

**§ 5633. State plans****(a) Requirements**

In order to receive formula grants under this part, a State shall submit a plan for carrying out its purposes applicable to a 3-year period. Such plan shall be amended annually to include new programs, projects, and activities. The State shall submit annual performance reports to the Administrator which shall describe progress in implementing programs contained in the original plan, and shall describe the status of compliance with State plan requirements. In accordance with regulations which the Administrator shall prescribe, such plan shall—

(1) designate the State agency described in section 5671(c)(1) of this title as the sole agency for supervising the preparation and administration of the plan;

(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) has or will have authority, by legislation if necessary, to implement such plan in conformity with this part;

(3) provide for an advisory group that—

(A) shall consist of not less than 15 and not more than 33 members appointed by the chief executive officer of the State—

(i) which members have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency, the administration of juvenile justice, or the reduction of juvenile delinquency;

(ii) which members include—

(I) at least 1 locally elected official representing general purpose local government;

(II) representatives of law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers;

(III) representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, special education, recreation, and youth services;

(IV) representatives of private non-profit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education, and social services for children;

(V) volunteers who work with delinquents or potential delinquents;

(VI) youth workers involved with programs that are alternatives to incarceration, including programs providing organized recreation activities;

(VII) persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion; and

(VIII) persons with special experience and competence in addressing problems

related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence;

(iii) a majority of which members (including the chairperson) shall not be full-time employees of the Federal, State, or local government;

(iv) at least one-fifth of which members shall be under the age of 24 at the time of appointment; and

(v) at least 3 members who have been or are currently under the jurisdiction of the juvenile justice system;

(B) shall participate in the development and review of the State's juvenile justice plan prior to submission to the supervisory board for final action;

(C) shall be afforded the opportunity to review and comment, not later than 30 days after their submission to the advisory group, on all juvenile justice and delinquency prevention grant applications submitted to the State agency designated under paragraph (1);

(D) shall, consistent with this subchapter—

(i) advise the State agency designated under paragraph (1) and its supervisory board; and

(ii) submit to the chief executive officer and the legislature of the State at least annually recommendations regarding State compliance with the requirements of paragraphs (11), (12), and (13); and

(iii) contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system; and

(E) may, consistent with this subchapter—

(i) advise on State supervisory board and local criminal justice advisory board composition;<sup>1</sup>

(ii) review progress and accomplishments of projects funded under the State plan.

(4) provide for the active consultation with and participation of units of local government or combinations thereof in the development of a State plan which adequately takes into account the needs and requests of units of local government, except that nothing in the plan requirements, or any regulations promulgated to carry out such requirements, shall be construed to prohibit or impede the State from making grants to, or entering into contracts with, local private agencies or the advisory group;

(5) unless the provisions of this paragraph are waived at the discretion of the Administrator for any State in which the services for delinquent or other youth are organized primarily on a statewide basis, provide that at least 66⅔ per centum of funds received by the State under section 5632 of this title reduced by the percentage (if any) specified by the State under the authority of paragraph (25) and excluding funds made available to the State advisory group under section 5632(d) of this title, shall be expended—

<sup>1</sup> So in original. Probably should be followed by "and".

(A) through programs of units of local government or combinations thereof, to the extent such programs are consistent with the State plan;

(B) through programs of local private agencies, to the extent such programs are consistent with the State plan, except that direct funding of any local private agency by a State shall be permitted only if such agency requests such funding after it has applied for and been denied funding by any unit of local government or combination thereof; and

(C) to provide funds for programs of Indian tribes that perform law enforcement functions (as determined by the Secretary of the Interior) and that agree to attempt to comply with the requirements specified in paragraphs (11), (12), and (13), applicable to the detention and confinement of juveniles, an amount that bears the same ratio to the aggregate amount to be expended through programs referred to in subparagraphs (A) and (B) as the population under 18 years of age in the geographical areas in which such tribes perform such functions bears to the State population under 18 years of age;<sup>2</sup>

(6) provide for an equitable distribution of the assistance received under section 5632 of this title within the State, including in rural areas;

(7)(A) provide for an analysis of juvenile delinquency problems in, and the juvenile delinquency control and delinquency prevention needs (including educational needs) of, the State (including any geographical area in which an Indian tribe performs law enforcement functions), a description of the services to be provided, and a description of performance goals and priorities, including a specific statement of the manner in which programs are expected to meet the identified juvenile crime problems (including the joining of gangs that commit crimes) and juvenile justice and delinquency prevention needs (including educational needs) of the State; and

(B) contain—

(i) an analysis of gender-specific services for the prevention and treatment of juvenile delinquency, including the types of such services available and the need for such services;

(ii) a plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency;

(iii) a plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas; and

(iv) a plan for providing needed mental health services to juveniles in the juvenile justice system, including information on how such plan is being implemented and how such services will be targeted to those juveniles in such system who are in greatest need of such services;

(8) provide for the coordination and maximum utilization of existing juvenile delinquency programs, programs operated by public

and private agencies and organizations, and other related programs (such as education, special education, recreation, health, and welfare programs) in the State;

(9) provide that not less than 75 percent of the funds available to the State under section 5632 of this title, other than funds made available to the State advisory group under section 5632(d) of this title, whether expended directly by the State, by the unit of local government, or by a combination thereof, or through grants and contracts with public or private nonprofit agencies, shall be used for—

(A) community-based alternatives (including home-based alternatives) to incarceration and institutionalization including—

(i) for youth who need temporary placement: crisis intervention, shelter, and after-care; and

(ii) for youth who need residential placement: a continuum of foster care or group home alternatives that provide access to a comprehensive array of services;

(B) community-based programs and services to work with—

(i) parents and other family members to strengthen families, including parent self-help groups, so that juveniles may be retained in their homes;

(ii) juveniles during their incarceration, and with their families, to ensure the safe return of such juveniles to their homes and to strengthen the families; and

(iii) parents with limited English-speaking ability, particularly in areas where there is a large population of families with limited-English speaking ability;

(C) comprehensive juvenile justice and delinquency prevention programs that meet the needs of youth through the collaboration of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, health care agencies, and private nonprofit agencies offering youth services;

(D) programs that provide treatment to juvenile offenders who are victims of child abuse or neglect, and to their families, in order to reduce the likelihood that such juvenile offenders will commit subsequent violations of law;

(E) educational programs or supportive services for delinquent or other juveniles—

(i) to encourage juveniles to remain in elementary and secondary schools or in alternative learning situations;

(ii) to provide services to assist juveniles in making the transition to the world of work and self-sufficiency; and

(iii) enhance<sup>3</sup> coordination with the local schools that such juveniles would otherwise attend, to ensure that—

(I) the instruction that juveniles receive outside school is closely aligned with the instruction provided in school; and

(II) information regarding any learning problems identified in such alternative

<sup>2</sup> So in original. The comma probably should be a semicolon.

<sup>3</sup> So in original. Probably should be "to enhance".

learning situations are communicated to the schools;

(F) expanding the use of probation officers—

(i) particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and

(ii) to ensure that juveniles follow the terms of their probation;

(G) counseling, training, and mentoring programs, which may be in support of academic tutoring, vocational and technical training, and drug and violence prevention counseling, that are designed to link at-risk juveniles, juvenile offenders, or juveniles who have a parent or legal guardian who is or was incarcerated in a Federal, State, or local correctional facility or who is otherwise under the jurisdiction of a Federal, State, or local criminal justice system, particularly juveniles residing in low-income and high-crime areas and juveniles experiencing educational failure, with responsible individuals (such as law enforcement officials, Department of Defense personnel, individuals working with local businesses, and individuals working with community-based and faith-based organizations and agencies) who are properly screened and trained;

(H) programs designed to develop and implement projects relating to juvenile delinquency and learning disabilities, including on-the-job training programs to assist community services, law enforcement, and juvenile justice personnel to more effectively recognize and provide for learning disabled and other juveniles with disabilities;

(I) projects designed both to deter involvement in illegal activities and to promote involvement in lawful activities on the part of gangs whose membership is substantially composed of youth;

(J) programs and projects designed to provide for the treatment of youths' dependence on or abuse of alcohol or other addictive or nonaddictive drugs;

(K) programs for positive youth development that assist delinquent and other at-risk youth in obtaining—

(i) a sense of safety and structure;

(ii) a sense of belonging and membership;

(iii) a sense of self-worth and social contribution;

(iv) a sense of independence and control over one's life; and

(v) a sense of closeness in interpersonal relationships;

(L) programs that, in recognition of varying degrees of the seriousness of delinquent behavior and the corresponding gradations in the responses of the juvenile justice system in response to that behavior, are designed to—

(i) encourage courts to develop and implement a continuum of post-adjudication restraints that bridge the gap between traditional probation and confinement in a

correctional setting (including expanded use of probation, mediation, restitution, community service, treatment, home detention, intensive supervision, electronic monitoring, and similar programs, and secure community-based treatment facilities linked to other support services such as health, mental health, education (remedial and special), job training, and recreation); and

(ii) assist in the provision by the provision<sup>4</sup> by the Administrator of information and technical assistance, including technology transfer, to States in the design and utilization of risk assessment mechanisms to aid juvenile justice personnel in determining appropriate sanctions for delinquent behavior;

(M) community-based programs and services to work with juveniles, their parents, and other family members during and after incarceration in order to strengthen families so that such juveniles may be retained in their homes;

(N) programs (including referral to literacy programs and social service programs) to assist families with limited English-speaking ability that include delinquent juveniles to overcome language and other barriers that may prevent the complete treatment of such juveniles and the preservation of their families;

(O) programs designed to prevent and to reduce hate crimes committed by juveniles;

(P) after-school programs that provide at-risk juveniles and juveniles in the juvenile justice system with a range of age-appropriate activities, including tutoring, mentoring, and other educational and enrichment activities;

(Q) community-based programs that provide follow-up post-placement services to adjudicated juveniles, to promote successful reintegration into the community;

(R) projects designed to develop and implement programs to protect the rights of juveniles affected by the juvenile justice system; and

(S) programs designed to provide mental health services for incarcerated juveniles suspected to be in need of such services, including assessment, development of individualized treatment plans, and discharge plans.

