

110TH CONGRESS
2D SESSION

S. 3155

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

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2008

Mr. LEAHY (for himself, Mr. SPECTER, and Mr. KOHL) 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 2008”.

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—FINDINGS AND DECLARATION OF PURPOSE

Sec. 101. Findings.

Sec. 102. Purposes.
 Sec. 103. Definitions.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Sec. 201. Concentration of Federal efforts.
 Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.
 Sec. 203. Annual report.
 Sec. 204. Allocation of funds.
 Sec. 205. State plans.
 Sec. 206. Authority to make grants.
 Sec. 207. Research and evaluation; statistical analyses; information dissemination.
 Sec. 208. Training and technical assistance.
 Sec. 209. Incentive grants for State and local programs.
 Sec. 210. Authorization of appropriations.
 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. Authorization of appropriations.
 Sec. 304. Technical and conforming amendment.

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

3 **SEC. 101. FINDINGS.**

4 Section 101 of the Juvenile Justice and Delinquency
 5 Prevention Act of 1974 (42 U.S.C. 5601) is amended to
 6 read as follows:

7 **“SEC. 101. FINDINGS.**

8 “Congress finds the following:

9 “(1) A growing body of adolescent development
 10 research supports the use of developmentally appro-
 11 priate services and sanctions for youth in the juve-
 12 nile justice system and those at risk for delinquent
 13 behavior to help prevent youth crime and to success-

1 fully intervene with youth who have already entered
2 the system.

3 “(2) Research has shown that targeted invest-
4 ments to redirect offending juveniles onto a different
5 path are cost effective and can help reduce juvenile
6 recidivism and adult crime.

7 “(3) Minorities are disproportionately rep-
8 resented in the juvenile justice system.

9 “(4) Between 1990 and 2004, the number of
10 youth in adult jails increased by 208 percent.

11 “(5) Every day in the United States, an aver-
12 age of 7,500 youth are incarcerated in adult jails.

13 “(6) Youth who have been previously tried as
14 adults are, on average, 34 percent more likely to
15 commit crimes than youth retained in the juvenile
16 justice system.

17 “(7) Research has shown that every dollar
18 spent on evidence based programs can yield up to
19 \$13 in cost savings.

20 “(8) Each child prevented from engaging in re-
21 peat criminal offenses can save the community
22 \$1,700,000 to \$3,400,000.

23 “(9) Youth are 19 times more likely to commit
24 suicide in jail than youth in the general population

1 and 36 times more likely to commit suicide in an
2 adult jail than in a juvenile detention facility.

3 “(10) Seventy percent of youth in detention are
4 held for nonviolent charges, and more than $\frac{2}{3}$ are
5 charged with property offenses, public order of-
6 fenses, technical probation violations, or status of-
7 fenses, such as truancy, running away, or breaking
8 curfew.

9 “(11) The prevalence of mental disorders
10 among youth in juvenile justice systems is 2 to 3
11 times higher than among youth in the general popu-
12 lation.

13 “(12) Eighty percent of juveniles in juvenile
14 justice systems have a nexus to substance abuse.

15 “(13) The proportion of girls entering the jus-
16 tice system has increased steadily over the past sev-
17 eral decades, rising from 20 percent in 1980 to 29
18 percent in 2003.”.

19 **SEC. 102. PURPOSES.**

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

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

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

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

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

8 **SEC. 103. DEFINITIONS.**

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

11 (1) by amending paragraph (18) to read as fol-
12 lows:

13 “(18) the term ‘Indian tribe’ has the meaning
14 given that term in section 4 of the Indian Self-De-
15 termination and Education Assistance Act (25
16 U.S.C. 450b);”;

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

20 (3) by amending paragraph (26) to read as fol-
21 lows:

22 “(26) the term ‘adult inmate’—

23 “(A) means an individual who—

1 “(i) has reached the age of full crimi-
 2 nal responsibility under applicable State
 3 law; and

4 “(ii) has been arrested and is in cus-
 5 tody for or awaiting trial on a criminal
 6 charge, or is convicted of a criminal charge
 7 offense; and

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

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

13 “(ii) was committed to the care and
 14 custody of a juvenile correctional agency by
 15 a court of competent jurisdiction or by op-
 16 eration of applicable State law;”;

