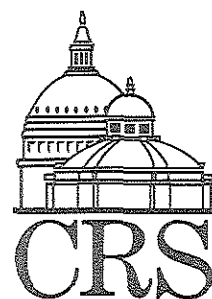


CRS Report for Congress

Juvenile Justice and Delinquency Prevention Reauthorization Act of 1992: Summary of Major Provisions

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**JUVENILE JUSTICE AND DELINQUENCY PREVENTION
REAUTHORIZATION ACT OF 1992:
SUMMARY OF MAJOR PROVISIONS**

SUMMARY

The Juvenile Justice and Delinquency Prevention Act of 1974 (P.L. 93-415) was reauthorized on October 7, 1992. Three major activities are authorized by the Act: juvenile justice and delinquency prevention, runaway and homeless youth services, and missing children's assistance.

The Act provides that the Administrator of the Office of Juvenile and Delinquency Prevention shall have the same reporting relationship with the Attorney General as the directors of other offices and bureaus within the Office of Justice Programs.

The new legislation creates a number of new grant programs. For example, the Act authorizes new funding in the form of "challenge grants" to States for the improvement of juvenile justice administration, and also to address problems related to child abuse. It also creates grant programs to prevent and reduce criminal activities among juveniles.

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REAUTHORIZATION ACT OF 1992:
SUMMARY OF MAJOR PROVISIONS**

OVERVIEW

The Juvenile Justice and Delinquency Prevention Act of 1974 (P.L. 93-415) was reauthorized on October 7, 1992. The Act provides Federal assistance to State and local government agencies and private nonprofit organizations to develop programs aimed at the prevention and treatment of delinquency. Three major activities are authorized by the Act: juvenile justice and delinquency prevention, runaway and homeless youth services, and missing children's assistance.

Several other acts are also associated with the provisions of the Juvenile Justice and Delinquency Prevention Act. For example, the Anti-Drug Abuse Act of 1988 (P.L. 100-690) authorized prevention and treatment programs relating to juvenile gangs, drug abuse, and drug trafficking. In addition, the 1992 Reauthorization Act contains provisions amending the Crime Control Act of 1990, the Victims of Child Abuse Act of 1990, the Head Start Improvements Act of 1992, the Child Care and Development Block Grant Act Amendments of 1992, and the Child Abuse Prevention and Treatment Act of 1974.

Two executive departments administer the Juvenile Justice and Delinquency Prevention Act. The Department of Justice administers the provisions dealing with juvenile delinquency prevention through its Office of Juvenile Justice and Delinquency Prevention (OJJDP). The Department of Health and Human Services administers programs for runaway and homeless youth through its Administration on Children and Families.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION

The 1992 Reauthorization Act places the Administrator of the Office of Juvenile Justice and Delinquency Prevention on an equal footing with the directors of other bureaus and offices. It provides that the Administrator shall have the same reporting relationship with the Attorney General as the other directors within the Office of Justice Programs.

It contains other provisions on the authority of the Administrator. The Act strikes the provision permitting the Administrator to transfer funds under section 222 to any other Federal agency to develop or demonstrate new methods in juvenile delinquency prevention and rehabilitation. Under the Act the Administrator is prohibited from making grants or contracts under section 261 to the Department of Justice. Another provision of the Act permits the Administrator to waive the competitive process for grants and contracts with respect to areas which the President has declared a major disaster or emergency.

In addition, the Act changes the composition of the Coordinating Council on Juvenile Justice and Delinquency Prevention, an independent advisory body

charged with coordinating all Federal programs concerned with juvenile delinquency, and missing and exploited children. Also, it directs the Administrator, acting through the National Institute for Juvenile Justice and Delinquency Prevention, to perform new research and training in such areas as the reduction of violent crimes among juveniles, assisting courts to bridge the gap between probation and confinement, and the prevention of hate crimes committed by juveniles.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION GRANTS

Juvenile justice and delinquency prevention (title II) is a program of State formula grants and special emphasis programs for a number of activities. These include:

- community-based alternatives to incarceration;
- the removal of juveniles from jails and lockups for adults;
- programs to strengthen the family; and
- programs concerned with the special education needs of delinquent children.