(10) provide for the development of an adequate research, training, and evaluation capacity within the State;

(11) shall, in accordance with rules issued by the Administrator, provide that—

(A) juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult, excluding—

(i) juveniles who are charged with or who have committed a violation of section 922(x)(2) of title 18 or of a similar State law;

<sup>4</sup>So in original. The words "by the provision" probably should not appear.

(ii) juveniles who are charged with or who have committed a violation of a valid court order; and

(iii) juveniles who are held in accordance with the Interstate Compact on Juveniles as enacted by the State;

shall not be placed in secure detention facilities or secure correctional facilities; and

(B) juveniles—

(i) who are not charged with any offense; and

(ii) who are—

(I) aliens; or

(II) alleged to be dependent, neglected, or abused;

shall not be placed in secure detention facilities or secure correctional facilities;

(12) provide that—

(A) juveniles alleged to be or found to be delinquent or juveniles within the purview of paragraph (11) will not be detained or confined in any institution in which they have contact with adult inmates; and

(B) there is in effect in the State a policy that requires individuals who work with both such juveniles and such adult inmates, including in collocated facilities, have been trained and certified to work with juveniles;

(13) provide that no juvenile will be detained or confined in any jail or lockup for adults except—

(A) juveniles who are accused of nonstatus offenses and who are detained in such jail or lockup for a period not to exceed 6 hours—

(i) for processing or release;

(ii) while awaiting transfer to a juvenile facility; or

(iii) in which period such juveniles make a court appearance;

and only if such juveniles do not have contact with adult inmates and only if there is in effect in the State a policy that requires individuals who work with both such juveniles and adult inmates in collocated facilities have been trained and certified to work with juveniles;

(B) juveniles who are accused of nonstatus offenses, who are awaiting an initial court appearance that will occur within 48 hours after being taken into custody (excluding Saturdays, Sundays, and legal holidays), and who are detained in a jail or lockup—

(i) in which—

(I) such juveniles do not have contact with adult inmates; and

(II) there is in effect in the State a policy that requires individuals who work with both such juveniles and adults inmates in collocated facilities have been trained and certified to work with juveniles; and

(ii) that—

(I) is located outside a metropolitan statistical area (as defined by the Office of Management and Budget) and has no existing acceptable alternative placement available;

(II) is located where conditions of distance to be traveled or the lack of high-

way, road, or transportation do not allow for court appearances within 48 hours (excluding Saturdays, Sundays, and legal holidays) so that a brief (not to exceed an additional 48 hours) delay is excusable; or

(III) is located where conditions of safety exist (such as severe adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be delayed until 24 hours after the time that such conditions allow for reasonable safe travel;

(14) provide for an adequate system of monitoring jails, detention facilities, correctional facilities, and non-secure facilities to insure that the requirements of paragraphs (11), (12), and (13) are met, and for annual reporting of the results of such monitoring to the Administrator, except that such reporting requirements shall not apply in the case of a State which is in compliance with the other requirements of this paragraph, which is in compliance with the requirements in paragraphs (11) and (12), and which has enacted legislation which conforms to such requirements and which contains, in the opinion of the Administrator, sufficient enforcement mechanisms to ensure that such legislation will be administered effectively;

(15) provide assurance that youth in the juvenile justice system are treated equitably on the basis of gender, race, family income, and disability;

(16) provide assurance that consideration will be given to and that assistance will be available for approaches designed to strengthen the families of delinquent and other youth to prevent juvenile delinquency (which approaches should include the involvement of grandparents or other extended family members when possible and appropriate and the provision of family counseling during the incarceration of juvenile family members and coordination of family services when appropriate and feasible);

(17) provide for procedures to be established for protecting the rights of recipients of services and for assuring appropriate privacy with regard to records relating to such services provided to any individual under the State plan;

(18) provide assurances that—

(A) any assistance provided under this chapter will not cause the displacement (including a partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits) of any currently employed employee;

(B) activities assisted under this chapter will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and

(C) no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved;

(19) provide for such fiscal control and fund accounting procedures necessary to assure

prudent use, proper disbursement, and accurate accounting of funds received under this subchapter;

(20) provide reasonable assurance that Federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the State, local, and other non-Federal funds that would in the absence of such Federal funds be made available for the programs described in this part, and will in no event replace such State, local, and other non-Federal funds;

(21) provide that the State agency designated under paragraph (1) will—

(A) to the extent practicable give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based;

(B) from time to time, but not less than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of State and local needs, that it considers necessary; and

(C) not expend funds to carry out a program if the recipient of funds who carried out such program during the preceding 2-year period fails to demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted by such recipient to the State agency;

(22) address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system;

(23) provide that if a juvenile is taken into custody for violating a valid court order issued for committing a status offense—

(A) an appropriate public agency shall be promptly notified that such juvenile is held in custody for violating such order;

(B) not later than 24 hours during which such juvenile is so held, an authorized representative of such agency shall interview, in person, such juvenile; and

(C) not later than 48 hours during which such juvenile is so held—

(i) such representative shall submit an assessment to the court that issued such order, regarding the immediate needs of such juvenile; and

(ii) such court shall conduct a hearing to determine—

(I) whether there is reasonable cause to believe that such juvenile violated such order; and

(II) the appropriate placement of such juvenile pending disposition of the violation alleged;

(24) provide an assurance that if the State receives under section 5632 of this title for any fiscal year an amount that exceeds 105 percent of the amount the State received under such

section for fiscal year 2000, all of such excess shall be expended through or for programs that are part of a comprehensive and coordinated community system of services;

(25) specify a percentage (if any), not to exceed 5 percent, of funds received by the State under section 5632 of this title (other than funds made available to the State advisory group under section 5632(d) of this title) that the State will reserve for expenditure by the State to provide incentive grants to units of general local government that reduce the caseload of probation officers within such units;

(26) provide that the State, to the maximum extent practicable, will implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court;

(27) establish policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing and implementing treatment plans for juvenile offenders; and

(28) provide assurances that juvenile offenders whose placement is funded through section 672 of this title receive the protections specified in section 671 of this title, including a case plan and case plan review as defined in section 675 of this title.

**(b) Approval by State agency**

The State agency designated under subsection (a)(1) of this section, after receiving and considering the advice and recommendations of the advisory group referred to in subsection (a) of this section, shall approve the State plan and any modification thereof prior to submission to the Administrator.

**(c) Compliance with statutory requirements**

If a State fails to comply with any of the applicable requirements of paragraphs (11), (12), (13), and (22) of subsection (a) of this section in any fiscal year beginning after September 30, 2001, then—

(1) subject to paragraph (2), the amount allocated to such State under section 5632 of this title for the subsequent fiscal year shall be reduced by not less than 20 percent for each such paragraph with respect to which the failure occurs, and

(2) the State shall be ineligible to receive any allocation under such section for such fiscal year unless—

(A) the State agrees to expend 50 percent of the amount allocated to the State for such fiscal year to achieve compliance with any such paragraph with respect to which the State is in noncompliance; or

(B) the Administrator determines that the State—

(i) has achieved substantial compliance with such applicable requirements with respect to which the State was not in compliance; and

(ii) has made, through appropriate executive or legislative action, an unequivocal

commitment to achieving full compliance with such applicable requirements within a reasonable time.

**(d) Nonsubmission or nonqualification of plan; expenditure of allotted funds; availability of reallocated funds**

In the event that any State chooses not to submit a plan, fails to submit a plan, or submits a plan or any modification thereof, which the Administrator, after reasonable notice and opportunity for hearing, in accordance with sections 3783, 3784, and 3785<sup>5</sup> of this title, determines does not meet the requirements of this section, the Administrator shall endeavor to make that State's allocation under the provisions of section 5632(a) of this title, excluding funds the Administrator shall make available to satisfy the requirement specified in section 5632(d) of this title, available to local public and private nonprofit agencies within such State for use in carrying out activities of the kinds described in paragraphs (11), (12), (13), and (22) of subsection (a) of this section. The Administrator shall make funds which remain available after disbursements are made by the Administrator under the preceding sentence, and any other unobligated funds, available on an equitable basis and to those States that have achieved full compliance with the requirements under paragraphs (11), (12), (13), and (22) of subsection (a) of this section.