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

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

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

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

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

5 “(32) the term ‘isolation’—

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

9 “(B) does not include confinement in the
10 room or cell in which the youth usually sleeps,
11 protective confinement (for injured youths or
12 youths whose safety is threatened), separation
13 based on an approved treatment program, rou-
14 tine confinement at the time of the youth’s ad-
15 mission, confinement that is requested by the
16 youth, or the separation of the youth from a
17 group in a non-locked setting for the purpose of
18 calming;

19 “(33) the term ‘restraint’ has the meaning
20 given that term in section 591 of the Public Health
21 Service Act (42 U.S.C. 290ii);

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

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

3 “(B) has measurable outcomes, including a
4 detailed description of what outcomes were pro-
5 duced in a particular population; and

6 “(C) has been scientifically tested, opti-
7 mally through randomized, controlled studies;

8 “(35) the term ‘promising’ means a program or
9 practice that is demonstrated to be effective based
10 on positive outcomes from 1 or more objective eval-
11 uations, or based on practice knowledge, as docu-
12 mented in writing to the Administrator; and

13 “(36) the term ‘dangerous practice’ means an
14 act, procedure, or program that creates an unreason-
15 able risk of physical injury, pain, or psychological
16 harm to a juvenile subjected to the act, procedure,
17 or program.”.

18 **TITLE II—JUVENILE JUSTICE** 19 **AND DELINQUENCY PREVEN-** 20 **TION**

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

22 Section 204(a)(2)(B)(i) of the Juvenile Justice and
23 Delinquency Prevention Act of 1974 (42 U.S.C.
24 5614(a)(2)(B)(i)) is amended by striking “240 days after

1 the date of enactment of this paragraph” and inserting
 2 “July 2, 2009”.

3 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**
 4 **AND DELINQUENCY PREVENTION.**

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

7 (1) in subsection (a)—

8 (A) in paragraph (1)—

9 (i) by inserting “the Administrator of
 10 the Substance Abuse and Mental Health
 11 Services Administration, the Secretary of
 12 Defense, the Secretary of Agriculture,”
 13 after “the Secretary of Health and Human
 14 Services,”; and

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

19 (B) in paragraph (2)(A), by inserting “(in-
 20 cluding at least 1 representative from the men-
 21 tal health fields)” after “field of juvenile jus-
 22 tice”; and

23 (2) in subsection (c)—

24 (A) in paragraph (1), by striking “para-
 25 graphs (12)(A), (13), and (14) of section

223(a) of this title” and inserting “the core requirements”; and

(B) in paragraph (2)(B)—

(i) by striking “180 days after the date of the enactment of this paragraph” and inserting “May 3, 2009”; and

(ii) by striking “Committee on Education and the Workforce” and inserting “Committee on Education and Labor”.

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

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

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

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

10 “(I) the number of status offense cases pe-
11 titioned to court, number of status offenders
12 held in secure detention, the findings used to
13 justify the use of secure detention, and the av-
14 erage period of time a status offender was held
15 in secure detention”; and

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

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

22 “(6) A description of funding provided to In-
23 dian tribes under this Act, including direct Federal
24 grants and funding provided to Indian tribes
25 through a State or unit of local government.”.

1 **SEC. 204. ALLOCATION OF FUNDS.**

2 Section 222 of the Juvenile Justice and Delinquency
3 Prevention Act of 1974 (42 U.S.C. 5632) is amended—

4 (1) in subsection (a)(1), by striking “age eight-
5 een.” and inserting “18 years of age, based on the
6 most recent census data to monitor any significant
7 changes in the relative population of people under
8 18 years of age occurring in the States.”;

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

11 (3) by inserting after subsection (b) the fol-
12 lowing:

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

18 “(2) The Administrator shall condition a grant de-
19 scribed in paragraph (1) on—

20 “(A) the State, with the approval of the Admin-
21 istrator, developing specific action steps designed to
22 restore compliance with the core requirements; and

23 “(B) submitting to the Administrator semi-
24 annually a report on progress toward implementing
25 the specific action steps developed under subpara-
26 graph (A).