The Act authorizes \$150 million annually for FY1993 through FY1996 for title II's formula grant program, which provides Federal block grants to State and local governments. Also, it changes the allocation formula and increases the upper limit for the annual allocation of funds among the States.

The reauthorization makes available \$50 million for the newly created "challenge grants," designed to assist States in improving the administration of juvenile justice. Under this grant program, a State is eligible to receive an increase of 10 percent of its formula grant money for each of the "challenge activities" it undertakes.

The Act extends an existing program, Treatment for Juvenile Offenders Who Are Victims of Child Abuse or Neglect; it authorizes grants of \$15 million for FY1993 for treatment and transitional services for these juvenile offenders. This program was originally authorized under the Omnibus Crime Act of 1990 but never has received Federal funding.

Title II contains provisions for several new grant programs: (1) Gang-Free Schools and Communities; (2) Community-Based Gang Intervention; (3) Mentoring; and (4) Boot Camps. Title V creates another new grant program, Incentive Grants for Local Delinquency Programs.

The Gang-Free Schools and Communities program and Community-Based Gang Intervention program are designed to prevent and control criminal activity by gang youth. The Act authorizes \$25 million for each program for FY1993, and directs the Administrator to give priority to local educational agencies in the former program and community-based organizations in the latter. Gang-Free Schools grants emphasize gang prevention and gang control activities in public

elementary and secondary schools. Community-Based Gang Intervention grants emphasize community coordination and cooperation at the State and local levels.

The reauthorization contains provisions establishing grants for a mentoring program, and authorizes such sums as are necessary for FY1993. It directs the Administrator to make grants to local educational agencies for mentoring programs to aid at-risk youth, and to give priority to agencies who serve at-risk youth in high crime areas, experience a significant drop-out rate each school year, and have at least 60 percent of their students eligible to receive Federal grants for compensatory education under chapter I, title I of the Elementary and Secondary Education Act of 1965.

Local educational agencies are required to be in partnership with public and private organizations to link children with adults in the community. Mentors are to help youth, especially those in high crime areas or in danger of failing in school, to improve their educational performance, discourage their involvement in illegal activities or in gangs, and encourage their participation in community service activities.

The Act authorizes such sums as are necessary for FY1993 funding of the Boot Camp Grant Program, designed to assist the States in establishing military-style boot camps for juvenile delinquents. Such camps are to be located on existing or closed military bases, with an emphasis on equity in geographic distribution.

The last juvenile justice grant program, Incentive Grants for Local Delinquency Prevention (title V), directs the Administrator to make grants to units of local government for delinquency prevention programs and activities. Local governments are required to use funds for youth who have had contact with the juvenile justice system or are likely to have such contact, and to provide a 50 percent match of grant funding. The Act authorizes \$30 million for FY1993 to carry out this title.

Runaway and Homeless Youth

Title III of the Juvenile Justice and Delinquency Prevention Act includes two discretionary grant programs that serve runaway and homeless youth. The Runaway and Homeless Youth Program (RHYP) primarily funds basic centers, i.e., local facilities providing crisis residential care and counseling for runaway and homeless youth as well as counseling and aftercare services for the family. Basic center grants are made directly to the shelters, but dollar amounts are allocated according to each State's proportion of the population younger than 18 years. The law states that 90 percent of RHYP's appropriation should be distributed as basic center grants. In addition, the program funds a national toll-free hotline and a few discretionary demonstration grants.

The Transitional Living Program for Homeless Youth provides financial support and technical assistance to public and private nonprofit entities to operate community-based programs for homeless youth. The services are

designed to meet the needs of older youth (ages 16 to 21) who are homeless through mutual agreement with their parents or who have been forced to leave by their parents. Youth are eligible to receive shelter and services, such as basic life skills, personal finances, housekeeping, career counseling, and mental and physical health services, for up to 18 months.