**(e) Administrative and supervisory board membership requirements**

Notwithstanding any other provision of law, the Administrator shall establish appropriate administrative and supervisory board membership requirements for a State agency designated under subsection (a)(1) of this section and permit the State advisory group appointed under subsection (a)(3) of this section to operate as the supervisory board for such agency, at the discretion of the chief executive officer of the State.

**(f) Technical assistance**

**(1) In general**

The Administrator shall provide technical and financial assistance to an eligible organization composed of member representatives of the State advisory groups appointed under subsection (a)(3) of this section to assist such organization to carry out the functions specified in paragraph (2).

**(2) Assistance**

To be eligible to receive such assistance, such organization shall agree to carry out activities that include—

- (A) conducting an annual conference of such member representatives for purposes relating to the activities of such State advisory groups;
- (B) disseminating information, data, standards, advanced techniques, and program models;
- (C) reviewing Federal policies regarding juvenile justice and delinquency prevention;
- (D) advising the Administrator with respect to particular functions or aspects of the work of the Office; and

(E) advising the President and Congress with regard to State perspectives on the operation of the Office and Federal legislation pertaining to juvenile justice and delinquency prevention.

(Pub. L. 93-415, title II, §223, Sept. 7, 1974, 88 Stat. 1119; Pub. L. 94-503, title I, §130(b), Oct. 15, 1976, 90 Stat. 2425; Pub. L. 95-115, §§3(a)(3)(B), 4(c)(1)-(15), Oct. 3, 1977, 91 Stat. 1048, 1051-1054; Pub. L. 96-509, §§11, 19(g), Dec. 8, 1980, 94 Stat. 2755, 2764; Pub. L. 98-473, title II, §626, Oct. 12, 1984, 98 Stat. 2111; Pub. L. 100-690, title VII, §7258, 7263(b)(1), Nov. 18, 1988, 102 Stat. 4439, 4447; Pub. L. 102-586, §2(f)(3)(A), Nov. 4, 1992, 106 Stat. 4987; Pub. L. 103-322, title XI, §110201(d), Sept. 13, 1994, 108 Stat. 2012; Pub. L. 104-294, title VI, §604(b)(28), Oct. 11, 1996, 110 Stat. 3508; Pub. L. 105-277, div. A, §101(b) [title I, §129(a)(2)(C)], Oct. 21, 1998, 112 Stat. 2681-50, 2681-76; Pub. L. 106-554, §1(a)(4) [div. B, title I, §142], Dec. 21, 2000, 114 Stat. 2763, 2763A-235; Pub. L. 107-273, div. C, title II, §12209, Nov. 2, 2002, 116 Stat. 1873; Pub. L. 109-162, title III, §305, Jan. 5, 2006, 119 Stat. 3016.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(18), was in the original "this Act", meaning Pub. L. 93-415, Sept. 7, 1974, 88 Stat. 1109, known as the Juvenile Justice and Delinquency Prevention Act of 1974, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 5601 of this title and Tables.

Section 3785 of this title, referred to in subsec. (d), was repealed by Pub. L. 109-162, title XI, §1155(3), Jan. 5, 2006, 119 Stat. 3114.

AMENDMENTS

2006—Subsec. (a)(7)(B)(i) to (iv). Pub. L. 109-162 added cl. (i) and redesignated former cls. (i) to (iii) as (ii) to (iv), respectively.

2002—Subsec. (a). Pub. L. 107-273, §12209(1)(A), substituted ", projects, and activities" for "and challenge activities subsequent to State participation in part E of this subchapter" in second sentence of introductory provisions.

Subsec. (a)(3). Pub. L. 107-273, §12209(1)(B)(i), substituted "that—" for ", which—" in introductory provisions.

Subsec. (a)(3)(A)(i). Pub. L. 107-273, §12209(1)(B)(ii), substituted ", the administration of juvenile justice, or the reduction of juvenile delinquency" for "or the administration of juvenile justice".

Subsec. (a)(3)(D)(i). Pub. L. 107-273, §12209(1)(B)(iii)(I), inserted "and" at end.

Subsec. (a)(3)(D)(ii). Pub. L. 107-273, §12209(1)(B)(iii)(II), substituted "paragraphs (11), (12), and (13)" for "paragraphs (12), (13), and (14) and with progress relating to challenge activities carried out pursuant to part E of this subchapter".

Subsec. (a)(5). Pub. L. 107-273, §12209(1)(C)(i), substituted "reduced by the percentage (if any) specified by the State under the authority of paragraph (25) and excluding" for ", other than" in introductory provisions.

Subsec. (a)(5)(C). Pub. L. 107-273, §12209(1)(C)(ii), substituted "paragraphs (11), (12), and (13)" for "paragraphs (12)(A), (13), and (14)".

Subsec. (a)(6). Pub. L. 107-273, §12209(1)(D), (S), redesignated par. (7) as (6) and struck out former par. (6) which read as follows: "provide that the chief executive officer of the unit of local government shall assign responsibility for the preparation and administration of the local government's part of a State plan, or for the supervision of the preparation and administration of the local government's part of the State plan, to that

<sup>5</sup> See References in Text note below.

agency within the local government's structure or to a regional planning agency (hereinafter in this part referred to as the 'local agency') which can most effectively carry out the purposes of this part and shall provide for supervision of the programs funded under this part by that local agency;".

Subsec. (a)(7). Pub. L. 107-273, §12209(1)(S), redesignated par. (8) as (7). Former par. (7) redesignated (6).

Pub. L. 107-273, §12209(1)(E), inserted ", including in rural areas" before semicolon at end.

Subsec. (a)(8). Pub. L. 107-273, §12209(1)(S), redesignated par. (9) as (8). Former par. (8) redesignated (7).

Subsec. (a)(8)(A). Pub. L. 107-273, §12209(1)(F)(i), substituted "for an analysis of juvenile delinquency problems in, and the juvenile delinquency control and delinquency prevention needs (including educational needs) of, the State" for "for (i) an analysis of juvenile crime problems (including the joining of gangs that commit crimes) and juvenile justice and delinquency prevention needs (including educational needs) within the relevant jurisdiction" and "of the State; and" for "of the jurisdiction; (ii) an indication of the manner in which the programs relate to other similar State or local programs which are intended to address the same or similar problems; and (iii) a plan for the concentration of State efforts which shall coordinate all State juvenile delinquency programs with respect to overall policy and development of objectives and priorities for all State juvenile delinquency programs and activities, including provision for regular meetings of State officials with responsibility in the area of juvenile justice and delinquency prevention;".

Subsec. (a)(8)(B). Pub. L. 107-273, §12209(1)(F)(ii), amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: "contain—

"(i) an analysis of gender-specific services for the prevention and treatment of juvenile delinquency, including the types of such services available and the need for such services for females; and

"(ii) a plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency;".

Subsec. (a)(8)(C), (D). Pub. L. 107-273, §12209(1)(F)(iii), struck out subpars. (C) and (D) which read as follows:

"(C) contain—

"(i) an analysis of services for the prevention and treatment of juvenile delinquency in rural areas, including the need for such services, the types of such services available in rural areas, and geographically unique barriers to providing such services; and

"(ii) a plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas; and

"(D) contain—

"(i) an analysis of mental health services available to juveniles in the juvenile justice system (including an assessment of the appropriateness of the particular placements of juveniles in order to receive such services) and of barriers to access to such services; and

"(ii) a plan for providing needed mental health services to juveniles in the juvenile justice system;".

Subsec. (a)(9). Pub. L. 107-273, §12209(1)(S), redesignated par. (10) as (9). Former par. (9) redesignated (8).

Pub. L. 107-273, §12209(1)(G), amended par. (9) generally. Prior to amendment, par. (9) read as follows: "provide for the active consultation with and participation of private agencies in the development and execution of the State plan; and provide for coordination and maximum utilization of existing juvenile delinquency programs and other related programs, such as education, special education, recreation, health, and welfare within the State;".

Subsec. (a)(10). Pub. L. 107-273, §12209(1)(S), redesignated par. (11) as (10). Former par. (10) redesignated (9).

Subsec. (a)(10)(A). Pub. L. 107-273, §12209(1)(H)(i), substituted "including" for ", specifically" in introductory provisions, redesignated cls. (ii) and (iii) as (i) and (ii), respectively, and struck out former cl. (i) which read as follows: "for youth who can remain at home

with assistance: home probation and programs providing professional supervised group activities or individualized mentoring relationships with adults that involve the family and provide counseling and other supportive services;".

Subsec. (a)(10)(D). Pub. L. 107-273, §12209(1)(H)(ii), amended subpar. (D) generally. Prior to amendment, subpar. (D) read as follows: "projects designed to develop and implement programs stressing advocacy activities aimed at improving services for and protecting the rights of youth affected by the juvenile justice system;".

