

“(1) protect public safety by intervening with adult and juvenile offenders with mental illness or co-occurring mental illness and substance abuse disorders;

“(2) provide courts, including existing and new mental health courts, with appropriate mental health and substance abuse treatment options;

“(3) maximize the use of alternatives to prosecution through graduated sanctions in appropriate cases involving nonviolent offenders with mental illness;

“(4) promote adequate training for criminal justice system personnel about mental illness and substance abuse disorders and the appropriate responses to people with such illnesses;

“(5) promote adequate training for mental health and substance abuse treatment personnel about criminal offenders with mental illness or co-occurring substance abuse disorders and the appropriate response to such offenders in the criminal justice system;

“(6) promote communication among adult or juvenile justice personnel, mental health and co-occurring mental illness and substance abuse disorders treatment personnel, nonviolent offenders with mental illness or co-occurring mental illness and substance abuse disorders, and support services such as housing, job placement, community, faith-based, and crime victims organizations; and

“(7) promote communication, collaboration, and intergovernmental partnerships among municipal, county, and State elected officials with respect to mentally ill offenders.”

SUBCHAPTER XX—CONFRONTING USE OF METHAMPHETAMINE

§ 3797cc. Authority to make grants to address public safety and methamphetamine manufacturing, sale, and use in hot spots

(a) Purpose and program authority

(1) Purpose

It is the purpose of this subchapter to assist States, territories, and Indian tribes (as defined in section 3797d of this title)—

(A) to carry out programs to address the manufacture, sale, and use of methamphetamine drugs; and

(B) to improve the ability of State, territorial, Tribal, and local government institutions of¹ to carry out such programs.

(2) Grant authorization

The Attorney General, through the Bureau of Justice Assistance in the Office of Justice Programs may make grants to States, territories, and Indian tribes to address the manufacture, sale, and use of methamphetamine to enhance public safety.

(3) Grant projects to address methamphetamine manufacture sale and use

Grants made under subsection (a) may be used for programs, projects, and other activities to—

(A) investigate, arrest and prosecute individuals violating laws related to the use, manufacture, or sale of methamphetamine;

(B) reimburse the Drug Enforcement Administration for expenses related to the clean up of methamphetamine clandestine labs;

(C) support State, Tribal, and local health department and environmental agency serv-

ices deployed to address methamphetamine; and

(D) procure equipment, technology, or support systems, or pay for resources, if the applicant for such a grant demonstrates to the satisfaction of the Attorney General that expenditures for such purposes would result in the reduction in the use, sale, and manufacture of methamphetamine.

(Pub. L. 90-351, title I, § 2996, as added Pub. L. 109-177, title VII, § 754, Mar. 9, 2006, 120 Stat. 274; amended Pub. L. 110-161, div. B, title II, § 220(a), Dec. 26, 2007, 121 Stat. 1916.)

AMENDMENTS

2007—Subsec. (a)(1). Pub. L. 110-161, § 220(a)(1)(A), inserted “, territories, and Indian tribes (as defined in section 3797d of this title)” after “to assist States” in introductory provisions.

Subsec. (a)(1)(B). Pub. L. 110-161, § 220(a)(1)(B), substituted “, territorial, Tribal, and local” for “and local”.

Subsec. (a)(2). Pub. L. 110-161, § 220(a)(2), inserted “, territories, and Indian tribes” after “make grants to States”.

Subsec. (a)(3)(C). Pub. L. 110-161, § 220(a)(3), inserted “, Tribal,” after “support State”.

§ 3797cc-1. Funding

There are authorized to be appropriated to carry out this subchapter \$99,000,000 for each fiscal year 2006, 2007, 2008, 2009, and 2010.

(Pub. L. 90-351, title I, § 2997, as added Pub. L. 109-177, title VII, § 754, Mar. 9, 2006, 120 Stat. 274.)

§ 3797cc-2. Grants for programs for drug-endangered children

(a) In general

The Attorney General shall make grants to States, territories, and Indian tribes (as defined in section 3797d of this title) for the purpose of carrying out programs to provide comprehensive services to aid children who are living in a home in which methamphetamine or other controlled substances are unlawfully manufactured, distributed, dispensed, or used.

(b) Certain requirements

The Attorney General shall ensure that the services carried out with grants under subsection (a) include the following:

(1) Coordination among law enforcement agencies, prosecutors, child protective services, social services, health care services, and any other services determined to be appropriate by the Attorney General to provide assistance regarding the problems of children described in subsection (a).

(2) Transition of children from toxic or drug-endangering environments to appropriate residential environments.