A third program for runaway and homeless youth, the Drug Education and Prevention Program for Runaway and Homeless Youth is authorized by section 3513(a) of the Anti-Drug Abuse Act and funds research, demonstration, and service projects designed to reduce and prevent substance abuse among runaway and homeless youth. It was not affected by the reauthorization Act.

Most notable among the new provisions of the Act are those that would establish "street-based services" to runaway and homeless youth and identify "other street youth" as a component of the target population of the programs. In addition, the new law would expand activities to include "home-based services" provided to youth at risk of separation from their families. The law, however, conditions the funding of the street-based and home-based services upon an annual appropriation of at least \$50 million for the Runaway and Homeless Youth Program, a figure notably higher than the FY 1993 appropriation of \$35.1 million.

Missing Children's Assistance Act

The Missing Children's Assistance Act allows missing children's names to be entered in the National Criminal Information Center's computerized system. A National Resource Center on Missing Children within OJJDP provides such services as a toll free hotline to report sightings of missing children. The 1992 law authorizes such sums as may be necessary.

Child Abuse and Neglect Issues

The Juvenile Justice Act addresses child abuse issues in several ways. It establishes a new program of children's advocacy centers that are aimed at providing free-standing facilities where a multidisciplinary team of professionals can help physically and sexually abused children and their families.

The Act authorizes regional advocacy centers that can offer services to victims and their families; enhance coordination among professionals responsible for intervention, prevention, prosecution, and investigation, and treatment of victims; train health care professionals; and offer technical assistance and services to local advocacy centers and communities that are establishing similar multidisciplinary programs. Over 40 similar centers already exist in cities with funding from a variety of public and private sources, but they are generally targeted to victims of sexual abuse only.

The Act also amends the confidentiality requirements under the Child Abuse Prevention and Treatment Act. This confidentiality requirement is one of several requirements that States must meet to receive funding under the

Child Abuse Act's basic State grant program for child abuse prevention and treatment. Previously, regulations stipulated nine categories of individuals or entities who were allowed access to child abuse records. The amendment allows States to provide access to records to persons or entities that the State deems need to know such information in order to carry out their duties of protecting children. It also encourages States to implement multidisciplinary child death review committees. Many States and localities have established such teams in the past 5 years.

**JUVENILE JUSTICE AND DELINQUENCY PREVENTION
REAUTHORIZATION ACT OF 1992:
SECTION BY SECTION SUMMARY**

TITLE I -- FINDINGS AND DECLARATION OF PURPOSE

Amends 42 U.S.C. 5601(a), finding that: (1) recent trends show an upsurge in arrests of adolescents for violent crimes; (2) those few juveniles who commit the most serious and violent offenses are becoming more violent; (3) emphasis should be placed on preventing youth from entering the juvenile justice system; and (4) the incidence of juvenile delinquency can be reduced through public recreation programs, social services, and educational activities. [Section 101]

Establishes as purposes of the Act: (1) the provision of technical assistance to non-profit juvenile justice and delinquency prevention programs; (2) strengthening families in which juvenile delinquency has been a problem; (3) assisting State and local governments in improving the administration of justice and services for juveniles who enter the system, and preventing youth from entering the system; (4) providing for coordination of services between State, local, and community-based agencies. [Section 102]

Defines the term "valid court order," and establishes procedures to be followed by juvenile courts prior to the issuance of a valid court order. Adds new language defining "comprehensive and coordinated services," "gender specific services," "home-based alternative services," "jail or lockup for adults," and "nonprofit organization." [Section 103]

TITLE II -- JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Part A--Office of Juvenile Justice and Delinquency Prevention

Provides that the Administrator of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) shall have the same reporting relationship with the Attorney General as the directors of other offices and bureaus within the Office of Justice Programs. [Section 201(b)]