Subsec. (a)(10)(E). Pub. L. 107-273, §12209(1)(H)(iii), substituted "juveniles—" for "juveniles, provided equitably regardless of sex, race, or family income, designed to—" in introductory provisions, added cls. (i) and (ii), redesignated former cl. (ii) as (iii), and struck out former cl. (i) which read as follows: "encourage juveniles to remain in elementary and secondary schools or in alternative learning situations, including—

"(I) education in settings that promote experiential, individualized learning and exploration of academic and career options;

"(II) assistance in making the transition to the world of work and self-sufficiency;

"(III) alternatives to suspension and expulsion; and

"(IV) programs to counsel delinquent juveniles and other juveniles regarding the opportunities that education provides; and".

Subsec. (a)(10)(F). Pub. L. 107-273, §12209(1)(H)(iv), amended subpar. (F) generally. Prior to amendment, subpar. (F) read as follows: "expanded use of home probation and recruitment and training of home probation officers, other professional and paraprofessional personnel, and volunteers to work effectively to allow youth to remain at home with their families as an alternative to incarceration or institutionalization;".

Subsec. (a)(10)(G). Pub. L. 107-273, §12209(1)(H)(v), amended subpar. (G) generally. Prior to amendment, subpar. (G) read as follows: "youth-initiated outreach programs designed to assist youth (including youth with limited proficiency in English) who otherwise would not be reached by traditional youth assistance programs;".

Subsec. (a)(10)(H). Pub. L. 107-273, §12209(1)(H)(vii), substituted "juveniles with disabilities" for "handicapped youth".

Subsec. (a)(10)(K). Pub. L. 107-273, §12209(1)(H)(viii), (xiii), redesignated subpar. (L) as (K) and struck out former subpar. (K) which read as follows: "law-related education programs (and projects) for delinquent and at-risk youth designed to prevent juvenile delinquency;".

Subsec. (a)(10)(L). Pub. L. 107-273, §12209(1)(H)(xiii), redesignated subpar. (M) as (L). Former subpar. (L) redesignated (K).

Subsec. (a)(10)(L)(vi). Pub. L. 107-273, §12209(1)(H)(ix), struck out cl. (vi) which read as follows: "a sense of competence and mastery including health and physical competence, personal and social competence, cognitive and creative competence, vocational competence, and citizenship competence, including ethics and participation;".

Subsec. (a)(10)(M). Pub. L. 107-273, §12209(1)(H)(xiii), redesignated subpar. (N) as (M). Former subpar. (M) redesignated (L).

Subsec. (a)(10)(M)(i). Pub. L. 107-273, §12209(1)(H)(x), struck out "boot camps" after "electronic monitoring;".

Subsec. (a)(10)(N). Pub. L. 107-273, §12209(1)(H)(xiii), redesignated subpar. (O) as (N). Former subpar. (N) redesignated (M).

Pub. L. 107-273, §12209(1)(H)(xi), amended subpar. (N) generally. Prior to amendment, subpar. (N) read as follows: "programs designed to prevent and reduce hate crimes committed by juveniles, including educational programs and sentencing programs designed specifically for juveniles who commit hate crimes and that provide alternatives to incarceration; and".

Subsec. (a)(10)(O). Pub. L. 107-273, §12209(1)(H)(xiv), added subpar. (O). Former subpar. (O) redesignated (N).

Pub. L. 107-273, §12209(1)(H)(xii), substituted "other barriers" for "cultural barriers" and semicolon for period at end.

Subsec. (a)(10)(P) to (S). Pub. L. 107-273, §12209(1)(H)(xiv), added subpars. (P) to (S).

Subsec. (a)(11). Pub. L. 107-273, §12209(1)(S), redesignated par. (12) as (11). Former par. (11) redesignated (10).

Subsec. (a)(12). Pub. L. 107-273, §12209(1)(S), redesignated par. (13) as (12). Former par. (12) redesignated (11).

Pub. L. 107-273, §12209(1)(I), amended par. (12) generally. Prior to amendment, par. (12) read as follows:

"(A) provide within three years after submission of the initial plan that juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult or offenses (other than an offense that constitutes a violation of a valid court order or a violation of section 922(x) of title 18 or a similar State law), or alien juveniles in custody, or such nonoffenders as dependent or neglected children, shall not be placed in secure detention facilities or secure correctional facilities; and

"(B) provide that the State shall submit annual reports to the Administrator containing a review of the progress made by the State to achieve the deinstitutionalization of juveniles described in subparagraph (A) and a review of the progress made by the State to provide that such juveniles, if placed in facilities, are placed in facilities which (i) are the least restrictive alternatives appropriate to the needs of the child and the community; (ii) are in reasonable proximity to the family and the home communities of such juveniles; and (iii) provide the services described in section 5603(1) of this title;"

Subsec. (a)(13). Pub. L. 107-273, §12209(1)(S), redesignated par. (14) as (13). Former par. (13) redesignated (12).

Pub. L. 107-273, §12209(1)(J), amended par. (13) generally. Prior to amendment, par. (13) read as follows: "provide that juveniles alleged to be or found to be delinquent and youths within the purview of paragraph (12) shall not be detained or confined in any institution in which they have contact with adult persons incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges or with the part-time or full-time security staff (including management) or direct-care staff of a jail or lockup for adults;"

Subsec. (a)(14). Pub. L. 107-273, §12209(1)(S), redesignated par. (15) as (14). Former par. (14) redesignated (13).

Pub. L. 107-273, §12209(1)(K), amended par. (14) generally. Prior to amendment, par. (14) read as follows: "provide that no juvenile shall be detained or confined in any jail or lockup for adults, except that the Administrator shall, through 1997, promulgate regulations which make exceptions with regard to the detention of juveniles accused of nonstatus offenses who are awaiting an initial court appearance pursuant to an enforceable State law requiring such appearances within twenty-four hours (except in the case of Alaska where such time limit may be forty-eight hours in fiscal years 2000 through 2002) after being taken into custody (excluding weekends and holidays) provided that such exceptions are limited to areas that are in compliance with paragraph (13) and—

"(A)(i) are outside a Standard Metropolitan Statistical Area; and

"(ii) have no existing acceptable alternative placement available;

"(B) are located where conditions of distance to be traveled or the lack of highway, road, or other ground transportation do not allow for court appearances within 24 hours, so that a brief (not to exceed 48 hours) delay is excusable; or

"(C) are located where conditions of safety exist (such as severely adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be

delayed until 24 hours after the time that such conditions allow for reasonably safe travel;"

Subsec. (a)(15). Pub. L. 107-273, §12209(1)(S), redesignated par. (16) as (15). Former par. (15) redesignated (14).

Pub. L. 107-273, §12209(1)(L), substituted "paragraphs (11), (12), and (13)" for "paragraph (12)(A), paragraph (13), and paragraph (14)" and "paragraphs (11) and (12)" for "paragraph (12)(A) and paragraph (13)".

Subsec. (a)(16). Pub. L. 107-273, §12209(1)(S), redesignated par. (17) as (16). Former par. (16) redesignated (15).

Pub. L. 107-273, §12209(1)(M), substituted "disability" for "mentally, emotionally, or physically handicapping conditions".

Subsec. (a)(17), (18). Pub. L. 107-273, §12209(1)(S), redesignated pars. (18) and (19) as (17) and (18), respectively. Former par. (17) redesignated (16).

Subsec. (a)(19). Pub. L. 107-273, §12209(1)(S), redesignated par. (20) as (19). Former par. (19) redesignated (18).

Pub. L. 107-273, §12209(1)(N), amended par. (19) generally. Prior to amendment, par. (19) read as follows: "provide that fair and equitable arrangements shall be made to protect the interests of employees affected by assistance under this chapter and shall provide for the terms and conditions of such protective arrangements established pursuant to this section, and such protective arrangements shall, to the maximum extent feasible, include, without being limited to, such provisions as may be necessary for—

"(A) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective-bargaining agreements or otherwise;

"(B) the continuation of collective-bargaining rights;

"(C) the protection of individual employees against a worsening of their positions with respect to their employment;

"(D) assurances of employment to employees of any State or political subdivision thereof who will be affected by any program funded in whole or in part under provisions of this chapter; and

"(E) training or retraining programs;"

Subsec. (a)(20), (21). Pub. L. 107-273, §12209(1)(S), redesignated pars. (21) and (22) as (20) and (21), respectively. Former par. (20) redesignated (19).

Subsec. (a)(22). Pub. L. 107-273, §12209(1)(S), redesignated par. (23) as (22). Former par. (22) redesignated (21).

Pub. L. 107-273, §12209(1)(O), amended par. (22) generally. Prior to amendment, par. (22) read as follows: "provide that the State agency designated under paragraph (1) will from time to time, but not less often than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of State and local needs, which it considers necessary;"

Subsec. (a)(23). Pub. L. 107-273, §12209(1)(S), redesignated par. (24) as (23). Former par. (23) redesignated (22).