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

6 (4) in subsection (d), as so redesignated, by
 7 striking “efficient administration, including moni-
 8 toring, evaluation, and one full-time staff position”
 9 and inserting “effective and efficient administration,
 10 including the designation of at least 1 person to co-
 11 ordinate efforts to achieve and sustain compliance
 12 with the core requirements”; and

13 (5) in subsection (e), as so redesignated, by
 14 striking “5 per centum” and inserting “not more
 15 than 5 percent”.

16 **SEC. 205. STATE PLANS.**

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

19 (1) in subsection (a)—

20 (A) in the matter preceding paragraph (1),
 21 by inserting “Not later than 30 days after the
 22 date on which a plan or amended plan sub-
 23 mitted under this subsection is finalized, a
 24 State shall make the plan or amended plan pub-
 25 licly available by posting the plan or amended

1 plan on a publicly available website.” after
2 “compliance with State plan requirements.”;

3 (B) in paragraph (3)—

4 (i) in subparagraph (A)(ii)—

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

11 (II) in subclause (III), by strik-
12 ing “mental health, education, special
13 education” and inserting “children’s
14 mental health, education, child and
15 adolescent substance abuse, special
16 education, services for youth with dis-
17 abilities”;

18 (III) in subclause (V), by striking
19 “delinquents or potential delinquents”
20 and inserting “delinquent youth or
21 youth at risk of delinquency, including
22 volunteers who work with youth of
23 color”;

24 (IV) in subclause (VII), by strik-
25 ing “and” at the end;

1 (V) by redesignating subclause
2 (VIII) as subclause (XI);

3 (VI) by inserting after subclause
4 (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 or substance
13 abuse problems in juvenile delinquents
14 and those at-risk of delinquency;

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

17 (VII) in subclause (XI), as so re-
18 designated, by striking “disabilities”
19 and inserting “and other disabilities,
20 truancy reduction or school failure”;

21 (ii) in subparagraph (D)(ii), by strik-
22 ing “requirements of paragraphs (11),
23 (12), and (13)” and inserting “core re-
24 quirements”; and

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

3 (C) in paragraph (5)—

4 (i) in the matter preceding subpara-
 5 graph (A), by striking “section 222(d)”
 6 and inserting “section 222(e)”; and

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

15 (D) in paragraph (7)(B)—

16 (i) by striking clause (i) and inserting
 17 the following:

18 “(i) a plan for ensuring that the chief ex-
 19 ecutive officer of the State, State legislature,
 20 and all appropriate public agencies in the State
 21 with responsibility for provision of services to
 22 children, youth and families are informed of the
 23 requirements of the State plan and compliance
 24 with the core requirements;”;

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

3 (iii) by striking clause (iv) and insert-
4 ing the following:

5 “(iv) a plan to provide alternatives to de-
6 tention, including diversion to home-based or
7 community-based services or treatment for
8 those youth in need of mental health, substance
9 abuse, or co-occurring disorder services at the
10 time such juveniles first come into contact with
11 the juvenile justice system;

12 “(v) a plan to reduce the number of chil-
13 dren housed in secure detention and corrections
14 facilities who are awaiting placement in residen-
15 tial treatment programs;

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

20 “(vii) a plan to use community-based serv-
21 ices to address the needs of at-risk youth or
22 youth who have come into contact with the ju-
23 venile 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), by striking “section 222(d)” and inserting “section 222(e)”;

(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 (J) through (V), respectively;

(v) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

1 (vi) by inserting after subparagraph
 2 (D) the following:

3 “(E) providing training and technical as-
 4 sistance to, and consultation with, juvenile jus-
 5 tice and child welfare agencies of States and
 6 units of local government to develop coordinated
 7 plans for early intervention and treatment of
 8 youth who have a history of abuse and juveniles
 9 who have prior involvement with the juvenile
 10 justice system;”;

11 (vii) in subparagraph (G), as so redes-
 12 igned, by striking “expanding” and in-
 13 serting “programs to expand”;

14 (viii) by inserting after subparagraph
 15 (G), as so redesignated, the following:

16 “(H) programs to improve the recruitment,
 17 selection, training, and retention of professional
 18 personnel in the fields of medicine, law enforce-
 19 ment, judiciary, juvenile justice, social work and
 20 child protection, education, and other relevant
 21 fields who are engaged in, or intend to work in,
 22 the field of prevention, identification, and treat-
 23 ment of delinquency;

24 “(I) expanding access to publicly sup-
 25 ported, court-appointed legal counsel and en-

1 hancing capacity for the competent representa-
 2 tion of every child;”;

3 (ix) in subparagraph (O), as so redes-
 4 ignated—

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

8 (II) in clause (ii), by striking “by
 9 the provision”; and

10 (x) in subparagraph (V), as so redes-
 11 ignated, by striking the period at the end
 12 and inserting a semicolon;

13 (G) in paragraph (11)—

14 (i) in subparagraph (A), by striking
 15 “and” at the end;

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

18 (iii) by adding at the end the fol-
 19 lowing:

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

24 (H) by striking paragraph (22);

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

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

7 (K) 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 2008,
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 contact with adult
20 inmates; and

21 “(ii) may not be held in any jail or
22 lockup for adults;

23 “(B) in determining under subparagraph
24 (A) whether it is in the interest of justice to
25 permit a juvenile to be held in any jail or lock-

1 up for adults, or have contact with adult in-
2 mates, a court shall consider—

3 “(i) the age of the juvenile;

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

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

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

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

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

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

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

25 “(ix) any other relevant factor; and

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

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 contact; and

11 “(ii) the juvenile shall not be held in
12 any jail or lockup for adults, or permitted
13 to have contact with adult inmates, for
14 more than 180 days, unless the court, in
15 writing, determines there is good cause for
16 an extension or the juvenile expressly
17 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 systems to determine which points create racial
10 and ethnic disparities among youth who come
11 into contact with the juvenile justice system;

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

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

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

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

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

19 (i) in subparagraph (B), by striking
 20 “and” at the end;

21 (ii) in subparagraph (C)—

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

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

1 (III) by adding at the end the
2 following:

3 “(iii) if such court determines the ju-
4 venile should be placed in a secure deten-
5 tion facility or correctional facility for vio-
6 lating such order, the court shall issue a
7 written order that—

8 “(I) identifies the valid court
9 order that has been violated;

10 “(II) specifies the factual basis
11 for determining that there is reason-
12 able cause to believe that the juvenile
13 has violated such order;

14 “(III) includes findings of fact to
15 support a determination that there is
16 no appropriate less restrictive alter-
17 native available to placing the juvenile
18 in such a facility, with due consider-
19 ation to the best interest of the juve-
20 nile; and

21 “(IV) specifies the length of time,
22 not to exceed 7 days, that the juvenile
23 may remain in a secure detention fa-
24 cility or correctional facility, and in-

1 includes a plan for the juvenile's release
2 from such facility; and"; and

3 (iii) by adding at the end the fol-
4 lowing:

5 "(D) there are procedures in place to en-
6 sure that any juvenile held in a secure detention
7 facility or correctional facility pursuant to a
8 court order described in this paragraph does
9 not remain in custody longer than 7 days or the
10 length of time authorized by the court, which-
11 ever is shorter;";

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

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

18 (S) 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, on evidence based and
 25 promising techniques for effective behavior manage-

1 ment that are designed to eliminate the use of dan-
2 gerous practices, unreasonable restraints, and isola-
3 tion;

4 “(32) provide mental health and substance
5 abuse screening, assessment, referral, and treatment
6 for juveniles in the juvenile justice system;

7 “(33) provide procedural safeguards to adju-
8 dicated juveniles, including—

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

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

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

21 “(iii) establishes a plan for the enroll-
22 ment of the juvenile in post-release health
23 care, behavioral health care, educational,
24 vocational, training, family support, public

1 assistance, and legal services programs, as
2 appropriate;

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

4 “(i) shall take place in a family or ju-
5 venile court or another court (including a
6 tribal court) of competent jurisdiction, or
7 by an administrative body appointed or ap-
8 proved by the court, not earlier than 30
9 days before the date on which the juvenile
10 is scheduled to be released, and at which
11 the juvenile would be represented by coun-
12 sel; and

