striking “a long-term plan, and implement” and inserting the following: “a long-term plan to improve the juvenile justice system in the United States, taking into account scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents, and shall implement”; and

(B) by striking “research, and improvement of the juvenile justice system in the United States” and inserting “and research”; and

(2) in paragraph (2)(B), by striking “Federal Register” and all that follows and inserting “Federal Register during the 30-day period ending on October 1 of each year.”.
SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

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

(1) in subsection (a)(1)—

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

(B) by striking “Commissioner of Immigration and Naturalization” and inserting “Assistant Secretary for Immigration and Customs Enforcement”; and

(2) in subsection (e)—

(A) in paragraph (1), by striking “paragraphs (12)(A), (13), and (14) of section 223(a) of this title” and inserting “the core requirements”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “, on an annual basis” after “collectively”; and

(ii) by striking subparagraph (B) and inserting the following:
“(B) not later than 120 days after the completion of the last meeting of the Council during any fiscal year, submit to the Committee on Education and Labor of the House of Representatives and the Committee on the Judiciary of the Senate a report that—

“(i) contains the recommendations described in subparagraph (A);

“(ii) includes a detailed account of the activities conducted by the Council during the fiscal year, including a complete detailed accounting of expenses incurred by the Council to conduct operations in accordance with this section;

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

“(iv) is in addition to the annual report required under section 207.”.

SEC. 203. ANNUAL REPORT.

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

(1) in the matter preceding paragraph (1), by striking “a fiscal year” and inserting “each fiscal year”; (2) in paragraph (1)—
(A) in subparagraph (B), by inserting “,
ethnicity,” after “race”;  

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

(C) in subparagraph (F)—  

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

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

(D) by adding at the end the following:  

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

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

“(I) the number of status offense cases petitioned to court (including a breakdown by type of offense and disposition), number of status offenders held in secure detention, the findings used to justify the use of secure detention, and the average period of time a status offender was held in secure detention;
“(J) the number of pregnant juveniles held in the custody of secure detention and correctional facilities operated by a State or unit of local government; and

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

(3) by adding at the end the following:

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

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

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

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

“(B) unauthorized expenditures occurred;

or

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

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

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

“(B) the violation of the program found;

“(C) the amount of funds sought to be recouped by the Office of Juvenile Justice and Delinquency Prevention; and
“(D) the actual amount recouped by the
Office of Juvenile Justice and Delinquency Pre-
vention.”.

SEC. 204. ALLOCATION OF FUNDS.

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

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

(1) in subsection (a)—

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

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

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

“(i) the amount allocated to each State
other than a State described in clause (ii) for
that fiscal year shall be not less than $400,000;
“(ii) the amount allocated to the Virgin Islands of the United States, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than $75,000.

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

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

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

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

(3) by inserting after subsection (b) the following:

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

“(2) The Administrator shall condition a grant described in paragraph (1) on the State—

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

“(B) semiannually submitting to the Administrator a report on progress toward implementing the specific action steps developed under subparagraph (A).

“(3) The Administrator shall provide appropriate and effective technical assistance directly or through an agreement with a contractor to assist a State receiving an improvement grant described in paragraph (1) in achieving compliance with the core requirements.”;

(4) in subsection (d), as redesignated, by striking “efficient administration, including monitoring, evaluation, and one full-time staff position” and inserting “effective and efficient administration, including the designation of not less than 1 person to coordinate efforts to achieve and sustain compliance with the core requirements”; and
(5) in subsection (e), as redesignated, by striking “5 per centum of the minimum” and inserting “not more than 5 percent of the”.

SEC. 205. STATE PLANS.