Pub. L. 107-273, §12209(1)(P), amended par. (23) generally. Prior to amendment, par. (23) read as follows: "address efforts to reduce the proportion of juveniles detained or confined in secure detention facilities, secure correctional facilities, jails, and lockups who are members of minority groups if such proportion exceeds the proportion such groups represent in the general population;"

Subsec. (a)(24). Pub. L. 107-273, §12209(1)(S), redesignated par. (25) as (24). Former par. (24) redesignated (23).

Pub. L. 107-273, §12209(1)(Q), amended par. (24) generally. Prior to amendment, par. (24) read as follows: "contain such other terms and conditions as the Administrator may reasonably prescribe to assure the effectiveness of the programs assisted under this subchapter; and".



Subsec. (a)(25). Pub. L. 107-273, § 12209(1)(T), added par. (25).

Pub. L. 107-273, § 12209(1)(S), redesignated par. (25) as (24).

Pub. L. 107-273, § 12209(1)(R), substituted “fiscal year 2000” for “fiscal year 1992” and a semicolon for period at end.

Subsec. (a)(26) to (28). Pub. L. 107-273, § 12209(1)(T), added pars. (26) to (28).

Subsec. (c). Pub. L. 107-273, § 12209(2), amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows:

“(1) Subject to paragraph (2), the Administrator shall approve any State plan and any modification thereof that meets the requirements of this section.

“(2) Failure to achieve compliance with the subsection (a)(12)(A) requirement within the 3-year time limitation shall terminate any State’s eligibility for funding under this part for a fiscal year beginning before January 1, 1993, unless the Administrator determines that the State is in substantial compliance with the requirement, through achievement of deinstitutionalization of not less than 75 percent of such juveniles or through removal of 100 percent of such juveniles from secure correctional facilities, and has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance within a reasonable time not exceeding 2 additional years.

“(3) If a State fails to comply with the requirements of subsection (a), (12)(A), (13), (14), or (23) of this section in any fiscal year beginning after January 1, 1993—

“(A) subject to subparagraph (B), the amount allotted under section 5632 of this title to the State for that fiscal year shall be reduced by 25 percent for each such paragraph with respect to which non-compliance occurs; and

“(B) the State shall be ineligible to receive any allotment under that section for such fiscal year unless—

“(i) the State agrees to expend all the remaining funds the State receives under this part (excluding funds required to be expended to comply with section 5632(c) and (d) of this title and with subsection (a)(5)(C) of this section) for that fiscal year only to achieve compliance with any such paragraph with respect to which the State is in noncompliance; or

“(ii) the Administrator determines, in the discretion of the Administrator, that the State—

“(I) has achieved substantial compliance with each such paragraph with respect to which the State was not in compliance; and

“(II) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance within a reasonable time.”

Subsec. (d). Pub. L. 107-273, § 12209(3), substituted “allocation” for “allotment” and substituted “paragraphs (11), (12), (13), and (22) of subsection (a)” for “subsection (a)(12)(A), (13), (14) and (23)” in two places.

Subsecs. (e), (f). Pub. L. 107-273, § 12209(4), added subsecs. (e) and (f).

2000—Subsec. (a)(14). Pub. L. 106-554 inserted “(except in the case of Alaska where such time limit may be forty-eight hours in fiscal years 2000 through 2002)” after “twenty-four hours” in introductory provisions.

1998—Subsec. (a)(4). Pub. L. 105-277, § 101(b) [title I, § 129(a)(2)(C)(i)], substituted “units of local government” for “units of general local government” after “participation of” and “units of local government” for “local governments” after “requests of”.

Subsec. (a)(5). Pub. L. 105-277, § 101(b) [title I, § 129(a)(2)(C)(ii)], substituted “units of local government” for “units of general local government” in subpar. (A) and “unit of local government” for “unit of general local government” in subpar. (B).

Subsec. (a)(6). Pub. L. 105-277, § 101(b) [title I, § 129(a)(2)(C)(iii)], substituted “unit of local government” for “unit of general local government”.

Subsec. (a)(10). Pub. L. 105-277, § 101(b) [title I, § 129(a)(2)(C)(iv)], substituted “unit of local govern-

ment” for “unit of general local government” in introductory provisions.

1996—Subsec. (a)(12)(A). Pub. L. 104-294 substituted “similar State law” for “similar State law.”

1994—Subsec. (a)(12)(A). Pub. L. 103-322 substituted “(other than an offense that constitutes a violation of a valid court order or a violation of section 922(x) of title 18 or a similar State law).” for “which do not constitute violations of valid court orders”.

1992—Subsec. (a). Pub. L. 102-586, § 2(f)(3)(A)(i)(I), substituted “programs and challenge activities subsequent to State participation in part E of this subchapter. The State” for “programs, and the State” in introductory provisions.

Subsec. (a)(1). Pub. L. 102-586, § 2(f)(3)(A)(i)(II), made technical amendment to reference to section 5671 of this title to reflect renumbering of corresponding section of original act.

Subsec. (a)(3). Pub. L. 102-586, § 2(f)(3)(A)(i)(III), amended par. (3) generally, revising and restating as subpars. (A) to (E) provisions formerly appearing in text containing unindented subpars. (A) to (F).

Subsec. (a)(8). Pub. L. 102-586, § 2(f)(3)(A)(i)(IV), designated existing provisions as subpar. (A), redesignated former cls. (A) to (C) as (i) to (iii), respectively, inserted “(including educational needs)” after “delinquency prevention needs” in two places in cl. (i), and added subpars. (B) to (D).

Subsec. (a)(9). Pub. L. 102-586, § 2(f)(3)(A)(i)(V), inserted “recreation,” after “special education.”

Subsec. (a)(10). Pub. L. 102-586, § 2(f)(3)(A)(i)(VI), amended par. (10) generally, revising and restating as introductory provisions and subpars. (A) to (O) provisions of former introductory provisions and subpars. (A) to (L).

Subsec. (a)(12)(A). Pub. L. 102-586, § 2(f)(3)(A)(i)(VII), inserted “or alien juveniles in custody,” after “court orders.”

Subsec. (a)(13). Pub. L. 102-586, § 2(f)(3)(A)(i)(VIII), struck out “regular” before “contact with” and inserted “or with the part-time or full-time security staff (including management) or direct-care staff of a jail or lockup for adults”.

Subsec. (a)(14). Pub. L. 102-586, § 2(f)(3)(A)(i)(IX)(bb), (cc), in introductory provisions substituted “1997” for “1993” and “areas that are in compliance with paragraph (13) and” for “areas which”, added subpars. (A) to (C), and struck out former subpars. (A) to (C) which read as follows:

“(A) are outside a Standard Metropolitan Statistical Area,

“(B) have no existing acceptable alternative placement available, and

“(C) are in compliance with the provisions of paragraph (13);”.

Pub. L. 102-586, § 2(f)(3)(A)(i)(IX)(aa), which directed the amendment of par. (14) by striking out “; beginning after the five-year period following December 8, 1980,” was executed by striking out “, beginning after the five-year period following December 8, 1980,” after “provide that” to reflect the probable intent of Congress.

Subsec. (a)(16). Pub. L. 102-586, § 2(f)(3)(A)(i)(X), amended par. (16) generally. Prior to amendment, par. (16) read as follows: “provide assurance that assistance will be available on an equitable basis to deal with disadvantaged youth including, but not limited to, females, minority youth, and mentally retarded and emotionally or physically handicapped youth;”.

Subsec. (a)(17). Pub. L. 102-586, § 2(f)(3)(A)(i)(XI), substituted “the families” for “and maintain the family units” and “delinquency (which)” for “delinquency. Such” and inserted before semicolon “and the provision of family counseling during the incarceration of juvenile family members and coordination of family services when appropriate and feasible”.

Subsec. (a)(25). Pub. L. 102-586, § 2(f)(3)(A)(i)(XII)–(XIV), added par. (25).

Subsec. (c). Pub. L. 102-586, § 2(f)(3)(A)(ii), amended subsec. (c) generally, revising and restating as pars. (1) to (3) provisions of former pars. (1) to (4).

Subsec. (d). Pub. L. 102-586, §2(f)(3)(A)(iii), inserted “, excluding funds the Administrator shall make available to satisfy the requirement specified in section 5632(d) of this title,” and substituted “activities of the kinds described in subsection (a)(12)(A), (13), (14) and (23) of this section” for “the purposes of subsection (a)(12)(A) of this section, subsection (a)(13) of this section, or subsection (a)(14) of this section” and “subsection (a)(12)(A), (13), (14) and (23) of this section” for “subsection (a)(12)(A) of this section and subsection (a)(13) of this section”.

1988—Subsec. (a)(1). Pub. L. 100-690, §626(b)(1), made technical amendment to reference to section 5671 of this title to reflect renumbering of corresponding section of original act.

Subsec. (a)(5). Pub. L. 100-690, §7258(a)(1), substituted in introductory provisions “shall be expended” for “shall be expended through”, in subpar. (A) substituted “through programs” for “programs” and struck out “and” at end, in subpar. (B) substituted “through programs” for “programs” and inserted “and” after semicolon, and added subpar. (C).