(c) Authorization of appropriations

For the purpose of carrying out this section, there are authorized to be appropriated \$20,000,000 for each of the fiscal years 2008 and 2009. Amounts appropriated under the preceding sentence shall remain available until expended.

(Pub. L. 109-177, title VII, § 755, Mar. 9, 2006, 120 Stat. 275; Pub. L. 110-161, div. B, title II, § 220(b), Dec. 26, 2007, 121 Stat. 1916; Pub. L. 110-345, § 2, Oct. 7, 2008, 122 Stat. 3938.)

¹ So in original. The word “of” probably should not appear.

CODIFICATION

Section was enacted as part of the Combat Methamphetamine Epidemic Act of 2005, and also as part of the USA PATRIOT Improvement and Reauthorization Act of 2005, and not as part of title I of the Omnibus Crime Control and Safe Streets Act of 1968 which comprises this chapter.

AMENDMENTS

2008—Subsec. (c). Pub. L. 110-345 substituted “fiscal years 2008 and 2009” for “fiscal years 2006 and 2007”.

2007—Subsec. (a). Pub. L. 110-161 inserted “, territories, and Indian tribes (as defined in section 3797d of this title)” after “make grants to States”.

§ 3797cc-3. Authority to award competitive grants to address methamphetamine use by pregnant and parenting women offenders

(a) Purpose and program authority

(1) Grant authorization

The Attorney General may award competitive grants to address the use of methamphetamine among pregnant and parenting women offenders to promote public safety, public health, family permanence and well being.

(2) Purposes and program authority

Grants awarded under this section shall be used to facilitate or enhance and¹ collaboration between the criminal justice, child welfare, and State, territorial, or Tribal substance abuse systems in order to carry out programs to address the use of methamphetamine drugs by pregnant and parenting women offenders.

(b) Definitions

In this section, the following definitions shall apply:

(1) Child welfare agency

The term “child welfare agency” means the State, territorial, or Tribal agency responsible for child or family services and welfare.

(2) Criminal justice agency

The term “criminal justice agency” means an agency of the State, territory, Indian tribe, or local government or its contracted agency that is responsible for detection, arrest, enforcement, prosecution, defense, adjudication, incarceration, probation, or parole relating to the violation of the criminal laws of that State, territory, Indian tribe, or local government.

(C)² Indian tribe

The term “Indian tribe” has the meaning given the term in section 3797d of this title.

(c) Applications

(1) In general

No grant may be awarded under this section unless an application has been submitted to, and approved by, the Attorney General.

(2) Application

An application for a grant under this section shall be submitted in such form, and contain such information, as the Attorney General,³ may prescribe by regulation or guidelines.

¹ So in original. The word “and” probably should not appear.

² So in original. Probably should be par. “(3)”.

³ So in original. The comma probably should not appear.

(3) Eligible entities

The Attorney General shall make grants to States, territories, and Indian tribes. Applicants must demonstrate extensive collaboration with the State criminal justice agency and child welfare agency in the planning and implementation of the program.

(4) Contents

In accordance with the regulations or guidelines established by the Attorney General in consultation with the Secretary of Health and Human Services, each application for a grant under this section shall contain a plan to expand the services for pregnant and parenting women offenders who are pregnant women or women with dependent children for the use of methamphetamine or methamphetamine and other drugs and include the following in the plan:

(A) A description of how the applicant will work jointly with the criminal justice and child welfare agencies needs⁴ associated with the use of methamphetamine or methamphetamine and other drugs by pregnant and parenting women offenders to promote family stability and permanence.

(B) A description of the nature and the extent of the problem of methamphetamine use by pregnant and parenting women offenders.

(C) A certification that the State has involved counties, Indian tribes, and other units of local government, when appropriate, in the development, expansion, modification, operation or improvement of proposed programs to address the use, manufacture, or sale of methamphetamine.

(D) A certification that funds received under this section will be used to supplement, not supplant, other Federal, State, Tribal, and local funds.

(E) A description of clinically appropriate practices and procedures to—

(i) screen and assess pregnant and parenting women offenders for addiction to methamphetamine and other drugs;

(ii) when clinically appropriate for both the women and children, provide family treatment for pregnant and parenting women offenders, with clinically appropriate services in the same location to promote family permanence and self sufficiency; and

(iii) provide for a process to enhance or ensure the abilities of the child welfare agency, criminal justice agency and State substance agency to work together to reunite families when appropriate in the case where family treatment is not provided.

(d) Period of grant

The grant shall be a three-year grant. Successful applicants may reapply for only one additional three-year funding cycle and the Attorney General may approve such applications.

⁴ So in original. The word “needs” probably should not appear.