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

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “and shall describe the status of compliance with State plan requirements.” and inserting the following: “shall describe the status of compliance with State plan requirements, and shall describe how the State plan is supported by or takes account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents. Not later than 30 days after the date on which a plan or amended plan submitted under this subsection is finalized, a State shall make the plan or amended plan publicly available by posting the plan or amended plan on the State’s publicly available website.”;

(B) in paragraph (3)—

(i) in subparagraph (A)—
(I) in clause (i), by inserting “adolescent development,” after “concerning”; 

(II) in clause (ii)—

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

(bb) in subclause (III), by striking “mental health, education, special education” and inserting “children’s mental health, education, child and adolescent substance abuse, special education, services for youth with disabilities”;

(cc) in subclause (V), by striking “delinquents or potential delinquents” and inserting “delinquent youth or youth at risk of delinquency”; 

(dd) in subclause (VII), by striking “and” at the end;
(ee) by redesignating sub-clause (VIII) as subclause (XI);

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

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

“(IX) persons with expertise and competence in preventing and addressing mental health and substance abuse needs in juvenile delinquents and those at-risk of delinquency;

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

(gg) in subclause (XI), as so redesignated, by striking “disabilities” and inserting “and other disabilities, truancy reduction, school failure”; and

(III) in clause (iv), by striking “24 at the time of appointment” and inserting “28”. 
(ii) in subparagraph (D)(ii), by striking “requirements of paragraphs (11), (12), and (13)” and inserting “core requirements”; and

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

(C) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking “section 222(d)” and inserting “section 222(e)”;

(ii) in subparagraph (C), by striking “Indian tribes” and all that follows through “applicable to the detention and confinement of juveniles” and inserting “Indian tribes that agree to attempt to comply with the core requirements applicable to the detention and confinement of juveniles”;

(D) in paragraph (7)—

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

(ii) in subparagraph (B)—

(I) by striking clause (i) and inserting the following:
“(i) a plan for ensuring that the chief executive officer of the State, State legislature, and all appropriate public agencies in the State with responsibility for provision of services to children, youth, and families are informed of the requirements of the State plan and compliance with the core requirements;”;

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

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

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

“(v) a plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs;

“(vi) a plan to engage family members, where appropriate, in the design and delivery of
juvenile delinquency prevention and treatment services, particularly post-placement; and

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

(E) in paragraph (8), by striking “existing” and inserting “evidence-based and promising”;

(F) in paragraph (9)—

(i) in the matter preceding subparagraph (A)—

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

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

(ii) in subparagraph (A)(i), by inserting “status offenders and other” before “youth who need”;

(iii) in subparagraph (B)(i)—

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

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

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

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

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

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

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

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

(II) in clause (ii), by striking “by
the provision”;
(viii) in subparagraph (S), as so redesignated, by striking the “and” at the end;

(ix) in subparagraph (T), as so redesignated, by striking the period at the end and inserting a semicolon; and

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

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

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

(G) in paragraph (11)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting “and individuals
under 18 years of age who are charged with or who have committed an offense of purchase or public possession of any alcoholic beverage” after “by an adult”; and

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

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

(iii) by adding at the end the following:

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

(II) in paragraph (12)(A), by striking “contact” and inserting “sight or sound contact”;

(I) in paragraph (13), by striking “contact” each place it appears and inserting “sight or sound contact”;

(J) by striking paragraph (22);
(K) by redesignating paragraphs (23) through (28) as paragraphs (24) through (29), respectively;

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

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

“(14) require that—

“(A) not later than 3 years after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2014, unless a court finds, after a hearing and in writing, that it is in the interest of justice, juveniles awaiting trial or other legal process who are treated as adults for purposes of prosecution in criminal court and housed in a secure facility—

“(i) shall not have sight or sound contact with adult inmates; and

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

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

“(i) the age of the juvenile;

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

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

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

“(v) the juvenile’s history of prior delinquent acts;

“(vi) the relative ability of the available adult and juvenile detention facilities to meet the specific needs of the juvenile and to protect the public;

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

“(viii) the availability of programs designed to treat the juvenile’s behavioral problems; and
“(ix) any other relevant factor; and

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

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

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

“(15) implement policy, practice, and system improvement strategies at the State, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas, by—
“(A) establishing coordinating bodies, composed of juvenile justice stakeholders at the State, local, or tribal levels, to oversee and monitor efforts by States, units of local government, and Indian tribes to reduce racial and ethnic disparities;

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

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

“(D) developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under subparagraphs (B) and (C); and

“(E) publicly reporting, on an annual basis, the efforts made in accordance with subparagraphs (B), (C), and (D);”;

