

THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

Prior Federal Juvenile Delinquency Activity

- 1912 Children's Bureau created by Act of Congress. The Act directed the Bureau "to investigate and report...on all matters pertaining to the welfare of children and child life among all classes of our people and shall especially investigate the questions of infant mortality, the birth rate, orphanage, juvenile courts, desertion, dangerous occupations, accidents, and diseases of children, employment, legislation affecting children in the several States and Territories."
- 1948 Interdepartmental Committee on Children and Youth established. Its purpose was to develop closer relationships among Federal Agencies concerned with children and youth.
- 1950 The Midcentury White House Conference on Children and Youth met in Washington, D.C. The conference considered methods to strengthen juvenile courts, development of juvenile police services, and studied prevention and treatment services of social agencies, police, courts, institutions, and after-care agencies.
- 1961 President's Committee on Juvenile Delinquency and Youth Crime established. It recommended enactment of the Juvenile Delinquency and Youth Offenses Control Act of 1961.
- 1961 Juvenile Delinquency and Youth Offenses Control Act of 1961 enacted. It had a three year authorization for the purpose of demonstrating new methods of delinquency prevention and control.
- 1964 Juvenile Delinquency and Youth Offenses Control Act extended to carry out a special demonstration project in Washington, D.C. The Act was subsequently extended through fiscal year 1967.
- 1968 Juvenile Delinquency Prevention and Control Act of 1968 enacted. This act assigned to HEW responsibility for developing a national approach to the problem of Juvenile Delinquency. States were to prepare and implement comprehensive juvenile delinquency plans and, upon approval, receive Federal funds to carry out prevention, rehabilitation, training, and research programs.
- 1968 Omnibus Crime Control and Safe Streets Act of 1968 enacted. This Act provided block grants to States in order to improve and strengthen law enforcement. While not specifically mentioning juvenile delinquency, this Act's broad crime control and prevention mandate authorized funding of delinquency control and prevention programs.
- 1971 Juvenile Delinquency Prevention and Control Act extended for one year. The Interdepartmental Council to Coordinate all Federal Juvenile Delinquency Programs was established by this Act.

- 1971 Omnibus Crime Control and Safe Streets Act amended. The definition of law enforcement was amended to specifically include programs related to prevention, control, and reduction of juvenile delinquency. Grants were authorized for community-based juvenile delinquency prevention programming and correctional programs.
- 1972 Juvenile Delinquency Prevention Act enacted. This Act was an extension of the Juvenile Delinquency Prevention and Control Act of 1971. Under the Act, HEW was to fund preventive programs outside the juvenile justice system. Efforts to combat delinquency within the juvenile justice system were to be assisted through the Omnibus Crime Control and Safe Streets Act by the Law Enforcement Assistance Administration.
- 1973 Omnibus Crime Control and Safe Streets Act amended. The Act now specifically required that there be a juvenile delinquency component to the comprehensive State plan for the improvement of law enforcement and criminal justice.
- 1974 Juvenile Justice and Delinquency Prevention Act of 1974 enacted. This Act provided, for the first time, a unified national program to deal with juvenile delinquency prevention and control within the context of the total law enforcement and criminal justice effort.

Juvenile Justice and Delinquency Prevention Act--
Major Provisions/Amendments

1974 Juvenile Justice and Delinquency Prevention Act

1. Replaced Juvenile Delinquency Prevention and Control Act of 1968.
2. Authorized for 3 years with budget authority of \$350 million.
3. Provided for discretionary and block grants.
4. Created an Office of Juvenile Justice and Delinquency Prevention within LEAA, with the Runaway Youth Program (Title III) to be administered by HEW.
5. Created a National Advisory Committee, a Federal Coordinating Council, a National Institute for Juvenile Justice and Delinquency Prevention; provided formula grants to States based on population under 18; and provided discretionary funds to support youth programs developed by public and private youth serving agencies.
6. Mandated that States participating in Act:

- Remove status offenders within 2 years of enactment from secure detention and correctional facilities;
- Not place juveniles in any institutions where they would have regular contact with adults convicted of criminal charges.

