

106TH CONGRESS
1ST SESSION

H. R. 2913

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize grants to provide juvenile accountability coordinators to take a comprehensive approach to holding first- and second-time non-violent juvenile offenders accountable for their actions.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 1999

Ms. HOOLEY of Oregon introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize grants to provide juvenile accountability coordinators to take a comprehensive approach to holding first- and second-time nonviolent juvenile offenders accountable for their actions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Juvenile Accountability
5 and Diversion Act of 1999”.

1 **SEC. 2. AMENDMENTS.**

2 Title II of the Juvenile Justice and Delinquency Pre-
3 vention Act of 1974 (42 U.S.C. 5611 et seq.) is
4 amended—

5 (1) by redesignating the 2d part I as part K,

6 (2) by inserting after section 291E the fol-
7 lowing:

8 “PART J—JUVENILE ACCOUNTABILITY COORDINATORS

9 “ESTABLISHMENT OF PROGRAM

10 “SEC. 292A. (a) The Administrator may make grants
11 to units of local government for the purpose of employing
12 juvenile accountability coordinators each of whom shall
13 provide comprehensive services in accordance with this
14 part to juveniles (and to the families of such juveniles)
15 who come within the jurisdiction of the juvenile justice
16 system and who are not alleged to have committed a seri-
17 ous crime.

18 “(b) For the purpose of making such grants for a
19 fiscal year, the Administrator shall take into consideration
20 factors that include—

21 “(1) the per capita rate of offenses (other than
22 serious crimes) committed by juveniles in the geo-
23 graphical area under the jurisdiction of each unit of
24 local government that applies for a grant under this
25 part for such fiscal year; and

1 “(2) the economic resources available to such
2 unit of local government to respond to such offenses
3 committed by juveniles.

4 “(c) The aggregate amount of grants made under
5 this part to a particular unit of local government for a
6 fiscal year may not exceed \$300,000.

7 “ELIGIBILITY TO RECEIVE GRANTS

8 “SEC. 292B. To be eligible to receive a grant under
9 this part, the chief executive officer of a unit of local gov-
10 ernment shall submit to the Administrator an application
11 at such time, in such form, and containing such informa-
12 tion and assurances as the Administrator may require by
13 rule, including the following:

14 “(1) An assurance that such grant will be used
15 only to employ, as part of the juvenile justice system
16 administered by such unit of local government, 1 or
17 more qualified juvenile accountability coordinators
18 each of whom shall be required by such unit of local
19 government to perform all of the following functions
20 with respect to the particular juveniles who come
21 within the jurisdiction of such system, who are not
22 alleged to have committed a serious crime, and who
23 are assigned to the particular coordinator:

24 “(A) Whenever a juvenile is initially taken
25 into custody by any law enforcement authority
26 of such unit of local government for the com-

1 mission of an offense other than a serious
2 crime, such unit of local government shall as-
3 sign a juvenile accountability coordinator—

4 “(i) to contact expeditiously an indi-
5 vidual who is a legal guardian of such ju-
6 venile, or other appropriate individual, for
7 the purpose of assisting such individual to
8 participate in proceedings and determina-
9 tions that will lead to the disposition of
10 matter;

11 “(ii) provide on the request of such
12 juvenile, of a legal guardian of such juve-
13 nile, or of another appropriate individual,
14 information and referral relating to
15 available—

16 “(I) mental and physical health
17 services;

18 “(II) substance abuse services;

19 “(III) family counseling; and

20 “(IV) appropriate social services;

21 and

22 “(iii) monitor compliance with the
23 terms and conditions of any judicial or ad-
24 ministrative order, or any diversion ac-
25 countability plan, as in effect pending the

1 final disposition of the matter on which the
2 arrest is based.