(N) in paragraph (16), as so redesignated—

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

(ii) by striking “requirements of paragraph (11),” and all that follows through “monitoring to the Administrator” and inserting “the core requirements are met, and for annual reporting to the Administrator of such plan, including the results of such monitoring and all related enforcement and educational activities”; and

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

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

(P) in paragraph (24), as so redesignated—

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

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

(iii) in subparagraph (C)—
(I) in clause (i), by striking “and” at the end;

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

(III) by adding at the end the following:

“(iii) if such court determines the status offender should be placed in a secure detention facility or correctional facility for violating such order—

“(I) the court shall issue a written order that—

“(aa) identifies the valid court order that has been violated;

“(bb) specifies the factual basis for determining that there is reasonable cause to believe that the status offender has violated such order;

“(cc) includes findings of fact to support a determination that there is no appropriate less restrictive alternative available to placing the status offender in
such a facility, with due consideration to the best interest of the juvenile;

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

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

“(II) the court may not issue a second or subsequent order described in subclause (I) relating to a status offender, unless the status offender violates a valid court order after the date on which the court issues an order described in subclause (I);”; and (iv) by adding at the end the following:

“(D) there are procedures in place to ensure that any status offender held in a secure detention facility or correctional facility pursuant to a court order described in this paragraph...
does not remain in custody longer than 7 days
or the length of time authorized by the court,
whichever is shorter; and

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

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

(R) in paragraph (27), as so redesig-
nated—

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

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

“(A) a compilation of data reflecting infor-
mation on juveniles entering the juvenile justice
system with a prior reported history as victims
of child abuse or neglect through arrest, court
intake, probation and parole, juvenile detention,
and corrections; and

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

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

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

(ii) by striking “and” at the end;

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

(U) by adding at the end the following:

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

“(31) develop policies and procedures, and pro-
vide training for facility staff to eliminate the use of
dangerous practices, unreasonable restraints, and
unreasonable isolation, including by developing effective behavior management techniques;

“(32) describe—

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

“(i) request a screening; or

“(ii) show signs of needing a screening; or

“(iii) are held for a period of more than 24 hours in a secure facility that provides for an initial screening;

“(B) the method to be used by the State to provide or arrange for mental health and substance abuse disorder treatment for juveniles determined to be in need of such treatment; and

“(C) the policies of the State designed to develop and implement comprehensive collaborative State or local plans to meet the service needs of juveniles with mental health or substance abuse needs who come into contact with the justice system and the families of the juve-
niles, including recognizing trauma histories of juveniles and providing trauma-informed care;

“(33) provide procedural safeguards to adjudicated juveniles, including—

“(A) a written case plan for each juvenile, based on an assessment of the needs of the juvenile and developed and updated in consultation with the juvenile, the family of the juvenile, and, if appropriate, counsel for the juvenile, that—

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

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

“(iii) establishes a plan for the enrollment of the juvenile in post-release health care, behavioral health care, educational, vocational, training, family support, public assistance, and legal services programs, as appropriate; and

“(B) as appropriate, a hearing that—

“(i) shall take place in a family or juvenile court or another court (including a
tribal court) of competent jurisdiction, or
by an administrative body appointed or ap-
proved by the court, not later than 30 days
before the date on which the juvenile is
scheduled to be released, and at which the
juvenile would be represented by counsel;
and
“(ii) shall determine the discharge
plan for the juvenile, including a deter-
mination of whether a safe, appropriate,
and permanent living arrangement has
been secured for the juvenile and whether
enrollment in health care, behavioral health
care, educational, vocational, training, fam-
ily support, public assistance and legal
services, as appropriate, has been arranged
for the juvenile;
“(34) provide that the agency of the State re-
ceiving funds under this Act collaborate with the
State educational agency receiving assistance under
part A of title I of the Elementary and Secondary
Education Act of 1965 (20 U.S.C. 6311 et seq.) to
develop and implement a plan to ensure that, in
order to support educational progress—
“(A) the student records of adjudicated juveniles, including electronic records if available, are transferred in a timely manner from the educational program in the juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll;

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

“(C) adjudicated juveniles receive full or partial credit toward high school graduation for secondary school coursework satisfactorily completed before and during the period of time during which the juveniles are held in custody, regardless of the local educational agency or entity from which the credits were earned; and