Subsec. (a)(8)(A). Pub. L. 100-690, §7258(a)(2), substituted “relevant jurisdiction (including any geographical area in which an Indian tribe performs law enforcement functions)” for “relevant jurisdiction” and “juvenile crime problems (including the joining of gangs that commit crimes)” for “juvenile crime problems” in two places.

Subsec. (a)(14). Pub. L. 100-690, §7258(b), substituted “1993” for “1989”, substituted a semicolon for the period at end of subpar. (iii), and redesignated subpars. (i) to (iii) as subpars. (A) to (C), respectively.

Subsec. (a)(23), (24). Pub. L. 100-690, §7258(c), added par. (23) and redesignated former par. (23) as (24).

Subsec. (c)(1). Pub. L. 100-690, §7258(d)(1)-(3), designated existing provisions as par. (1), substituted “part” for “subpart”, and struck out last sentence which read as follows: “Failure to achieve compliance with the requirements of subsection (a)(14) of this section, within the 5-year time limitation shall terminate any State’s eligibility for funding under this subpart, unless the Administrator determines that (1) the State is in substantial compliance with such requirements through the achievement of not less than 75 percent removal of juveniles from jails and lockups for adults; and (2) the State has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance within a reasonable time, not to exceed 3 additional years.”

Subsec. (c)(2) to (4). Pub. L. 100-690, §7258(d)(4), added pars. (2) to (4).

1984—Subsec. (a). Pub. L. 98-473, §626(a)(9), (10), struck out provision after numbered paragraphs which read as follows: “such plan may at the discretion of the Associate Administrator be incorporated into the plan specified in section 3743 of this title. Such plan shall be modified by the State, as soon as practicable after December 8, 1980, in order to comply with the requirements of paragraph (14).”

Subsec. (a)(1). Pub. L. 98-473, §626(a)(1), substituted “agency described in section 5671(c)(1) of this title” for “criminal justice council established by the State under section 3742(b)(1) of this title”.

Subsec. (a)(2). Pub. L. 98-473, §626(a)(2), struck out “(hereafter referred to in this part as the ‘State criminal justice council’)” before “has or will have authority”.

Subsec. (a)(3)(C). Pub. L. 98-473, §626(a)(3)(A), in amending subpar. (C) generally, designated provisions following “representatives of private organizations” as cl. (i) and inserted “, including those with a special focus on maintaining and strengthening the family unit”, designated provisions following “which utilize” as cl. (ii) and inserted “representatives of organizations which”, added cl. (iii), designated provisions following “business groups” as cl. (iv), designated the remainder of subpar. (C) as cl. (v) and substituted “family, school violence and vandalism, and learning disabilities,” for “school violence and vandalism and the problem of

learning disabilities; and organizations which represent employees affected by this chapter.”.

Subsec. (a)(3)(F). Pub. L. 98-473, §626(a)(3)(B)(i), substituted “agency designated under paragraph (1)” for “criminal justice council” in three places.

Subsec. (a)(3)(F)(ii). Pub. L. 98-473, §626(a)(3)(B)(ii), substituted “paragraphs (12), (13), and (14)” for “paragraph (12)(A) and paragraph (13)”.

Subsec. (a)(3)(F)(iv). Pub. L. 98-473, §626(a)(3)(B)(iii), substituted “paragraphs (12), (13), and (14)” for “paragraph (12)(A) and paragraph (13)” and struck out “in advising on the State’s maintenance of effort under section 3793a of this title,” before “and in review”.

Subsec. (a)(9). Pub. L. 98-473, §626(a)(4), inserted “special education.”.

Subsec. (a)(10). Pub. L. 98-473, §626(a)(5)(A), in provisions preceding subpar. (A), substituted “programs for juveniles, including those processed in the criminal justice system,” for “programs for juveniles” and “provide for effective rehabilitation, and facilitate the coordination of services between the juvenile justice and criminal justice systems” for “and provide for effective rehabilitation”.

Subsec. (a)(10)(E). Pub. L. 98-473, §626(a)(5)(B), inserted “, including programs to counsel delinquent youth and other youth regarding the opportunities which education provides”.

Subsec. (a)(10)(F). Pub. L. 98-473, §626(a)(5)(C), inserted “and their families”.

Subsec. (a)(10)(H)(iii). Pub. L. 98-473, §626(a)(5)(D)(i), substituted “National Advisory Committee for Juvenile Justice and Delinquency Prevention made before October 12, 1984, standards for the improvement of juvenile justice within the State;” for “Advisory Committee, standards for the improvement of juvenile justice within the State; or”.

Subsec. (a)(10)(H)(v). Pub. L. 98-473, §626(a)(5)(D)(ii), (iii), added cl. (v).

Subsec. (a)(10)(I). Pub. L. 98-473, §626(a)(5)(E), struck out “and” at end.

Subsec. (a)(10)(J). Pub. L. 98-473, §626(a)(5)(F), struck out “juvenile gangs and their members” and inserted “gangs whose membership is substantially composed of juveniles”.

Subsec. (a)(10)(K), (L). Pub. L. 98-473, §626(a)(5)(G), added subpars. (K) and (L).

Subsec. (a)(14). Pub. L. 98-473, §626(a)(6), in amending par. (14) generally, inserted “, through 1989,” after “shall” and substituted provisions relating to exceptions for former provisions which related to the special needs of areas characterized by low population density with respect to the detention of juveniles and exceptions for temporary detention in adult facilities of juveniles accused of serious crimes against persons.

Subsec. (a)(17), (18). Pub. L. 98-473, §626(a)(11), (12), added par. (17) and redesignated former par. (17) as (18). Former par. (18) redesignated (19).

Subsec. (a)(19). Pub. L. 98-473, §626(a)(11), redesignated par. (18) as (19). Former par. (19) redesignated (20).

Pub. L. 98-473, §626(a)(7), in provisions preceding (A), substituted “shall be” for “are” after “arrangements” and substituted “chapter and shall provide for the terms and conditions of such protective arrangements established pursuant to this section, and such” for “chapter. Such”, inserted “and” at end of subpar. (D), substituted a semicolon for the period at end of subpar. (E), and struck out last sentence, which read as follows: “The State plan shall provide for the terms and conditions of the protection arrangements established pursuant to this section;”.

Subsec. (a)(20), (21). Pub. L. 98-473, §626(a)(11), redesignated pars. (19) and (20) as (20) and (21), respectively. Former par. (21) redesignated (22).

Subsec. (a)(22). Pub. L. 98-473, §626(a)(11), redesignated par. (21) as (22). Former par. (22) redesignated (23).

Pub. L. 98-473, §626(a)(8), substituted “agency designated under paragraph (1)” for “criminal justice council”.

Subsec. (a)(23). Pub. L. 98-473, § 626(a)(11), redesignated par. (22) as (23).

Subsec. (b). Pub. L. 98-473, § 626(b), substituted "agency designated under subsection (a)(1) of this section" for "criminal justice council designated pursuant to section 5633(a) of this title" and "subsection (a) of this section" for "section 5633(a) of this title".

Subsec. (c). Pub. L. 98-473, § 626(c), substituted "3" for "2" before "additional years".

Subsec. (d). Pub. L. 98-473, § 626(d), made a conforming amendment to the reference to sections 3783, 3784, and 3785 of this title to reflect the renumbering of the corresponding sections of the original act.

1980—Subsec. (a). Pub. L. 96-509, § 11(a)(1), in provisions preceding par. (1), provided for 3-year, rather than annual, plans and annually submitted performance reports which describe the progress in implementing programs contained in the original plan and the status of compliance with State plan requirements.

Pub. L. 96-509, §§ 11(a)(15)(B), 19(g)(11), in provisions following par. (22), substituted reference to section 3743 of this title for reference to section 3733(a) of this title and inserted provision that plans be modified by States as soon as possible after Dec. 8, 1980, in order to comply with the requirements of par. (14).

Subsec. (a)(1). Pub. L. 96-509, § 19(g)(1), substituted "State criminal justice council established by the State under section 3742(b)(1) of this title" for "State planning agency established by the State under section 3723 of this title".

Subsec. (a)(2). Pub. L. 96-509, § 19(g)(2), substituted "criminal justice council" for "planning agency".

Subsec. (a)(3)(A). Pub. L. 96-509, §§ 11(a)(2), 19(g)(3), provided that State advisory groups shall consist of between 15 and 33 members rather than between 21 and 33 members and substituted "juvenile delinquency" for "a juvenile delinquency".

Subsec. (a)(3)(B). Pub. L. 96-509, § 11(a)(3), provided that locally elected officials be included on State advisory groups and made clear that special education departments be included along with other public agencies for representation on State advisory groups.

Subsec. (a)(3)(E). Pub. L. 96-509, § 11(a)(4), provided that one-fifth of the members of State advisory groups be under 24 years of age at the time of their appointment, rather than one-third under 26 years of age.