Amends 42 U.S.C. 5614 to require the Administrator to develop objectives, priorities, and a long-term plan, containing specified goals and criteria for making grants and contracts, for conducting research, and for carrying out other activities under this title. Requires that the plan propose methods to coordinate activities under this title with the administration of all other Federal juvenile delinquency programs and activities. Requires the Administrator periodically to review and revise the plan, and publish it in the *Federal Register*. Strikes provisions of current law authorizing the Administrator: (1) to transfer funds appropriated under this section to any agency of the Federal Government to

develop or demonstrate new methods in juvenile prevention and rehabilitation, and (2) to make grants to, or enter into contracts with, any public or private agency or individual to carry out the purposes of this title. [Section 204]

Changes the composition of the Coordinating Council on Juvenile Justice Prevention by removing certain members and adding nine members chosen from juvenile justice professions. Directs the Council to coordinate all Federal programs and activities that detain or care for unaccompanied juveniles, and to examine how existing programs at all governmental levels can be coordinated to assist at-risk youth. Requires it to make recommendations regarding the development of the objectives, priorities, implementation of overall policy, and strategy to carry out this plan. [Section 206]

Amends *42 U.S.C. 5617* by stipulating that the annual report presented by the Administrator to the President and to Congress must also include a detailed summary and analysis as to the educational status of juveniles within the juvenile justice system, including information relating to learning disabilities, failing performance, grade retention, and dropping out of school. [Section 207]

Part B--Federal Assistance for State and Local Programs

Amends *42 U.S.C. 5613(b)(2)* to increase the upper limit for the annual allocation of funds among the States.

State allocations are as follows: (1) if the aggregate amount appropriated for a fiscal year under Title II (other than parts D and E) is less than \$75 million, then the amount allocated to each State for that fiscal year shall be not less than \$325,000, or a greater amount up to \$400,000, provided that any State's allocation does not fall below that allocated for fiscal year 1992; and (2) if the aggregate amount appropriated for a fiscal year under Title II (other than parts D and E) equals or exceeds \$75 million, then the amount allocated to each State for that fiscal year shall not be less than \$400,000, or a greater amount up to \$600,000, as available for allocation, provided that full funding is made available for parts D and E. [Section 222(a)]

Allocations for territories are as follows: (1) if the aggregate amount appropriated for a fiscal year under Title II (other than parts D and E) is less than \$75 million, the amount allocated to the territories shall not be less than \$75,000, or a greater amount up to \$100,000, without reducing the allocation for any State or territory below that allocated for fiscal year 1992; and (2) if the aggregate amount appropriated for a fiscal year under Title II (other than parts D and E) equals or exceeds \$75 million, then the amount allocated to each territory shall be \$100,000, as available, without reducing the allocation for any State or territory below that allocated for fiscal year 1992. [Section 222(a)]

Amends *42 U.S.C. 5613* by increasing the ceiling from 7.5 percent to 10 percent of any State's total annual allocation for use in developing its State plan. [Section 222(c)]

State Plans

Amends 42 U.S.C. 5633 to require that the States include "challenge activities" in the plans they submit to OJJDP in order to receive formula grant monies. Provides for an advisory group of 15 to 33 members, appointed by the chief executive officer of the State, at least one-fifth of whom are under age 24 at the time of appointment, and 3 members who have been or are currently under the jurisdiction of the juvenile justice system. Members may be chosen from elected local officials; law enforcement and juvenile justice personnel; public and private agency staff concerned with delinquency prevention or treatment; and volunteers and youth workers involved with delinquents or at-risk youth. [Section 223]

Directs that each State plan contains information about gender-specific services for the prevention and treatment of juvenile delinquency, services for the prevention and treatment of juvenile delinquency in rural areas, and mental health services available to juveniles in the juvenile justice system and of barriers to access to such services. [Section 223]

Provides that not less than 75 percent of the funds available to the States, other than funds made available to the State advisory groups, be used for the following purposes:

