



S. 860: Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017

Sponsored by Chuck Grassley (R-Iowa)

Original Cosponsors: Sheldon Whitehouse (D-R.I.); Orrin Hatch (R-Utah); Dianne Feinstein (D-Calif.); John Cornyn (R-Texas); Patrick Leahy (D-Vt.); Thom Tillis (R-N.C.); Dick Durbin (D-Ill.); Roy Blunt (R-Mo.); Amy Klobuchar (D-Minn.)

- **Extends the authorization for several key programs under the Juvenile Justice and Delinquency Prevention Act (JJDP).** This 1974 statute, which established the Justice Department’s Office of Juvenile Justice and Delinquency Prevention (OJJDP) and authorized a formula grant program to support state juvenile justice activities, was last reauthorized in 2002. Reauthorization ensures that participating states can continue to receive formula grants if they adhere to four “core protections:”
 - **Deinstitutionalization of Status Offenders:** With one exception, states receiving formula grants cannot lock up juveniles who have committed an infraction (such as running away, skipping school, disobeying parents, underage drinking or underage smoking), a/k/a “status offenses.” These infractions would not ever result in the jailing or incarceration of an adult.
 - **Sight and Sound Separation:** States receiving formula grants cannot lock up a juvenile in an adult facility in which the juvenile would have extensive contact with an adult inmate;
 - **Adult Jail and Lockup Removal:** States receiving formula grants must avoid confining juvenile offenders in adult facilities;
 - **Disproportionate Minority Contact:** Participating states must show that they seek to identify and reduce racial disparities among youth in the juvenile justice system (but without resorting to numerical standards or quotas).
- **Updates existing law to reflect latest scientific research on what efforts yield the best results with at-risk adolescents and juvenile offenders.** For example, the bill:
 - Encourages greater screening, referral, and treatment of juveniles who may have been trafficked or who suffer from mental illnesses and substance abuse problems.
 - Encourages states receiving formula grants to use specialized problem-solving courts and other faith- or community-based alternatives to juvenile detention for nonviolent offenders.
 - Calls for the inclusion of individuals with mental health expertise on the Coordinating Council on Juvenile Delinquency Prevention.
 - Requires OJJDP to identify evidence-based programs and practices and offer more training to states on how to achieve compliance with the core protections.
- **Seeks to improve the treatment of approximately 60,000 juvenile offenders in detention on any given day.** The bill includes provisions that encourage states receiving formula grants to:
 - Phase-out the shackling of pregnant girls in detention;
 - Support the continued education of juveniles in detention;
 - Promote greater separation of juvenile offenders from contact with adult offenders;
 - Offer training to support juvenile judges and detention personnel.
 - Accord priority in use of funds to evidence-based or promising practices (which research shows yield good outcomes with troubled youth) as well as state programs that lack an unresolved audit finding.

- **Promotes transparency.** For example, the bill would:
 - Require states receiving formula grants to report additional information in their state plans and calls for each state plan be posted online within 30 days of its approval;
 - Require each participating state to provide assurances that it complies with the JJDPDA's core protections;
 - Require that OJJDP annually identify its program goals and identify evidence-based practices;
 - Require the Attorney General to summarize any reviews required under this Act as well as the amount of grant funds disbursed by DOJ that didn't comply with the JJDPDA's requirements;
 - Encourage participating states to share records relating to abused and neglected children;
 - Call for the Justice Department to do more reporting and offer more guidance to states on how to identify and reduce racial and ethnic disparities among youth in the justice system.

- **Compels greater State adherence to the core requirements through grant accountability and oversight provisions.** Grantees would be subject to a limit on conference expenditures, restrictions on using federal grants for lobbying, and additional reviews or audits. The Justice Department's Office of Justice programs must evaluate OJJDP's internal controls. Finally, the bill emphasizes that DOJ and its Inspector General should periodically conduct audits of participating states' programs.

- **Ensures that a portion of noncompliance penalties collected from state grantees for failure to meet the JJDPDA's "core protections" for children will be returned to the formula grant program** and redistributed or used for technical assistance benefiting all state grantees.

- **Caps, at 20%, the amount of juvenile justice funds that may be devoted to mentoring grants, and clarifies that formula grants to states should be allocated on most recently available census data.**

- **Authorizes \$159 million to implement the bill in fiscal year 2017 (with a 1.5% increase in each of fiscal years 2018 through 2021, to reflect inflation).**