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

23 “(C) policies to ensure that discharge plan-
24 ning and procedures—

1 “(i) are accomplished in a timely fash-
 2 ion prior to the release from custody of
 3 each adjudicated juvenile; and

4 “(ii) do not delay the release from
 5 custody of the juvenile; and

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

9 (2) in subsection (c)—

10 (A) in the matter preceding paragraph
 11 (1)—

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

16 (ii) by striking “2001, then” and in-
 17 serting “2008”;

18 (B) in paragraph (1), by striking “, and”
 19 at the end and inserting a semicolon;

20 (C) in paragraph (2)(B)(ii)—

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

23 (ii) by striking the period at the end
 24 and inserting “, as specified in section
 25 222(c); and”; and

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

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

10 (3) in subsection (d)—

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

13 (B) by striking “described in paragraphs
14 (11), (12), (13) and (22) of subsection (a)” and
15 inserting “described in the core requirements”;
16 and

17 (C) by striking “the requirements under
18 paragraphs (11), (12), (13) and (22) of sub-
19 section (a)” and inserting “the core require-
20 ments”; and

21 (4) by striking subsection (f) and inserting the
22 following:

23 “(f) COMPLIANCE DETERMINATION.—Not later than
24 60 days after the date of receipt of information indicating

1 that a State may be out of compliance with any of the
2 core requirements, the Administrator shall—

3 “(1) determine whether the State is in compli-
4 ance with the core requirements;

5 “(2) issue a public report describing the deter-
6 mination described in paragraph (1), including a
7 summary of the information on which the determina-
8 tion is based and the actions to be taken by the Ad-
9 ministrator (including a description of any reduction
10 imposed under subsection (c)); and

11 “(3) make the report described in paragraph
12 (2) available on a publicly available website.

13 “(g) TECHNICAL ASSISTANCE.—

14 “(1) ORGANIZATION OF STATE ADVISORY
15 GROUP MEMBER REPRESENTATIVES.—The Adminis-
16 trator shall provide technical and financial assist-
17 ance to an agency, institution, or organization to as-
18 sist in carrying out the activities described in para-
19 graph (3). The functions and activities of an agency,
20 institution, or organization under this subsection
21 shall not be subject to the Federal Advisory Com-
22 mittee Act.

23 “(2) COMPOSITION.—To be eligible to receive
24 assistance under this subsection, an agency, institu-
25 tion, or organization shall—

1 “(A) be governed by individuals who—

2 “(i) have been appointed by a chief
3 executive of a State to serve as a member
4 of a State advisory group established
5 under subsection (a)(3); and

6 “(ii) are elected to serve as a gov-
7 erning officer of such an agency, institu-
8 tion, or organization by a majority of the
9 member Chairs (or the designees of the
10 member Chairs) of all State advisory
11 groups established under subsection (a)(3);

12 “(B) include member representatives—

13 “(i) from a majority of the State advi-
14 sory groups established under subsection
15 (a)(3); and

16 “(ii) who are representative of region-
17 ally and demographically diverse State ju-
18 risdictions; and

19 “(C) annually seek advice from the Chairs
20 (or the designees of the member Chairs) of each
21 State advisory group established under sub-
22 section (a)(3) to implement the advisory func-
23 tions specified in subparagraphs (D) and (E) of
24 paragraph (3) of this subsection.

1 “(3) ACTIVITIES.—To be eligible to receive as-
2 sistance under this subsection, an agency, institu-
3 tion, or organization shall agree to—

4 “(A) conduct an annual conference of the
5 member representatives of the State advisory
6 groups established under subsection (a)(3) for
7 purposes relating to the activities of such State
8 advisory groups;

9 “(B) disseminate information, data, stand-
10 ards, advanced techniques, and program mod-
11 els;

12 “(C) review Federal policies regarding ju-
13 venile justice and delinquency prevention;

14 “(D) advise the Administrator regarding
15 particular functions or aspects of the work of
16 the Office; and

17 “(E) advise the President and Congress re-
18 garding State perspectives on the operation of
19 the Office and Federal legislation relating to ju-
20 venile justice and delinquency prevention.”.

