



**CAMPAIGN OF THE NATIONAL JUVENILE JUSTICE & DELINQUENCY
PREVENTION COALITION**

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

Tribal Youth

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 A) 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 Tribal Youth in the bill:

WHAT'S NEW¹:

Consultation with Tribes: The Administrator of the Office of Juvenile Justice and Delinquency Prevention (hereafter referred to as “the Administrator”) must consult with Indian tribes within one year to develop a policy to implement the provisions of the Act that apply to tribes.

Annual Administrator Report: The Administrator in his or her annual report to Congress must now include information on pregnant juveniles in state, local, and tribal jails. The report must also highlight the funding provided to Indian tribes under the Act and funding available to Indian tribes for juvenile or delinquency prevention programs under the Tribal Law and Order Act of 2010.

State Advisory Group Addition: In a state that has one or more Indian tribes, the statewide advisory group must now include a representative from an Indian tribe or an individual with significant expertise in tribal law enforcement and juvenile justice in Indian tribal communities.

Expanding State Pass through Funding Opportunities: The pass through funding opportunities for states regarding tribal youth has expanded. States can now pass through funding to Indian tribes who comply with core juvenile detention and confinement requirements. States can also fund programs that address the needs of girls in or at risk of entering the juvenile justice system, including girls who are members of an Indian tribe. Finally, states may now fund counseling, mentoring, or training for youth whose parent or legal guardian is in a tribal correctional facility.

Juvenile Justice Study: The Administrator under the Act must conduct a study on juveniles that has

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.

several components. The portions of the study that will highlight the needs of tribal youth will focus on barriers that Indian tribes face when they try to provide services to their youth who go from a state child welfare system to the juvenile justice system.

Additional Funding for Tribal Youth Programs: The Act has increased the authorization for title V funding for tribal delinquency prevention and response programs to eleven percent of the overall appropriated amount.

New Audit Requirements: The Director of the Office of the Audit, Assessment, and Management of the Office of Justice Programs at the Department of Justice will conduct a comprehensive analysis and evaluation of internal controls of the OJJDP to ensure that states and Indian tribes receiving grants under title II and title V of the Act have followed the grant and core requirements. The audit will also detail any remedial action the OJJDP has taken when State or Indian tribes have failed to follow their requirements.

Office of the Inspector General Performance Audit and Grant Preference: The Office of the Inspector General will conduct annual audits of grantees that receive funding. The Administrator in awarding future grants will give priority to states and Indian tribes who do not have an unresolved audit finding for the previous three fiscal years prior to the date of their new grant application.

ADDITIONAL RESOURCES:

1. National Congress of American Indians, [Tribal Juvenile Justice: Background and Recommendations](#) (2018).
2. National Congress of American Indians, [Tribal Juvenile Justice Resource Webpage](#) (2019).

This fact sheet was prepared by:



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