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

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking “applicable requirements of paragraphs (11), (12), (13), and
(22) of subsection (a)” and inserting “core
requirements”; and

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

(B) in paragraph (1)—

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

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

(C) in paragraph (2)(B)(ii)—

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

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

(D) by adding at the end the following:

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

(3) in subsection (d)—
(A) by striking “section 222(d)” and inserting “section 222(e)”;

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

(C) by striking “the requirements under paragraphs (11), (12), (13), and (22) of subsection (a)” and inserting “the core requirements”;

(4) in subsection (f)(2)—

(A) by striking subparagraph (A); and

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

(5) by adding at the end the following:

“(g) COMPLIANCE DETERMINATION.—

“(1) IN GENERAL.—Not later than 60 days after the date of receipt of information indicating that a State may be out of compliance with any of the core requirements, the Administrator shall determine whether the State is in compliance with the core requirements.

“(2) REPORTING.—The Administrator shall—

“(A) issue an annual public report—
“(i) describing any determination described in paragraph (1) made during the previous year, including a summary of the information on which the determination is based and the actions to be taken by the Administrator (including a description of any reduction imposed under subsection (c)); and

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

“(B) make the report described in subparagraph (A) available on a publicly available website.”.

SEC. 206. AUTHORITY TO MAKE GRANTS.

Section 241(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651(a)) is amended—

(1) in paragraph (1), by inserting “status offenders,” before “juvenile offenders, and juveniles”;

(2) in paragraph (5), by striking “juvenile offenders and juveniles” and inserting “status offenders, juvenile offenders, and juveniles”;
(3) in paragraph (10), by inserting “, including juveniles with disabilities” before the semicolon; and
(4) in paragraph (17), by inserting “truancy prevention and reduction,” after “mentoring,”.

SEC. 207. GRANTS TO INDIAN TRIBES.

(a) IN GENERAL.—Section 246(a)(2) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5656(a)(2)) is amended—
(1) by striking subparagraph (A);
(2) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively; and
(3) in subparagraph (B)(ii), as redesignated, by striking “subparagraph (B)” and inserting “subparagraph (A)”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—
Section 223(a)(7)(A) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)(7)(A)) is amended by striking “(including any geographical area in which an Indian tribe performs law enforcement functions)” and inserting “(including any geographical area of which an Indian tribe has jurisdiction)”.

SEC. 208. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION.

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

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter proceeding subparagraph (A), by striking “may” and inserting “shall”;

(ii) in subparagraph (A), by striking “plan and identify” and inserting “annually publish a plan to identify”; and

(iii) in subparagraph (B)—

(I) by striking clause (iii) and inserting the following:

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

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

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

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

(IV) by inserting after clause
(viii) the following:
“(ix) training efforts and reforms that
have produced reductions in or elimination
of the use of dangerous practices;

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

(B) in paragraph (4)—

(i) in the matter preceding subpara-
graph (A), by striking “date of enactment
of this paragraph, the” and inserting “date
of enactment of the Juvenile Justice and
Delinquency Prevention Reauthorization Act of 2014, the’’;

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

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

(iv) by adding at the end the following:

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

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

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

(3) by adding at the end the following:

“(f) NATIONAL RECIDIVISM MEASURE.—The Administrator, in consultation with experts in the field of juvenile justice research, recidivism, and data collection, shall—

“(1) establish a uniform method of data collection and technology that States shall use to evaluate data on juvenile recidivism on an annual basis;
“(2) establish a common national juvenile recidivism measurement system; and

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

SEC. 209. TRAINING AND TECHNICAL ASSISTANCE.

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

(1) in subsection (a)—

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

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

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

(2) in subsection (b)—

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

(B) in paragraph (1)—

(i) by inserting “shall” before “develop and implement projects”;

(ii) by inserting “, including compliance with the core requirements” after “this title”; and

(iii) by striking “and” at the end;
(C) in paragraph (2)—

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

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

(D) by adding at the end the following:

“(3) shall, upon request, provide technical assistance to States and units of local government on achieving compliance with the amendments made by the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2014; and

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

(3) by adding at the end the following:
“(d) Technical Assistance to States Regarding Legal Representation of Children.—The Administrator shall—

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

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

“(e) Training and Technical Assistance for Local and State Juvenile Detention and Corrections Personnel.—The Administrator shall coordinate training and technical assistance programs with juvenile detention and corrections personnel of States and units of local government to—

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

“(2) encourage alternative behavior management techniques based on positive youth development approaches.