3 “(B) Such coordinator shall make and
4 maintain a written record relating to such juve-
5 nile, including—

6 “(i) a description and assessment of
7 the circumstances under which such juve-
8 nile was taken into custody;

9 “(ii) a description and assessment of
10 the immediate events that gave rise to such
11 circumstances;

12 “(iii) a description and assessment of
13 the events and circumstances occurring
14 while such juvenile is held in custody;

15 “(iv) family relationships, and family
16 history, of such juvenile; and

17 “(vi) medical history (including sub-
18 stance abuse), school performance, peer as-
19 sociations, and previous delinquency (if
20 any) of such juvenile.

21 “(C) While such juvenile is in the jurisdic-
22 tion of juvenile justice system, such coordinator
23 shall assist such authorities to achieve a com-
24 prehensive review, and appropriate disposition,
25 of the matter on which the arrest is based and,

1 by creating a diversion accountability plan, to
2 reduce the probability that such juvenile will en-
3 gage in unlawful behavior.

4 “(D) allow such juveniles to comply with
5 the requirements of a diversion accountability
6 plan developed by such coordinator with and
7 made available to such juvenile, in lieu of hav-
8 ing such offense adjudicated by the judicial au-
9 thority of such unit of local government;

10 “(E) not adjudicate such offense if such
11 juvenile agrees to comply and does comply with
12 the requirements specified in such plan;

13 “(F) require all juvenile accountability
14 coordinators—

15 “(i) to provide to the judicial authori-
16 ties of such unit of local government, infor-
17 mation gathered by such coordinators for
18 the purpose of making records required by
19 paragraph (1)(B); and

20 “(ii) to cooperate, to the maximum ex-
21 tent permitted by law, with attorneys,
22 prosecutors, judges, parents, and juveniles
23 involved in the juvenile justice system, to
24 assist in determining appropriate sanctions

1 to be imposed for offenses committed by
2 juveniles;

3 “(G) collect data from such coordinators
4 and make such data available to the Office of
5 Juvenile Justice and Delinquency Prevention,
6 together with information regarding the number
7 of juveniles who agree to comply with and who
8 do comply with diversion accountability plans;
9 and

10 “(H) monitor the rate at which juveniles
11 who comply with such plans commit subsequent
12 offenses while they are juveniles.

13 “(2) An assurance that if a juvenile who agrees
14 to comply with and does comply with a diversion ac-
15 countability plan, such unit of local government will
16 not adjudicate the offense with respect to which such
17 plan is developed.

18 “LIMITATION

19 “SEC. 292C. Nothing in this part shall be construed
20 to forbid or require juvenile accountability coordinators to
21 divulge to any person, information gathered by such coor-
22 dinators as a result of actions taken in connection with
23 arrests of juveniles for committing a 1st or 2d offense
24 (other than a serious crime).

1 “DEFINITION

2 “SEC. 292D. For purposes of this part, the term ‘di-
3 version accountability plan’ means a plan that provides for
4 1 or more of the following:

5 “(1) making restitution to the victim of the of-
6 fense involved;

7 “(2) performing community service, participa-
8 tion in substance abuse counseling;

9 “(3) participation in mental and physical health
10 services;

11 “(4) writing essays; and

12 “(5) performance of any other action appro-
13 priate to mitigate or remove circumstances relating
14 to the offense for which such plan is developed or to
15 prevent the commission of a subsequent offense.

16 “REPORT

17 “SEC. 292E. The recipient of a grant made under
18 this title shall submit to the Administrator such reports
19 at such times, in such form, and containing such informa-
20 tion as the Administrator may require by rule, for pur-
21 poses of determining compliance with this part and the
22 effectiveness of providing financial assistance under this
23 part.”, and

24 (3) in section 299(a)—

25 (A) in paragraph (1) by striking “and I”
26 and inserting “I, and J”, and

1 (B) by inserting after paragraph (7) the
2 following:

3 “(8) There is authorized to be appropriated to carry
4 out part J of this title, \$50,000,000 for each of the fiscal
5 years 2000, 2001, and 2002.”.

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