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

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

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

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

6 (3) in paragraph (10), by inserting “, including
7 juveniles with disabilities” before the semicolon;

8 (4) in paragraph (17), by inserting “truancy
9 prevention and reduction,” after “mentoring,”;

10 (5) in paragraph (24), by striking “and” at the
11 end;

12 (6) by redesignating paragraph (25) as para-
13 graph (26); and

14 (7) by inserting after paragraph (24) the fol-
15 lowing:

16 “(25) projects that support the establishment of
17 partnerships between a State and a university, insti-
18 tution of higher education, or research center de-
19 signed to improve the recruitment, selection, train-
20 ing, and retention of professional personnel in the
21 fields of medicine, law enforcement, judiciary, juve-
22 nile justice, social work and child protection, edu-
23 cation, and other relevant fields who are engaged in,
24 or intend to work in, the field of prevention, identi-
25 fication, and treatment of delinquency; and”.

1 **SEC. 207. RESEARCH AND EVALUATION; STATISTICAL**
 2 **ANALYSES; INFORMATION DISSEMINATION.**

3 (a) IN GENERAL.—Section 251 of the Juvenile Jus-
 4 tice and Delinquency Prevention Act of 1974 (42 U.S.C.
 5 5661) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1)—

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

11 (ii) in subparagraph (A), by striking
 12 “plan and identify” and inserting “annu-
 13 ally provide a written and publicly avail-
 14 able plan to identify”; and

15 (iii) in subparagraph (B)—

16 (I) by amending clause (iii) to
 17 read as follows:

18 “(iii) successful efforts to prevent status
 19 offenders and first-time minor offenders from
 20 subsequent involvement with the criminal jus-
 21 tice system;”;

22 (II) by amending clause (vii) to
 23 read as follows:

24 “(vii) the prevalence and duration of be-
 25 havioral health needs (including mental health,
 26 substance abuse, and co-occurring disorders)

among juveniles pre-placement and post-placement when held in the custody of secure detention and corrections facilities, including an examination of the effects 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 recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, 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;”;

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting “and not later than 1 year after the date of enactment of the Juvenile Justice and Delinquency Preven-

1 tion Reauthorization Act of 2008” after
2 “date of enactment of this paragraph”;

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 dis-
11 charge planning; and

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

15 (2) in subsection (b), in the matter preceding
16 paragraph (a), 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 shall—

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

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

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

4 (b) STUDIES.—

5 (1) IN GENERAL.—The Administrator shall con-
6 duct a study and publish a report on the differences
7 between male and female juvenile offenders that in-
8 cludes analyses of—

9 (A) risk factors specific to the development
10 of delinquent behavior in girls;

11 (B) the mental health needs of delinquent
12 girls and girls at risk of delinquency;

13 (C) delinquency prevention and interven-
14 tion programs that are effective among girls;
15 and

16 (D) how prevention and intervention pro-
17 grams for delinquent girls and girls at-risk of
18 delinquency can be made more effective.

19 (2) ASSESSMENT OF TREATING JUVENILES AS
20 ADULTS.—The Administrator shall—

21 (A) not later than 3 years after the date
22 of enactment of this Act, assess the effective-
23 ness of the practice of treating juveniles as
24 adults for purposes of prosecution in criminal
25 court; and

1 (B) not later than 42 months after the
2 date of enactment of this Act, submit to Con-
3 gress and the President, and make publicly
4 available, a report on the findings and conclu-
5 sions of the assessment under subparagraph
6 (A) and any recommended changes in law iden-
7 tified as a result of the assessment under sub-
8 paragraph (A).

9 (3) OUTCOME STUDY OF FORMER JUVENILE
10 OFFENDERS.—The Administrator shall conduct a
11 study of adjudicated juveniles and publish a report
12 on the outcomes for juveniles who have reintegrated
13 into the community, which shall include information
14 on the outcomes relating to family reunification,
15 housing, education, employment, health care, behav-
16 ioral health care, and repeat offending.

17 (4) DEFINITION OF ADMINISTRATOR.—In this
18 subsection, the term “Administrator” means the
19 head of the Office of Juvenile Justice and Delin-
20 quency Prevention.