“(f) Training and Technical Assistance to Support Mental Health or Substance Abuse Treatment Including Home-based or Community-based Care.—The Administrator shall provide training and technical assistance, in conjunction with the appro-
priate public agencies, to individuals involved in making
decisions regarding the disposition of cases for youth who
enter the juvenile justice system about the appropriate
services and placement for youth with mental health or
substance abuse needs, including—

“(1) juvenile justice intake personnel;
“(2) probation officers;
“(3) juvenile court judges and court services
personnel;
“(4) prosecutors and court-appointed counsel;
and
“(5) family members of juveniles and family ad-
vocates.

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

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

“(2) carry out the requirements of this Act.”.
SEC. 210. INCENTIVE GRANTS FOR STATE AND LOCAL PROGRAMS.

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—

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

(2) by inserting after part E the following:

“PART F—INCENTIVE GRANTS FOR STATE AND LOCAL PROGRAMS

“SEC. 271. INCENTIVE GRANTS.

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

“(b) USE OF FUNDS.—

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

“(A) increase the use of evidence-based or promising prevention and intervention programs;

“(B) improve the recruitment, selection, training, and retention of professional personnel (including in the fields of medicine, law enforce-
ment, the judiciary, juvenile justice, social work, and child prevention) who are engaged in, or intend to work in, the field of prevention, intervention, and treatment of juveniles to reduce delinquency;

“(C) establish or support a partnership between juvenile justice agencies of a State or unit of local government and mental health authorities of a State or unit of local government to establish and implement programs to ensure there are adequate mental health and substance abuse screening, assessment, referral, treatment, and after-care services for juveniles who come into contact with the justice system by—

“(i) carrying out programs that divert from incarceration juveniles who come into contact with the justice system (including facilities contracted for operation by State or local juvenile authorities) and have mental health or substance abuse needs—

“(I) when such juveniles are at imminent risk of being taken into custody;

“(II) at the time such juveniles are initially taken into custody;
“(III) after such juveniles are charged with an offense or act of juvenile delinquency;

“(IV) after such juveniles are adjudicated delinquent and before case disposition; and

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

“(ii) improving treatment of juveniles with mental health needs by working to ensure—

“(I) that—

“(aa) initial mental health screening is—

“(AA) completed for a juvenile immediately upon entering the juvenile justice system or a juvenile facility; and

“(BB) conducted by qualified health and mental health professionals or by staff who have been trained by qualified health, mental
health, and substance abuse professionals; and

“(bb) in the case of screening, results that indicate possible need for mental health or substance abuse services are reviewed by qualified mental health or substance abuse treatment professionals not later than 24 hours after the screening;

“(II) that a juvenile who suffers from an acute mental disorder, is suicidal, or is in need of medical attention due to intoxication is—

“(aa) placed in or immediately transferred to an appropriate medical or mental health facility; and

“(bb) only admitted to a secure correctional facility with written medical clearance;

“(III) that—

“(aa) for a juvenile identified by a screening as needing a mental health assessment, the
mental health assessment and
any indicated comprehensive eval-
uation or individualized treat-
ment plan are written and imple-
mented—

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

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

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

“(IV) that—

“(aa) if the need for treat-
ment is indicated by the assess-
ment of a juvenile, the juvenile is
referred to or treated by a qualified professional;

“(bb) a juvenile who is receiving treatment for a mental health or substance abuse need on the date of the assessment continues to receive treatment;

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

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

“(V) that—

“(aa) discharge plans are prepared for an incarcerated juvenile when the juvenile enters the correctional facility in order to integrate the juvenile back into the family and the community;

“(bb) discharge plans for an incarcerated juvenile are updated,
in consultation with the family or guardian of a juvenile, before the juvenile leaves the facility; and

“(cc) discharge plans address the provision of aftercare services;

“(VI) that any juvenile in the juvenile justice system receiving psychotropic medications is—