- alternatives to incarceration and institutionalization;
- community-based services to families of incarcerated juveniles, especially those with limited English proficiency;
- comprehensive juvenile justice and delinquency prevention programs that meet the needs of youth throughout the juvenile justice system;
- programs stressing advocacy activities;
- educational programs or supportive services designed to encourage juveniles to remain in elementary and secondary schools;
- expanded use of home probation to allow youth to remain at home as an alternative to incarceration or institutionalization;
- youth-initiated outreach programs designed to assist youth who otherwise would not be reached by traditional youth assistance programs;
- projects relating to juvenile delinquency and learning disabilities;
- projects designed to deter involvement in illegal gang activities;
- programs for the treatment of youth alcohol or drug dependence;
- law-related education programs for delinquent and at-risk youth and programs for positive youth development;
- programs to encourage courts to use post-adjudication restraints that bridge the gap between traditional probation and confinement in a correctional setting;
- programs to prevent and reduce hate crimes committed by juveniles; and
- programs to assist families and delinquent juveniles with limited English-speaking ability. [Section 223]

Requires States to assure in their plans that youth in the juvenile justice system are treated equitably on the basis of gender, race, family income, and mentally, emotionally, or physically handicapping conditions. [Section 223]

Requires State plans to provide an assurance that if the State receives under Section 222 for any fiscal year an amount that exceeds 105 percent of the amount the State received for fiscal year 1992, any excess shall be expended through or for programs that are part of a comprehensive and coordinated community system of services. [Section 223]

Reduces formula grant funding by 25 percent for noncompliance with the Act's deinstitutionalization and jail removal mandates after January 1, 1993. Provides that any State not in compliance is ineligible to receive formula grant funds unless (1) it agrees to expend all the remaining funds it receives to achieve compliance; or (2) the Administrator determines that it has achieved substantial compliance or has an unequivocal commitment to achieving full compliance. Retains the provision of current law permitting the Administrator to grant waivers of termination eligibility to States not in compliance with the Act. [Section 223]

Part C--National Programs

Subpart I--National Institute for Juvenile Justice and Delinquency Prevention

Amends 42 U.S.C. 5651(d)(1) to require the National Institute for Juvenile Justice and Delinquency Prevention to include, as part of its clearinghouse function, the preparation, publication, and dissemination of all information pertaining to drug and alcohol treatment programs and gender-specific programs. [Section 242]

Authorizes the Administrator, acting through the National Institute for Juvenile Justice and Delinquency Prevention, to perform new tasks:

- establish or expand programs that encourage courts to find post-adjudication restraints that bridge the gap between traditional probation and confinement, and to provide to States information and technical assistance about risk assessment mechanisms to aid juvenile justice personnel in determining appropriate sanctions for delinquent behavior;
- encourage the development of intervention and treatment programs which help youth take responsibility for their behavior and consider their life experiences which may have contributed to their delinquency;
- encourage the development and establishment of programs to enhance the States' ability to identify chronic serious and violent juvenile offenders;
- support research, training, and consultation on social, psychological, educational, economic, and legal issues affecting children and families;
- support research on hate crimes committed by juveniles and design education programs to prevent and reduce them; and

- maintain a data system of uniform national statistics concerning all aspects of juveniles as victims and offenders, the processing and treatment of juveniles who are status offenders, delinquent, neglected or abused, and those juveniles who are treated as adults within the criminal justice system. Directs the Administrator to make available to the public the results of such evaluations, research, data, and studies. [Section 243]

Directs the Administrator, acting through the National Institute for Juvenile Justice and Delinquency Prevention, to provide technical assistance and training to assist States and units of local government to adopt model standards for providing health care to incarcerated juveniles. [Section 244]

Requires the Administrator to establish within the Institute a training program designed to train enrollees in methods and techniques to prevent and reduce the incidence of hate crimes committed by juveniles. Directs the Administrator to design and supervise a curriculum that includes the prevention of hate crimes. [Section 245, 246]

Directs the Comptroller General, no later than 1 year after the enactment of the 1992 amendments, to submit to Congress findings and recommendations concerning: (1) juveniles waived to adult courts; (2) admission of juveniles for behavior disorders to private psychiatric hospitals, and other residential and nonresidential programs; (3) gender bias within State juvenile justice systems; (4) the Native American pass-through grant program; and (5) access to counsel in juvenile court proceedings. [Section 248]