Subsec. (a)(3)(F). Pub. L. 96-509, §§ 11(a)(5), (6), 19(g)(4), substituted in cl. (i) "criminal justice council" for "planning agency", in cl. (ii) provision that the State advisory groups submit recommendations to the Governor and the legislature at least annually regarding matters related to its functions for provision that the State advisory groups advise the Governor and the legislature on matters related to its functions as requested, in cl. (iii) "criminal justice council" for "planning agency other than those subject to review by the State's judicial planning committee established pursuant to section 3723(c) of this title", in cl. (iv) "criminal justice council and local criminal justice advisory" for "planning agency and regional planning unit supervisory" and "section 3793a of this title" for "sections 3768(b) and 5671(b) of this title", and added cl. (v).

Subsec. (a)(8). Pub. L. 96-509, § 11(a)(7), provided that State juvenile justice plan requirements conform to State criminal justice application requirements and required a State concentration of effort to coordinate State juvenile delinquency programs and policy.

Subsec. (a)(10). Pub. L. 96-509, § 11(a)(8)(A)-(C), in provisions preceding subpar. (A), clarified that the advanced techniques described in this paragraph are to be used to provide community-based alternatives to "secure" juvenile detention and correctional facilities and that advanced techniques can be used for the purpose of providing programs for juveniles who have committed serious crimes, particularly programs designed to improve sentencing procedures, provide resources necessary for informed dispositions, and provide for effective rehabilitation.

Subsec. (a)(10)(A). Pub. L. 96-509, § 11(a)(9), inserted provisions for inclusion of education and special edu-

cation programs among community-based programs and services.

Subsec. (a)(10)(E). Pub. L. 96-509, § 11(a)(10), clarified that educational programs included as advanced techniques should be designed to encourage delinquent and other youth to remain in school.

Subsec. (a)(10)(H). Pub. L. 96-509, § 11(a)(11), provided that statewide programs through the use of subsidies or other financial incentives to units of local government be designed to (1) remove juveniles from jails and lock-ups for adults, (2) replicate juvenile programs designed as exemplary by the National Institute of Justice, (3) establish and adopt standards for the improvement of juvenile justice within the State, or, (4) increase the use of nonsecure, community-based facilities and discourage the use of secure incarceration and detention.

Subsec. (a)(10)(I). Pub. L. 96-509, § 11(a)(12), revised subpar. (I) to provide that advanced technique programs designed to develop and implement projects relating to juvenile delinquency and learning disabilities include on-the-job training programs to assist law enforcement and juvenile justice personnel to more effectively recognize and provide for learning disabled and other handicapped juveniles.

Subsec. (a)(10)(J). Pub. L. 96-509, § 11(a)(8)(D), added subpar. (J).

Subsec. (a)(11). Pub. L. 96-509, § 19(g)(5), substituted "provide" for "provides".

Subsec. (a)(12)(A). Pub. L. 96-509, § 11(a)(13), clarified that juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult shall not be placed in secure detention facilities or secure correctional facilities rather than simply, as formerly, juvenile detention or correctional facilities.

Subsec. (a)(12)(B). Pub. L. 96-509, § 19(g)(6), substituted "Administrator" for "Associate Administrator".

Subsec. (a)(14). Pub. L. 96-509, § 11(a)(15)(A), added par. (14). Former par. (14) redesignated (15).

Subsec. (a)(15). Pub. L. 96-509, §§ 11(a)(14), (15)(A), 19(g)(7), redesignated former par. (14) as (15) and in par. (15) as so redesignated, provided that the annual reporting requirements of the results of the monitoring required by this section can be waived for States which have complied with the requirements of par. (12)(A), par. (13), and par. (14), and which have enacted legislation, conforming to those requirements, which contains, in the opinion of the Administrator, sufficient enforcement mechanisms to ensure that such legislation will be administered effectively and substituted "to the Administrator" for "to the Associate Administrator". Former par. (15) redesignated (16).

Subsec. (a)(16), (17). Pub. L. 96-509, § 11(a)(15)(A), redesignated former pars. (15) and (16) as (16) and (17), respectively. Former par. (17) redesignated (18).

Subsec. (a)(18). Pub. L. 96-509, §§ 11(a)(15)(A), 19(g)(8), redesignated former par. (17) as (18) and, in subpar. (A) of par. (18) as so redesignated, substituted "preservation of rights" for "preservation or rights". Former par. (18) redesignated (19).

Subsec. (a)(19), (20). Pub. L. 96-509, § 11(a)(15)(A), redesignated former pars. (18) and (19) as (19) and (20), respectively.

Subsec. (a)(21). Pub. L. 96-509, §§ 11(a)(15)(A), 19(g)(9), redesignated former par. (20) as (21) and substituted "State criminal justice council will from time to time, but not less often than annually, review its plan and submit to the Administrator" for "State planning agency will from time to time, but not less often than annually, review its plan and submit to the Associate Administrator". Former par. (21) redesignated (22).

Subsec. (a)(22). Pub. L. 96-509, §§ 11(a)(15)(A), 19(g)(10), redesignated former par. (21) as (22) and substituted "Administrator" for "Associate Administrator".

Subsec. (b). Pub. L. 96-509, § 19(g)(12), substituted "criminal justice council" for "planning agency".

Subsec. (c). Pub. L. 96-509, § 11(b), made conforming amendment, redefined "substantial compliance" with regard to subsection (a)(12)(A) of this section to include either 75 percent deinstitutionalization of juveniles

who are charged with or who have committed offenses that would not be criminal if committed by an adult, or such nonoffenders as dependent or neglected children or the removal of 100 percent of such juveniles from secure correctional facilities, and inserted provision at end defining substantial compliance with regard to subsec. (a)(14) of this section.

Subsec. (d). Pub. L. 96-509, §§11(c), 19(g)(13), substituted reference to sections 3783, 3784, and 3785 of this title for reference to sections 3757, 3758, and 3759 of this title and provided that redistributed allotments be used for the purposes of subsections (a)(12)(A), (a)(13) or (a)(14) of this section, and further provided that the Administrator shall make such reallocated funds available on an equitable basis to States that have achieved full compliance with the requirements under subsections (a)(12)(A) and (a)(13) of this section.

1977—Subsec. (a)(3). Pub. L. 95-115, §4(c)(1), in introductory text substituted provisions relating to functions under subpar. (F) and participation in the development and review of the plan, for provisions relating to advisement of the State planning agency and its supervisory board, in subpar. (C) inserted provision relating to representatives from business groups and businesses, and in subpar. (E) inserted requirement for at least three of the members to be or have been under the jurisdiction of the juvenile justice system, and added subpar. (F).

Subsec. (a)(4). Pub. L. 95-115, §4(c)(2), inserted provisions relating to grants or contracts with local private agencies or the advisory group, and substituted "units of general local government or combinations thereof in" for "local governments in".

Subsec. (a)(5). Pub. L. 95-115, §4(c)(3), substituted provisions relating to requirements respecting expenditure of funds through programs of units of general local government or combinations thereof and programs of local private agencies, for provisions relating to requirements respecting expenditure of funds through programs of local government.

Subsec. (a)(6). Pub. L. 95-115, §4(c)(4), inserted provision relating to regional planning agency and "unit of general" before "local government".

Subsec. (a)(8). Pub. L. 95-115, §4(c)(5), inserted provisions relating to programs and projects developed under the study.

Subsec. (a)(10). Pub. L. 95-115, §4(c)(6)(A)(i), (B), inserted provisions relating to availability of funds to the State advisory group and provisions expanding authorized use of funds to include encouragement of diversity of alternatives within the juvenile justice system and adoption of juvenile justice standards, and substituted reference to unit of general local government or combination of such unit with the State, for reference to local government.

Subsec. (a)(10)(A). Pub. L. 95-115, §4(c)(6)(A)(ii), inserted "twenty-four hour intake screening, volunteer and crisis home programs, day treatment, and home probation," after "health services."

Subsec. (a)(10)(C). Pub. L. 95-115, §4(c)(6)(A)(iii), substituted "other youth to help prevent delinquency" for "youth in danger of becoming delinquent".

Subsec. (a)(10)(D). Pub. L. 95-115, §4(c)(6)(A)(iv), substituted provisions relating to programs stressing advocacy activities, for provisions relating to programs of drug and alcohol abuse education and prevention and programs for treatment and rehabilitation of drug addicted youth and drug dependent youth as defined in section 201(q) of this title.

Subsec. (a)(10)(G). Pub. L. 95-115, §4(c)(6)(A)(v), inserted "traditional youth" after "reached by".

Subsec. (a)(10)(H). Pub. L. 95-115, §4(c)(6)(A)(vi), substituted "are" for "that may include but are not limited to programs".

Subsec. (a)(10)(I). Pub. L. 95-115, §4(c)(6)(A)(vii), added subpar. (I).

Subsec. (a)(12). Pub. L. 95-115, §4(c)(7), redesignated existing provisions as subpar. (A), substituted provisions relating to detention requirements respecting programs within three years after submission of the

initial plan, for provisions relating to detention requirements respecting programs within two years after submission of the plan, and added subpar. (B).