“(aa) under the care of a licensed psychiatrist; and

“(bb) monitored regularly by trained staff to evaluate the efficacy and side effects of the psychotropic medications; and

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

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

“(bb) a documented history of sexual offenses or sexual abuse, as a victim or perpetrator;
“(cc) substance abuse needs or a health problem, learning disability, or history of family abuse or violence; or

“(dd) developmental disabilities;

“(D) provide ongoing training, in conjunction with the public or private agency that provides mental health services, to individuals involved in making decisions involving youth who enter the juvenile justice system (including intake personnel, law enforcement, prosecutors, juvenile court judges, public defenders, mental health and substance abuse service providers and administrators, probation officers, and parents) that focuses on—

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

“(ii) the purpose, benefits, and need to increase availability of mental health or substance abuse treatment programs (including home-based and community-based programs) available to juveniles within the jurisdiction of the recipient;
“(iii) the availability of public and private services available to juveniles to pay for mental health or substance abuse treatment programs; or

“(iv) the appropriate use of effective home-based and community-based alternatives to juvenile justice or mental health system institutional placement; and

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

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

“(ii) determine how the service needs of juveniles with mental health or substance abuse disorders who come into contact with the juvenile justice system will be furnished from the initial detention stage until after discharge in order for those ju-
veniles to avoid further contact with the justice system;

“(iii) demonstrate that the State or unit of local government has entered into appropriate agreements with all entities responsible for providing services under the plan, such as the agency of the State or unit of local government charged with administering juvenile justice programs, the agency of the State or unit of local government charged with providing mental health services, the agency of the State or unit of local government charged with providing substance abuse treatment services, the educational agency of the State or unit of local government, the child welfare system of the State or local government, and private nonprofit community-based organizations;

“(iv) ensure that the State or unit of local government has in effect any laws necessary for services to be delivered in accordance with the plan;

“(v) establish a network of individuals (or incorporate an existing network) to
provide coordination between mental health service providers, substance abuse service providers, probation and parole officers, judges, corrections personnel, law enforcement personnel, State and local educational agency personnel, parents and families, and other appropriate parties regarding effective treatment of juveniles with mental health or substance abuse disorders;

“(vi) provide for cross-system training among law enforcement personnel, corrections personnel, State and local educational agency personnel, mental health service providers, and substance abuse service providers to enhance collaboration among systems;

“(vii) provide for coordinated and effective aftercare programs for juveniles who have been diagnosed with a mental health or substance abuse disorder and who are discharged from home-based care, community-based care, any other treatment program, secure detention facilities, secure correctional facilities, or jail;
“(viii) provide for the purchase of technical assistance to support the implementation of the plan;

“(ix) estimate the costs of implementing the plan and propose funding sources sufficient to meet the non-Federal funding requirements for implementation of the plan under subsection (c)(2)(E);

“(x) describe the methodology to be used to identify juveniles at risk of coming into contact with the juvenile justice system;

“(xi) provide a written plan to ensure that all training and services provided under the plan will be culturally and linguistically competent; and

“(xii) describe the outcome measures and benchmarks that will be used to evaluate the progress and effectiveness of the plan.

“(2) COORDINATION AND ADMINISTRATION.—A State or unit of local government receiving a grant under this section shall ensure that—
“(A) the use of the grant under this section is developed as part of the State plan required under section 223(a); and

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

“(c) Application.—

“(1) In general.—A State or unit of local government desiring a grant under this section shall submit an application at such time, in such manner, and containing such information as the Administrator may prescribe.

“(2) Contents.—In accordance with guidelines that shall be established by the Administrator, each application for incentive grant funding under this section shall—

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

“(B) if any of the funds provided under the grant would be used for evidence-based or promising prevention or intervention programs, include a detailed description of the studies, findings, or practice knowledge that support the
assertion that such programs qualify as evidence-based or promising;

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

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

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

“(ii) is committed to a goal of increasing the diversion of juveniles coming under its jurisdiction into appropriate home-based or community-based care when the interest of the juvenile and public safety allow;
“(iii) intends to use amounts provided under a grant under this section for an activity described in subsection (b)(1)(D) to further such goal; and

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

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

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

“(1) MANDATORY REPORTING.—A State or unit of local government receiving a grant for an activity described in subsection (b)(1)(C) shall keep records of the incidence and types of mental health and substance abuse disorders in the juvenile justice population of the State or unit of local government, the range and scope of services provided, and barriers to service. The State or unit of local government shall
submit an analysis of this information yearly to the
Administrator.