Requires the Administrator to conduct a study on violence committed by or against juveniles in urban and rural areas and to report the results of such studies to Congress no later than 3 years after the date of enactment. [Section 248]

Directs the Administrator to conduct a study which assesses the characteristics of juveniles who commit hate crimes, including a profile of offenders and victims. [Section 248]

Subpart II--Special Emphasis Prevention and Treatment Programs

Amends 42 U.S.C. 5665 granting the Administrator authority to make grants and contracts for the following: (1) establishing or supporting programs stressing advocacy activities aimed at improving services to juveniles affected by the juvenile justice system, including services that provide for the appointment of special advocates by courts for such juveniles; and (2) establishing or supporting programs designed to prevent and to reduce the incidence of hate crimes by juveniles. [Section 261]

Prohibits the Administrator from making grants or contracts to the Department of Justice or to any administrative unit or other entity that is part of the Department of Justice. [Section 261]

Amends 42 U.S.C. 5665a(d)(1) by adding a provision permitting the Administrator to make a written determination waiving the competitive grant process with respect to areas in which the President has declared a major disaster or emergency, and with respect to a particular program that is uniquely qualified. [Section 262]

Part D--Gang-Free Schools and Communities; Community-Based Gang Intervention

Amends 42 U.S.C. 5667 by establishing 2 new discretionary grant programs, Gang-Free Schools and Communities, and Community-Based Gang Intervention, for the prevention and control of criminal activity by gang youth. [Section 281 and 282]

Directs the Administrator to make grants for both programs, to prevent and reduce the participation of juveniles in gangs, to develop new approaches within courts and juvenile detention centers to the problems of youth convicted of serious drug-related and gang-related offenses, to promote lawful activities among youth in areas experiencing gang-related crime, to provide treatment and services to juveniles in gangs and to those at risk of joining gangs, and to assist juveniles in treatment and prevention of substance abuse. [Section 281 and 282]

In addition, Gang-Free Schools grants emphasize gang prevention and gang control activities in public elementary and secondary schools. The grants may be used for youth education, social services, and crisis intervention; steering elementary school students away from gang involvement; adult training and assistance for individuals, families, community organizations, and agencies working with juveniles; school security; the creation of a safe place on school grounds or within a housing project for the provision of gang prevention services; and research on juvenile gangs, program effectiveness, and dissemination of related information. (No more than 15 percent of funds appropriated each year may be used for the last category, research). [Section 281]

Community-Based Gang Intervention grants also emphasize coordination and cooperation at the community level among State and local juvenile justice officials; law enforcement personnel; health, social service, and employment agencies; schools; and private nonprofit organizations. The grants may be used to develop regional task forces, which may work to curtail interstate gang activities; to coordinate gang-related enforcement, intervention and treatment efforts of public and private agencies at the State and local level; and to assist community-based programs designed to reduce youth participation in illegal gang activities. [Section 282]

Guidelines are provided for applicants in both programs, requiring self-evaluation, regular reports to the Administrator, coordination with existing Federal youth-related programs, and fiscal control of grant funds. Directs the Administrator to give priority to local educational agencies in the former program and community-based organizations in the latter, especially in those

areas with a high incidence and severity of gang-related crime. [Section 281 and 282]

Extends definition for "juvenile," as used in this section, beyond those individuals less than 18 years old [Section 222 (a)(1)] to those less than 22 years of age. [Section 283]

The bill authorizes \$25 million for each program for FY1993 and such sums as are necessary for fiscal years 1994, 1995, and 1996. [Section 299]

Part E--State Challenge Activities

Amends 42 U.S.C. 5611 *et seq.* by establishing a new "State Challenge Activities Grant Program" under which a State is eligible to receive an increase of 10 percent of its formula grant money for each of the "challenge activities" it undertakes. [Section 285]

Defines "challenge activities" as the following:

- developing programs to provide basic health and appropriate education services, including special education, for youth in the juvenile justice system;
- developing programs to provide access to counsel for all juveniles in the justice system to ensure that juveniles consult with counsel before waiving the right to counsel;
- increasing community-based alternatives to incarceration;
- developing programs to provide secure settings for the placement of violent juvenile offenders;
- developing policies to prohibit gender bias in placement and treatment, and ensure that female youth have access to the full range of health services, treatment for physical or sexual assault, and education and vocational services;
- establishing and operating a State ombudsman office for children, youth and families to investigate and resolve complaints about providers of out-of-home care;
- developing programs to remove, where appropriate, status offenders from the jurisdiction of the juvenile court in order to prevent their incarceration;
- developing programs that serve as alternatives to suspension and expulsion from schools;
- increasing aftercare services for juvenile offenders; and
- developing and adopting policies to establish a State administrative structure to coordinate services for children who have emotional and behavioral problems and their families. [Section 285]

Part F--Treatment for Juvenile Offenders Who Are Victims of Child Abuse or Neglect

The Juvenile Justice Act creates a new part F that authorizes grants to provide treatment and transitional services to juveniles offenders (under the age

of 18) who are victims of child abuse or neglect and their families. Treatment is aimed at helping reduce the likelihood that the juveniles will commit subsequent offenses. Transitional services must help juvenile offenders strengthen relationships with their families, facilitate alternative placement, and prepare juveniles who are aged 16 or older to live independently. This program is administered by the Administrator of the Office of Juvenile Justice and Delinquency Prevention, Department of Justice, in consultation with the Secretary of the Department of Health and Human Services (DHHS). The Act authorizes \$15 million for this part for FY 1993. (Section 287)

Part G--Mentoring

States that the purposes of this provision concerning the use of mentors for at-risk youth are to reduce juvenile delinquency and gang participation; to improve academic performance of youth; and to reduce the drop-out rate. Defines "at-risk youth" as those juveniles at risk of educational failure or dropping out of school or involvement in delinquent activities; defines "mentor" as a person who works with an at-risk youth on a one-to-one basis, establishing a supportive relationship, improving upon the student's academic performance, and enhancing his or her good citizenship potential. [Section 288]

Directs the Administrator to make grants to local educational agencies for mentoring programs to aid youth who may be failing in school, or are at risk of dropping out of school or engaging in delinquent activities. Such agencies are required to be in partnership with public and private organizations to link children with adults, including law enforcement officers, employees of local businesses, and persons affiliated with community service organizations. Mentors are to help youth, especially in high crime areas or in danger of failing in school, to improve their educational performance, discourage their involvement in illegal activities or in gangs, and encourage their participation in community service activities. [Section 288]

Provides that the Administrator shall establish regulations for the mentoring program, after consultation with the Secretaries of Education, Labor, and Health and Human Services. Also, the Administrator shall develop and distribute guidelines for the screening of prospective program mentors. Grant monies may be used to hire coordinators and support staff, and for incidental expenditures of mentors, but not for the direct compensation of mentors or for the purchase of educational materials or equipment ordinarily used by local educational agencies. [Section 288]

Requires the Administrator to give priority to prospective grantees who serve at-risk youth in high crime areas, experience a significant drop-out rate each school year, and have at least 60 percent of their students eligible to receive Federal grants for compensatory education under Chapter I, Title I of the Elementary and Secondary Education Act of 1965. [Section 288]

Grants are to be made for 3 year periods, and the Administrator is required to submit a report to Congress within 120 days after the first period as to the

success and effectiveness of the mentoring program in reducing juvenile delinquency and gang participation, improving the academic performance of youth, and lowering the drop-out rate. [Section 288]

The bill authorizes such sums as are necessary for fiscal years 1993, 1994, 1995 and 1996. [Section 299]