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

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

24 (1) in subsection (a)—

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

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

5 (C) in paragraph (2), by inserting “may”
 6 before “make grants to and contracts with”;
 7 (2) in subsection (b)—

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

10 (B) in paragraph (1)—

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

13 (ii) by striking “and” at the end;

14 (C) in paragraph (2)—

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

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

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

20 “(3) shall provide technical assistance to States
 21 and units of local government on achieving compli-
 22 ance with the amendments made by the Juvenile
 23 Justice and Delinquency Prevention Reauthorization
 24 Act of 2008; and

1 “(4) shall provide technical assistance to States
2 in support of efforts to establish partnerships be-
3 tween the State and a university, institution of high-
4 er education, or research center designed to improve
5 the recruitment, selection, training, and retention of
6 professional personnel in the fields of medicine, law
7 enforcement, judiciary, juvenile justice, social work
8 and child protection, education, and other relevant
9 fields who are engaged in, or intend to work in, the
10 field of prevention, identification, and treatment of
11 delinquency.”; and

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

13 “(d) TECHNICAL ASSISTANCE TO STATES REGARD-
14 ING LEGAL REPRESENTATION OF CHILDREN.—The Ad-
15 ministrator shall develop and issue standards of practice
16 for attorneys representing children, and ensure that the
17 standards are adapted for use in States.

18 “(e) TRAINING AND TECHNICAL ASSISTANCE FOR
19 LOCAL AND STATE JUVENILE DETENTION AND CORREC-
20 TIONS PERSONNEL.—The Administrator shall coordinate
21 training and technical assistance programs with juvenile
22 detention and corrections personnel of States and units
23 of local government to promote evidence based and prom-
24 ising methods for improving conditions of juvenile confine-
25 ment, including those that are designed to minimize the

1 use of dangerous practices, unreasonable restraints, and
 2 isolation.

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

11 “(1) juvenile justice intake personnel;

12 “(2) probation officers;

13 “(3) juvenile court judges and court services
 14 personnel;

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

16 and

17 “(5) family members of juveniles and family ad-
 18 vocates.”.

19 **SEC. 209. INCENTIVE GRANTS FOR STATE AND LOCAL PRO-**
 20 **GRAMS.**

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

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

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

1 **“PART F—INCENTIVE GRANTS FOR STATE AND**
2 **LOCAL PROGRAMS**

3 **“SEC. 271. INCENTIVE GRANTS.**

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

10 “(b) USE OF FUNDS.—

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

14 “(A) increase the use of evidence based or
15 promising prevention and intervention pro-
16 grams;

17 “(B) improve the recruitment, selection,
18 training, and retention of professional personnel
19 (including in the fields of medicine, law enforce-
20 ment, judiciary, juvenile justice, social work,
21 and child prevention) who are engaged in, or in-
22 tend to work in, the field of prevention, inter-
23 vention, and treatment of juveniles to reduce
24 delinquency;

25 “(C) establish a partnership between juve-
26 nile justice agencies of a State or unit of local

1 government and mental health authorities of
2 State or unit of local government to establish
3 and implement programs to ensure there are
4 adequate mental health and substance abuse
5 screening, assessment, referral, treatment, and
6 after-care services for juveniles who come into
7 contact with the justice system;

8 “(D) provide training, in conjunction with
9 the public or private agency that provides men-
10 tal health services, to individuals involved in
11 making decisions involving youth who enter the
12 juvenile justice system (including intake per-
13 sonnel, law enforcement, prosecutors, juvenile
14 court judges, public defenders, mental health
15 and substance abuse service providers and ad-
16 ministrators, probation officers, and parents)
17 that focuses on—

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

21 “(ii) the purpose, benefits, and need
22 to increase availability of mental health or
23 substance abuse treatment programs (in-
24 cluding home-based and community-based

1 programs) available to juveniles within the
 2 jurisdiction of the recipient;

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

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

11 “(E) provide services to juveniles with
 12 mental health or substance abuse disorders who
 13 are at risk of coming into contact with the jus-
 14 tice system.

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

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

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

24 “(c) APPLICATION.—

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

6 “(2) CONTENTS.—In accordance with guide-
7 lines that shall be established by the Administrator,
8 each application for incentive grant funding under
9 this section shall—

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

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

21 “(C) for any program for which funds pro-
22 vided under the grant would be used that is not
23 evidence based or promising, include a detailed
24 description of any studies, findings, or practice

1 knowledge which support the effectiveness of
 2 the program.”.