“(2) Staff ratios for correctional facilities.—A State or unit of local government re-
ceiving a grant for an activity described in sub-
section (b)(1)(C) shall require that a secure correc-
tional facility operated by or on behalf of that State
or unit of local government—

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

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

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

“(3) Limitation on isolation.—A State or
unit of local government receiving a grant for an ac-
tivity described in subsection (b)(1)(C) shall require
that—

“(A) isolation is used only for immediate
and short-term security or safety reasons;
“(B) no juvenile is placed in isolation without approval of the facility superintendent or chief medical officer or their official staff designee;

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

“(D) a juvenile is in isolation only the amount of time necessary to achieve the security and safety of the juvenile and staff;

“(E) staff monitor each juvenile in isolation once every 15 minutes and conduct a professional review of the need for isolation at least every 4 hours; and

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

“(4) MEDICAL AND MENTAL HEALTH EMERGENCIES.—A State or unit of local government receiving a grant for an activity described in subsection (b)(1)(C) shall require that a correctional facility operated by or on behalf of that State or unit of local government has written policies and procedures on suicide prevention. All staff working in a correctional facility operated by or on behalf of a
State or unit of local government receiving a grant for an activity described in subsection (b)(1)(C) shall be trained and certified annually in suicide prevention. A correctional facility operated by or on behalf of a State or unit of local government receiving a grant for an activity described in subsection (b)(1)(C) shall have a written arrangement with a hospital or other facility for providing emergency medical and mental health care. Physical and mental health services shall be available to an incarcerated juvenile 24 hours per day, 7 days per week.

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

“(6) FISCAL RESPONSIBILITY.—A State or unit of local government receiving a grant for an activity described in subsection (b)(1)(C) shall provide for such fiscal control and fund accounting procedures as may be necessary to ensure prudent use, proper
disbursement, and accurate accounting of funds received under this section that are used for an activity described in subsection (b)(1)(C).”.

4 SEC. 211. ADMINISTRATIVE AUTHORITY.

Section 299A(e) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5672(e)) is amended by striking “requirements described in paragraphs (11), (12), and (13) of section 223(a)” and inserting “core requirements”.

10 SEC. 212. TECHNICAL AND CONFORMING AMENDMENTS.

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

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

(2) in section 246(a)(2)(D) (42 U.S.C. 5656(a)(2)(D)), by striking “section 222(e)” and inserting “section 222(d)”; and

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

TITLE III—INCENTIVE GRANTS
FOR LOCAL DELINQUENCY
PREVENTION PROGRAMS

SEC. 301. DEFINITIONS.

Section 502 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5781) is amended—

(1) in the section heading, by striking “DEFINITION” and inserting “DEFINITIONS”; and

(2) by striking “this title, the term” and inserting the following: “this title—

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

“(2) the term”.

SEC. 302. GRANTS FOR DELINQUENCY PREVENTION PROGRAMS.

Section 504(a) of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5783(a)) is amended—
(1) in paragraph (7), by striking “and” at the end;

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

(3) by adding at the end the following:

“(9) mentoring programs.”.

SEC. 303. TECHNICAL AND CONFORMING AMENDMENT.


TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.

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

(1) conduct a comprehensive analysis and evaluation regarding the performance of the Office of Juvenile Justice Delinquency and Prevention (referred to in this section as “the agency”), its functions, its programs, and its grants;

(2) conduct a comprehensive audit and evaluation of a selected, statistically significant sample of
grantees (as determined by the Comptroller General) that receive Federal funds under grant programs administered by the Office of Juvenile Justice Delinquency and Prevention including a review of internal controls to prevent fraud, waste, and abuse of funds by grantees; and

(3) submit a report in accordance with subsection (d).

