



CAMPAIGN OF THE NATIONAL JUVENILE JUSTICE & DELINQUENCY PREVENTION COALITION

www.act4jj.org

Juvenile Justice and Delinquency Prevention Act (JJDP) Fact Sheet Series

Girls and Sexually Exploited Youth in the Juvenile Justice System

BACKGROUND: The week of December 10, 2018, Congress passed [H.R. 6964](#), the Juvenile Justice Reform Act of 2018 (the Act) with overwhelming bipartisan support. The President signed the bill into law on December 21, 2018, amending the Juvenile Justice Delinquency Prevention Act (JJDP) after years of collaborative efforts among juvenile justice organizations and advocates across the United States.

Below, please find a summary and impact of the provisions related to girls and sexually exploited youth in the juvenile justice system in the bill.

WHAT'S NEW¹:

Collecting Data on Pregnant Youth (Title II, Section 203. Annual report; 34 U.S.C. 11117):

- The Office of Juvenile Justice and Delinquency Prevention's (OJJDP) annual report must include the number of youth in the custody of secure detention and correctional facilities who report being pregnant.

Eliminating Shackling of Pregnant Youth (Title II, Section 205. State plans; 34 U.S.C. 11133):

- States must produce a plan to eliminate the use of restraints on "known pregnant" youth by 2020 and implement the plan by 2021.
- States must eliminate the use of abdominal restraints, leg and ankle restraints, wrist restraints behind the back, and four-point restraints; and the use of restraints during labor, delivery, and postpartum recovery.

Expanded opportunity for girls' programming funded under Title II (Title II, Section 205. State plans; 34 U.S.C. 11133)

- The allowable program categories under the state formula grants have been expanded to include, "programs that address the needs of girls in or at risk of entering the juvenile justice system, including pregnant girls, young mothers, survivors of commercial sexual exploitation or domestic child sex trafficking, girls with disabilities, and girls of color,

¹ The amendments made to the Juvenile Justice and Delinquency Prevention Act by this law will not apply until the beginning of Fiscal Year 2020.

including girls who are members of an Indian Tribe.”

Alternatives to detention for survivors of commercial sexual exploitation (Title II, Section 205. State plans; 34 U.S.C. 11133)

- States plans must include a plan to provide alternatives to detention for survivors of commercial sexual exploitation.

Additional expertise around sexual violence on state advisory groups (Title II, Section 205. State plans; 34 U.S.C. 11133)

- The Juvenile Justice State Advisory Group must now include “at least one individual with expertise in addressing the challenges of sexual abuse and exploitation and trauma, particularly the needs of youth who experience disproportionate levels of sexual abuse, exploitation, and trauma before entering the juvenile justice system.”
- To learn more about the State Advisory Group membership requirements, click [here](#).

Youth PROMISE grant funding for programs for pregnant teens and teen parents (Title V, Section 502. Definitions; 34 U.S.C. 11281)

- The definition of “delinquency prevention programs” that can be funded through Title V’s Youth PROMISE grants has been expanded to include “training and education programs for pregnant teen and teen parents” as part of a “coordination of a continuum of services.”
- To learn more about programs eligible for funding under Title V, click [here](#).

STATE EXAMPLES: A collection of innovative state and local programs that emerged from the OJJDP-funded National Girls’ Initiative is available [here](#).

ADDITIONAL RESOURCES: For additional information, see the Obama administration’s 2015 [guidance](#) on girls and the juvenile justice system. The guidance has been taken down by the Trump administration but has not been formally rescinded as of January 2019.

National Crittenton houses an [online hub](#) of resources focused on girls and the juvenile justice system featuring research, webinars, and promising practices. In addition, [Rights 4 Girls](#), a national organization working to end gender-based violence, has helpful fact sheets and reports on girls in the justice system and sexually exploited girls.

This fact sheet was prepared by:



February 2019