3 **SEC. 210. AUTHORIZATION OF APPROPRIATIONS.**

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

6 (1) in subsection (a)—

7 (A) in the subsection heading, by striking
 8 “PARTS C AND E” and inserting “PARTS C, E,
 9 AND F”;

10 (B) in paragraph (1), by striking “this
 11 title” and all that follows and inserting the fol-
 12 lowing: “this title—

13 “(A) \$196,700,000 for fiscal year 2009;

14 “(B) \$245,900,000 for fiscal year 2010;

15 “(C) \$295,100,000 for fiscal year 2011;

16 “(D) \$344,300,000 for fiscal year 2012; and

17 “(E) \$393,500,000 for fiscal year 2013.”; and

18 (C) in paragraph (2), in the matter pre-
 19 ceding subparagraph (A), by striking “parts C
 20 and E” and inserting “parts C, E, and F”;

21 (2) in subsection (b), by striking “fiscal years
 22 2003, 2004, 2005, 2006, and 2007” and inserting
 23 “fiscal years 2009, 2010, 2011, 2012, and 2013”;

1 (3) in subsection (c), by striking “fiscal years
2 2003, 2004, 2005, 2006, and 2007” and inserting
3 “fiscal years 2009, 2010, 2011, 2012, and 2013”;

4 (4) by redesignating subsection (d) as sub-
5 section (e); and

6 (5) by inserting after subsection (c) the fol-
7 lowing:

8 “(d) AUTHORIZATION OF APPROPRIATIONS FOR
9 PART F.—There are authorized to be appropriated to
10 carry out part F, and authorized to remain available until
11 expended, \$60,000,000 for each of fiscal years 2009,
12 2010, 2011, 2012, and 2013. Of the sums that are appro-
13 priated for a fiscal year to carry out part F, not less than
14 50 percent shall be used to fund programs that are car-
15 rying out an activity described in subparagraph (C), (D),
16 or (E) of section 271(b)(1).”.

17 **SEC. 211. ADMINISTRATIVE AUTHORITY.**

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

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

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

1 (1) in section 204(b)(6), by striking “section
2 223(a)(15)” and inserting “section 223(a)(16)”;

3 (2) in section 246(a)(2)(D), by striking “section
4 222(c)” and inserting “section 222(d)”;

5 (3) in section 299D(b), of by striking “section
6 222(c)” and inserting “section 222(d)”.

7 **TITLE III—INCENTIVE GRANTS**
8 **FOR LOCAL DELINQUENCY**
9 **PREVENTION PROGRAMS**

10 **SEC. 301. DEFINITIONS.**

11 Section 502 of the Incentive Grants for Local Delin-
12 quency Prevention Programs Act of 2002 (42 U.S.C.
13 5781) is amended—

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

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

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

25 “(2) the term”.

1 **SEC. 302. GRANTS FOR DELINQUENCY PREVENTION PRO-**
 2 **GRAMS.**

3 Section 504(a) of the Incentive Grants for Local De-
 4 linquency Prevention Programs Act of 2002 (42 U.S.C.
 5 5783(a)) is amended—

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

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

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

11 “(9) mentoring programs.”.

12 **SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 505 of the Incentive Grants for Local Delin-
 14 quency Prevention Programs Act of 2002 (42 U.S.C.
 15 5784) is amended to read as follows:

16 **“SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**

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

19 “(1) \$272,200,000 for fiscal year 2009;

20 “(2) \$322,800,000 for fiscal year 2010;

21 “(3) \$373,400,000 for fiscal year 2011;

22 “(4) \$424,000,000 for fiscal year 2012; and

23 “(5) \$474,600,000 for fiscal year 2013.”.

24 **SEC. 304. TECHNICAL AND CONFORMING AMENDMENT.**

25 The Juvenile Justice and Delinquency Prevention Act
 26 of 1974 is amended by striking title V, as added by the

- 1 Juvenile Justice and Delinquency Prevention Act of 1974
- 2 (Public Law 93–415; 88 Stat. 1133) (relating to miscella-
- 3 neous and conforming amendments).