Subsec. (a)(13). Pub. L. 95-115, §4(c)(8), inserted "and youths within the purview of paragraph (12)" after "delinquent".

Subsec. (a)(14). Pub. L. 95-115, §§3(a)(3)(B), 4(c)(9), inserted "(A)" after "(12)" and "Associate" before "Administrator" and substituted "facilities, correctional facilities, and non-secure facilities" for "facilities, and correctional facilities".

Subsec. (a)(15). Pub. L. 95-115, §4(c)(10), struck out "all" before "disadvantaged".

Subsec. (a)(19). Pub. L. 95-115, §4(c)(11), struck out ", to the extent feasible and practical" before "the level".

Subsec. (a)(20), (21). Pub. L. 95-115, §3(a)(3)(B), inserted "Associate" before "Administrator" wherever appearing.

Subsec. (b). Pub. L. 95-115, §4(c)(12), substituted provisions relating to advice and recommendations for provisions relating to consultations.

Subsec. (c). Pub. L. 95-115, §4(c)(13), inserted provisions relating to failure to achieve compliance with the requirements of subsec. (a)(12)(A) within the three-year time limitation.

Subsec. (d). Pub. L. 95-115, §4(c)(14), inserted provision relating to the State choosing not to submit a plan and provision relating to reallocation of funds by the Administrator.

Subsec. (e). Pub. L. 95-115, §4(c)(15), struck out subsec. (e) which related to reallocation of funds in a State where the State plan fails to meet the requirements of this section as a result of oversight or neglect.

1976—Subsec. (a). Pub. L. 94-503 substituted "(15), and (17)" for "and (15)" in provisions preceding par. (1).

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-273 effective on the first day of the first fiscal year that begins after Nov. 2, 2002, and applicable only with respect to fiscal years beginning on or after the first day of the first fiscal year that begins after Nov. 2, 2002, see section 12223 of Pub. L. 107-273, as amended, set out as a note under section 5601 of this title.

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104-294, set out as a note under section 13 of Title 18, Crimes and Criminal Procedure.

#### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, but amendment by section 7258(a) of Pub. L. 100-690 not applicable to a State with respect to a fiscal year beginning before Nov. 18, 1988, if the State plan is approved before such date by the Administrator for such fiscal year, see section 7296(a), (b)(1) of Pub. L. 100-690, set out as a note under section 5601 of this title.

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as a note under section 5601 of this title.

#### EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115, formerly set out as a note under section 5601 of this title.

Pub. L. 95-115, §4(c)(3)(B), Oct. 3, 1977, 91 Stat. 1052, provided in part that the amendment of subsec. (a)(5) of this section, which substituted "5632(d)" for "5632(e)", by section 4(c)(3)(B) of Pub. L. 95-115 is effective Oct. 1, 1978.

Pub. L. 95-115, §4(c)(6)(B), Oct. 3, 1977, 91 Stat. 1053, provided in part that the amendment of subsec. (a)(10) of this section, which substituted "5632(d)" for

“5632(e)”, by section 4(c)(6)(B) of Pub. L. 95-115 is effective Oct. 1, 1978.

#### SAVINGS PROVISION

Pub. L. 102-586, §2(f)(3)(B), Nov. 4, 1992, 106 Stat. 4994, provided that: “Notwithstanding the amendment made by subparagraph (A)(ii) [amending this section], section 223(c)(3) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(c)(3)), as in effect on the day prior to the date of enactment of this Act [Nov. 4, 1992], shall remain in effect to the extent that it provides the Administrator authority to grant a waiver with respect to a fiscal year prior to a fiscal year beginning before January 1, 1993.” On the day prior to Nov. 4, 1992, subsec. (c)(3) of this section read as follows: “Except as provided in paragraph (2), failure to achieve compliance with the requirements of subsection (a)(14) of this section after December 8, 1985, shall terminate any State’s eligibility for funding under this part unless the Administrator waives the termination of the State’s eligibility on the condition that the State agrees to expend all of the funds to be received under this part by the State (excluding funds required to be expended to comply with subsections (c) and (d) of section 5632 of this title and with subsection (a)(5)(C) of this section), only to achieve compliance with subsection (a)(14) of this section.”

#### TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided for by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

#### COSTS AND IMPLICATIONS OF REMOVAL OF JUVENILES FROM ADULTS IN JAILS; REPORT TO CONGRESS

Pub. L. 96-509, §17, Dec. 8, 1980, 94 Stat. 2761, provided that the Administrator of the Office of Juvenile Justice and Delinquency Prevention, not later than 18 months after Dec. 8, 1980, submit a report to the Congress relating to the cost and implications of any requirement added to the Juvenile Justice and Delinquency Prevention Act of 1974 which would mandate the removal of juveniles from adults in all jails and lockups, such report to include an estimate of the costs likely to be incurred by the States, an analysis of the experience of States which required the removal of juveniles from adults in all jails and lockups, an analysis of possible adverse ramifications which might result from such requirement of removal, and recommendations for such legislative or administrative action as the Administrator considers appropriate.

#### §§ 5634 to 5639. Repealed. Pub. L. 100-690, title VII, § 7263(a)(1)(B), Nov. 18, 1988, 102 Stat. 4443

Section 5634, Pub. L. 93-415, title II, § 224, Sept. 7, 1974, 88 Stat. 1122; Pub. L. 95-115, §4(d), Oct. 3, 1977, 91 Stat. 1054; Pub. L. 96-509, §§12, 19(h), Dec. 8, 1980, 94 Stat. 2759, 2765; Pub. L. 98-473, title II, § 627, Oct. 12, 1984, 98 Stat. 2114, related to funding of special emphasis prevention and treatment programs through grants and contracts.

Section 5635, Pub. L. 93-415, title II, § 225, Sept. 7, 1974, 88 Stat. 1123; Pub. L. 94-503, title I, § 130(c), Oct. 15, 1976, 90 Stat. 2425; Pub. L. 95-115, §4(e), Oct. 3, 1977, 91 Stat. 1055; Pub. L. 98-473, title II, § 628, Oct. 12, 1984, 98 Stat. 2116, related to applications for grants and contracts under section 5634 of this title.

Section 5636, Pub. L. 93-415, title II, § 226, Sept. 7, 1974, 88 Stat. 1124, provided for proceedings by Administrator

in the case of noncompliance of program or activity with this subchapter.

Section 5637, Pub. L. 93-415, title II, § 227, Sept. 7, 1974, 88 Stat. 1124; Pub. L. 95-115, §4(f), Oct. 3, 1977, 91 Stat. 1055; Pub. L. 96-509, §13(a), Dec. 8, 1980, 94 Stat. 2759; Pub. L. 98-473, title II, § 629, Oct. 12, 1984, 98 Stat. 2117, related to use of funds paid pursuant to this subchapter.

Section 5638, Pub. L. 93-415, title II, § 228, Sept. 7, 1974, 88 Stat. 1124; Pub. L. 95-115, §4(g)(1), (2), (3)(A), Oct. 3, 1977, 91 Stat. 1055, 1056; Pub. L. 96-509, §§14, 19(i), Dec. 8, 1980, 94 Stat. 2760, 2765; Pub. L. 98-473, title II, § 630, Oct. 12, 1984, 98 Stat. 2117, related to continuing financial assistance for programs.

Section 5639, Pub. L. 93-415, title II, § 229, as added Pub. L. 95-115, §4(h), Oct. 3, 1977, 91 Stat. 1056, provided for confidentiality of program records.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as an Effective Date of 1988 Amendment note under section 5601 of this title.

#### PART C—JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM

##### PRIOR PROVISIONS

A prior part C, consisting of sections 5651 to 5665a, related to national programs, prior to repeal by Pub. L. 107-273, div. C, title II, §12210(1), Nov. 2, 2002, 116 Stat. 1880.

#### § 5651. Authority to make grants

##### (a) Grants to eligible States

The Administrator may make grants to eligible States, from funds allocated under section 5652 of this title, for the purpose of providing financial assistance to eligible entities to carry out projects designed to prevent juvenile delinquency, including—

- (1) projects that provide treatment (including treatment for mental health problems) to juvenile offenders, and juveniles who are at risk of becoming juvenile offenders, who are victims of child abuse or neglect or who have experienced violence in their homes, at school, or in the community, and to their families, in order to reduce the likelihood that such juveniles will commit violations of law;
- (2) educational projects or supportive services for delinquent or other juveniles—

(A) to encourage juveniles to remain in elementary and secondary schools or in alternative learning situations in educational settings;

(B) to provide services to assist juveniles in making the transition to the world of work and self-sufficiency;

(C) to assist in identifying learning difficulties (including learning disabilities);

(D) to prevent unwarranted and arbitrary suspensions and expulsions;

(E) to encourage new approaches and techniques with respect to the prevention of school violence and vandalism;

(F) which assist law enforcement personnel and juvenile justice personnel to more effectively recognize and provide for learning-disabled and other juveniles with disabilities;

(G) which develop locally coordinated policies and programs among education, juvenile justice, and social service agencies; or