(b) Considerations for Evaluation.—In conducting the analysis and evaluation under subsection (a)(1), and in order to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.), the Comptroller General shall take into consideration—

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

(2) the potential benefits of consolidating programs administered by the agency with similar or duplicative programs of other agencies, and the potential for consolidating those programs;
(3) whether present functions or operations are
impeded or enhanced by existing statutes, rules, and
procedures;

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

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

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

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

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

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

(1) whether grantees timely file Financial Status Reports;

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

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

(4) whether expenditures were authorized;

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

(6) whether salaries and fringe benefits of personnel were adequately supported by documentation;

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

(8) whether grant funds were spent in accordance with program goals and guidelines.

(d) REPORT.—

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

(2) CONTENTS.—The report submitted in accord-
cance with paragraph (1) shall include all audit findings determined by the selected, statistically sig-
nificant sample of grantees as required by subsection (a)(2) and shall include the name and location of any selected grantee as well as any findings required by subsection (a)(2).

SEC. 402. AUTHORIZATION OF APPROPRIATIONS.

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

“TITLE VI—AUTHORIZATION OF APPROPRIATIONS; ACCOUNT-
ABILITY AND OVERSIGHT

“SEC. 601. AUTHORIZATION OF APPROPRIATIONS.

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

“(1) $159,000,000 for fiscal year 2015;
“(2) $162,180,000 for fiscal year 2016;
“(3) $165,423,600 for fiscal year 2017;
“(4) $168,732,072 for fiscal year 2018; and
“(5) $172,106,713 for fiscal year 2019.

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

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

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

SEC. 403. ACCOUNTABILITY AND OVERSIGHT.

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

“SEC. 602. ACCOUNTABILITY AND OVERSIGHT.

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

“(1) AUDIT REQUIREMENT.—

“(A) DEFINITIONS.—In this paragraph—
“(i) the term ‘Inspector General’ means the Inspector General of the Department of Justice; and
“(ii) the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General—
“(I) that the audited grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost; and
“(II) that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued.
“(B) REQUIREMENT.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees.
“(C) NUMBER OF GRANTEES TO BE AUDITED.—The Inspector General shall determine the appropriate number of grantees to be audited under subparagraph (B) each fiscal year.
“(D) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the first 2 fiscal years beginning after the 12-month period described in subparagraph (A)(ii)(II).

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

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

“(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(ii) seek to recoup the costs of the repayment to the General Fund under
clause (i) from the grantee that was erroneously awarded grant funds.

“(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

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

“(B) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(C) DISCLOSURE.—

“(i) IN GENERAL.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its
officers, directors, trustees, and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including—

“(I) the independent persons involved in reviewing and approving such compensation;

“(II) the comparability data used; and

“(III) contemporaneous substantiation of the deliberation and decision.

“(ii) Public inspection upon request.—Upon request, the Attorney General shall make the information disclosed under clause (i) available for public inspection.

“(3) Conference expenditures.—

“(A) Limitation.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host
or support any expenditure for conferences that uses more than $20,000 in funds made available to the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

“(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and entertainment.

“(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

“(4) PROHIBITION ON LOBBYING ACTIVITY.—

“(A) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any recipient of a grant made using such amounts to—
“(i) lobby any representative of the Department of Justice regarding the award of grant funding; or
“(ii) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.
“(B) PENALTY.—If the Attorney General determines that any recipient of a grant made using amounts authorized to be appropriated under this Act has violated subparagraph (A), the Attorney General shall—
“(i) require the grant recipient to repay the grant in full; and
“(ii) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.
“(5) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2014, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—
“(A) all audits issued by the Office of the Inspector General of the Department of Justice under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

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

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

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

(b) TECHNICAL AND CONFORMING AMENDMENT.—


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

(3) SAVINGS CLAUSE.—In the case of an entity that is barred from receiving grant funds under paragraph (2) or (7)(B)(ii) of section 407 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5776a), the amendment made by
paragraph (1) of this subsection shall not affect the
applicability to the entity, or to the Attorney Gen-
eral with respect to the entity, of paragraph (2), (3),
or (7) of such section 407, as in effect on the day
before the effective date under paragraph (2) of this
subsection.

**TITLE V—JUVENILE ACCOUNTABILITY BLOCK GRANTS**

**SEC. 501. GRANT ELIGIBILITY.**

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

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

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

(3) by adding at the end the following:

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