

§ 10387. Access to documents**(a) By Attorney General**

The Attorney General shall have access for the purpose of audit and examination to any pertinent books, documents, papers, or records of a grant recipient under this subchapter and to the pertinent books, documents, papers, or records of State and local governments, persons, businesses, and other entities that are involved in programs, projects, or activities for which assistance is provided under this subchapter.

(b) By Comptroller General

Subsection (a) shall apply with respect to audits and examinations conducted by the Comptroller General of the United States or by an authorized representative of the Comptroller General.

(Pub. L. 90-351, title I, §1707, as added Pub. L. 103-322, title I, §10003(a)(3), Sept. 13, 1994, 108 Stat. 1813.)

CODIFICATION

Section was formerly classified to section 3796dd-6 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 10388. General regulatory authority

The Attorney General may promulgate regulations and guidelines to carry out this subchapter.

(Pub. L. 90-351, title I, §1708, as added Pub. L. 103-322, title I, §10003(a)(3), Sept. 13, 1994, 108 Stat. 1813.)

CODIFICATION

Section was formerly classified to section 3796dd-7 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 10389. Definitions

In this subchapter—

(1) “career law enforcement officer” means a person hired on a permanent basis who is authorized by law or by a State or local public agency to engage in or supervise the prevention, detection, or investigation of violations of criminal laws.

(2) “citizens’ police academy” means a program by local law enforcement agencies or private nonprofit organizations in which citizens, especially those who participate in neighborhood watch programs, are trained in ways of facilitating communication between the community and local law enforcement in the prevention of crime.

(3) “Indian tribe” means a tribe, band, pueblo, nation, or other organized group or community of Indians, including an Alaska Native village (as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(4) “school resource officer” means a career law enforcement officer, with sworn authority, deployed in community-oriented policing, and assigned by the employing police department or agency to work in collaboration with schools and community-based organizations—

(A) to address crime and disorder problems, gangs, and drug activities affecting or occurring in or around an elementary or secondary school;

(B) to develop or expand crime prevention efforts for students;

(C) to educate likely school-age victims in crime prevention and safety;

(D) to develop or expand community justice initiatives for students;

(E) to train students in conflict resolution, restorative justice, and crime awareness;

(F) to assist in the identification of physical changes in the environment that may reduce crime in or around the school; and

(G) to assist in developing school policy that addresses crime and to recommend procedural changes.

(5) “commercial sex act” has the meaning given the term in section 7102 of title 22.

(6) “minor” means an individual who has not attained the age of 18 years.

(7) “severe form of trafficking in persons” has the meaning given the term in section 7102 of title 22.

(Pub. L. 90-351, title I, §1709, as added Pub. L. 103-322, title I, §10003(a)(3), Sept. 13, 1994, 108 Stat. 1813; amended Pub. L. 105-302, §1(2), Oct. 27, 1998, 112 Stat. 2841; Pub. L. 114-22, title VI, §601(2), May 29, 2015, 129 Stat. 259.)

REFERENCES IN TEXT

The Alaska Native Claims Settlement Act, referred to in par. (3), is Pub. L. 92-203, §2, Dec. 18, 1971, 85 Stat. 688, which is classified generally to chapter 33 (§1601 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 43 and Tables.

CODIFICATION

Section was formerly classified to section 3796dd-8 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2015—Pub. L. 114-22 added pars. (5) to (7).

1998—Pub. L. 105-302 designated first three undesignated paragraphs as pars. (1) to (3), respectively, and added par. (4).

**SUBCHAPTER XVII—JUVENILE
ACCOUNTABILITY BLOCK GRANTS**

CODIFICATION

Part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968, comprising this subchapter, was originally added to Pub. L. 90-351, title I, by Pub. L. 103-322, title II, §20201(a)(3), Sept. 13, 1994, 108 Stat. 1819, and amended by Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681. Part R is shown herein, however, as having been added by Pub. L. 107-273, div. C, title II, §12102(a), Nov. 2, 2002, 116 Stat. 1859, without reference to those intervening amendments because of the extensive revision of Part R by Pub. L. 107-273.

§ 10401. Program authorized**(a) In general**

The Attorney General is authorized to provide grants to States, for use by States and units of local government, and in certain cases directly to specially qualified units.