1977 Act reauthorized for 3 years with inclusion of programs for learning disabled children who become involved in justice system

1. Provided that five percent of minimum allotment be made available to State Advisory Groups (SAGs) -- \$11,250.
2. Extended DSO to 3 years, but with 2 additional years with substantial compliance.

1980 Act Reauthorized for 4 years

1. Adopted Valid Court Order amendment to DSO requirement.
2. Provided for removal of juveniles from adult jails and lock-ups after 5 years from date of enactment of amendments.
3. Included a new focus on juveniles who have committed serious crimes and chronic offenders.
4. Established OJJDP as a separate administrative entity within new OJARS structure.
5. Reduced membership of National Advisory Committee from 21 to 15.
6. Provided for reallocation of Formula Grants funds to local private agencies in nonparticipating States, then to States in full compliance with Section 223(a)(12) and (13).
7. Annual comprehensive plans were replaced by 3-year comprehensive plan submissions with annual plan updates to report on performance and plan implementation.

1984 Reauthorized Act for 4 Years

1. Amended Act to provide for new program for Missing and Exploited Children (Title IV).
2. Emphasized programs which strengthen families.

3. Extended deadline for full compliance with the jail removal requirement (to after December 8, 1988).
4. National Advisory Committee abolished. SAG Conference given advisory responsibilities.
5. Placed constraints on use of Special Emphasis funds, and made changes in application process for Special Emphasis and Institute funds (competition and peer review).
6. Prohibited use of funds for bio-medical or behavior control experimentation or research.

1988 **Reauthorized Act for 4 Years**

1. Comprehensive program plan required annually.
2. New Annual Report requirements established for Titles II and IV.
3. Formula Grant minimums increased to \$325,000 or \$400,000 if Title II, Parts A, B, C, appropriation exceeds \$75 million.
4. Indian Tribe set-aside established.
5. Minority overrepresentation plan requirement added.
6. Administrator authorized to waive termination sanction for noncompliance with jail removal requirement.
7. Special Emphasis and Institute programs consolidated under Part C - National Programs.
8. Special Studies on conditions of confinement and Indian justice systems required.
9. New Part D program established to provide prevention and treatment programs relating to juvenile gangs, drug abuse, and drug trafficking.
10. Fund allocation formula modified:
 - Part A - Up to 5% (of Title II appropriation)
 - Part B - Not less than 70%
 - Part C - 25%

Part D - As appropriated

11. Missing Children's Advisory Board abolished
12. GAO Study of Valid Court Order directed.

1990 **Victims of Child Abuse Act**

1. OJJDP program funding authority for:
 - Court Appointed Special Advocate Program
 - Child Abuse Training Programs for Judicial Personnel and Prosecutors
 - Treatment for Juvenile Offenders Who are Victims of Child Abuse or Neglect

1992 **Reauthorized Act for 4 Years**

1. Coordinating Council restructured to include nine Federal agency members and nine citizen practitioner members.
2. Formula Grants minimum allocation increased to a maximum base allocation of \$600,000 per state and \$100,000 per territory.
3. State planning and administration allocation increased to 10% with requirement for at least one full-time Juvenile Justice Specialist.
4. State plan to include focus on educational needs, gender specific services, rural prevention and treatment, mental health services, and establishment of a comprehensive and coordinated system of services.
5. Disproportionate minority confinement made a core protection with 25% fund loss for noncompliance with each of four core protections.
6. Part D Gang program restructured to focus on gang free schools and communities and community based gang intervention programs.
7. New Part E State Challenge Activities program established to authorize funding for 10 challenge activities.
8. New Part F treatment program for juvenile sex offenders who are victims of child abuse and neglect (from 1990 Crime Act).

9. New Part G Mentoring grant program.
10. New Part H Boot Camp program.
11. Part I authorized a White House Conference on Juvenile Justice.
12. Title V Community Prevention Grants program authorized to provide prevention funds to implement local plans.

Summary: While Federal concern about juvenile delinquency has dated as far back as 1912, the Juvenile Justice and Delinquency Prevention Act of 1974 is landmark legislation in that it represents the first federally supported comprehensive approach to the problem of juvenile justice and delinquency prevention. Its support through the 1992 reauthorization was consistently bi-partisan and broadly based, with over 100 special interest groups advocating for its enactment.

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