(b) Authorized activities

Amounts paid to a State or a unit of local government under this subchapter shall be used by

the State or unit of local government for the purpose of strengthening the juvenile justice system, which includes—

(1) developing, implementing, and administering graduated sanctions for juvenile offenders;

(2) building, expanding, renovating, or operating temporary or permanent juvenile correction, detention, or community corrections facilities;

(3) hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates, and funding pretrial services (including mental health screening and assessment) for juvenile offenders, to promote the effective and expeditious administration of the juvenile justice system;

(4) hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and case backlogs reduced;

(5) providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively and for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders;

(6) establishing and maintaining training programs for law enforcement and other court personnel with respect to preventing and controlling juvenile crime;

(7) establishing juvenile gun courts for the prosecution and adjudication of juvenile firearms offenders;

(8) establishing drug court programs for juvenile offenders that provide continuing judicial supervision over juvenile offenders with substance abuse problems and the integrated administration of other sanctions and services for such offenders;

(9) establishing and maintaining a system of juvenile records designed to promote public safety;

(10) establishing and maintaining inter-agency information-sharing programs that enable the juvenile and criminal justice systems, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts;

(11) establishing and maintaining accountability-based programs designed to reduce recidivism among juveniles who are referred by law enforcement personnel or agencies;

(12) establishing and maintaining programs to conduct risk and need assessments of juvenile offenders that facilitate the effective early intervention and the provision of comprehensive services, including mental health screening and treatment and substance abuse testing and treatment to such offenders;

(13) establishing and maintaining accountability-based programs that are designed to enhance school safety, which programs may include research-based bullying, cyberbullying, and gang prevention programs;

(14) establishing and maintaining restorative justice programs;

(15) establishing and maintaining programs to enable juvenile courts and juvenile proba-

tion officers to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism;

(16) hiring detention and corrections personnel, and establishing and maintaining training programs for such personnel to improve facility practices and programming; or

(17) establishing, improving, and coordinating pre-release and post-release systems and programs to facilitate the successful re-entry of juvenile offenders from State or local custody in the community.

(c) Definition

In this section the term “restorative justice program” means a program that emphasizes the moral accountability of an offender toward the victim and the affected community and may include community reparations boards, restitution (in the form of monetary payment or service to the victim or, where no victim can be identified, service to the affected community), and mediation between victim and offender.

(Pub. L. 90-351, title I, § 1801, as added Pub. L. 107-273, div. C, title II, § 12102(a), Nov. 2, 2002, 116 Stat. 1859; amended Pub. L. 109-162, title XI, §§ 1165, 1186, Jan. 5, 2006, 119 Stat. 3121, 3127.)

CODIFICATION

Section was formerly classified to section 3796ee of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 1801 of title I of Pub. L. 90-351, as added Pub. L. 103-322, title II, § 20201(a)(3), Sept. 13, 1994, 108 Stat. 1819; amended Pub. L. 105-277, div. A, § 101(f) [title VIII, § 405(d)(34), (f)(26)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-426, 2681-433, authorized grants for the purpose of developing alternative methods of punishment for young offenders, prior to the general amendment of part R of title I of Pub. L. 90-351 by Pub. L. 107-273.

Another prior section 1801 of Pub. L. 90-351 was renumbered section 2601 and is classified to section 10541 of this title.

AMENDMENTS

2006—Subsec. (b)(13). Pub. L. 109-162, § 1186, amended par. (13) generally. Prior to amendment, par. (13) read as follows: “establishing and maintaining accountability-based programs that are designed to enhance school safety;”.

Subsec. (b)(17). Pub. L. 109-162, § 1165, added par. (17).

EFFECTIVE DATE

Pub. L. 107-273, div. C, title II, § 12102(b), Nov. 2, 2002, 116 Stat. 1869, provided that: “The amendments made by subsection (a) [enacting this subchapter] shall take effect on the first day of the first fiscal year that begins after the date of enactment of this Act [Nov. 2, 2002].”

§ 10402. Tribal grant program authorized

(a) In general

From the amount reserved under section 1810(b),¹ the Attorney General shall make grants to Indian tribes for programs to strengthen tribal juvenile justice systems and to hold tribal youth accountable.

(b) Eligibility

Indian tribes, as defined by section 5130 of title 25, or a consortia of such tribes, shall submit to

¹ See References in Text note below.