Part H--Boot Camps

Authorizes the Administrator to make grants to the appropriate agencies of 1 or more States for the purpose of establishing up to 10 military-style boot camps for juvenile delinquents. Provides that such boot camps shall be located on existing or closed military bases, with an emphasis on equity in geographic distribution. [Section 289]

Sets out the standards for eligibility for the boot camp program. Provides that a person shall be eligible for assignment to a boot camp if he or she is considered to be a juvenile and has been adjudicated under the laws of the State of jurisdiction, or if the person, upon approval of the court, voluntarily agrees to the boot camp assignment without a delinquent adjudication. [Section 289]

Requires States seeking to establish a boot camp, or participating in the joint administration of a boot camp to submit to the Administrator a plan describing the provisions that the State will make for continued supervision of juveniles following release, and provisions for educational and vocational training, drug or other counseling and treatment, and other support services. [Section 289]

Part I--White House Conference on Juvenile Justice

Allows the President to call and conduct a National White House Conference on Juvenile Justice not later than 18 months after enactment. [Section 291]

Sets forth the purposes of the Conference as follows:

- to increase public awareness of the problem of juvenile offenders and the juvenile justice system;
- to examine the status of minors currently in the juvenile and adult justice systems;
- to examine the increasing number of violent crimes committed by juveniles;
- to examine the growing phenomena of youth gangs, including the number of young women who are involved;
- to assemble persons involved in policies and programs related to juvenile delinquency prevention and juvenile justice enforcement;
- to examine the need for improving services for girls in the juvenile justice system;

- to create a forum to share information regarding successes and failures of policy regarding youth; and
- to develop recommendations for executive and legislative action to address the problems of juvenile delinquency and juvenile justice. [Section 291]

Provides that participants in the Conference may conduct conferences and other activities at the State and regional levels prior to the date of the Conference, subject to the approval of the Executive Director of the Conference. Directs that no person involved in administering State juvenile justice programs or in providing services to or advocacy of juvenile offenders may be denied admission to a State or regional conference. [Section 291]

Directs that certain delegates to the National Conference be elected by participants at the State conferences. Other delegates may be appointed by Governors; the majority leader of the Senate; the Speaker of the House of Representatives; the President; the chief law enforcement official and the chief juvenile corrections official of each State; and the Chairperson of the Juvenile Justice and Delinquency Prevention Advisory Committee of each State. Provides that only persons involved in administering State juvenile justice programs or in providing services to or advocacy of juvenile offenders shall be eligible for appointment as a delegate. [Section 291]

Directs that Conference participants not be reimbursed from funds appropriated pursuant to this Act. Prohibits the imposition of fees on persons who attend the Conference, except for a registration fee not to exceed \$10. [Section 291]

Permits the President to appoint and compensate an executive director of the National White House Conference on Juvenile Justice and a staff, not to exceed 20 persons. Allows heads of agencies to detail employees to work with the executive director in planning and administering the Conference. Directs all Federal departments, agencies and instrumentalities to provide such support and assistance as may be necessary to facilitate the planning and administration of the Conference. [Section 291]

Provides that a final report of the Conference be submitted to the President and the Congress no later than 6 months after the date on which a National Conference convened. [Section 291]

Requires the Administrator to report to Congress annually during the 3 year period following the submission of the final report of a Conference on the status and implementation of the findings and recommendations of the Conference. [Section 291]

Repeals Subtitle G (Treatment for Juvenile Offenders Who Are Victims of Child Abuse or Neglect) of Title II of the Crime Control Act of 1990. [Section 291]

Part J--General and Administrative Provisions

Authorizes an annual appropriation of \$150 million for fiscal years 1993, 1994, 1995, and 1996 to carry out Title II, excluding parts D, E, F, G, H, and I. [Section 299]

Authorizes \$25 million for part D, subpart I (Gang-Free School and Communities) and \$25 million for part D, subpart II (Community-Based Gang Intervention) for fiscal year 1993, and such sums as are necessary for fiscal years 1994, 1995, and 1996. [Section 299]

Provides that funding requirements for block grants under Title II shall receive priority over other parts of the Act. Stipulates that no funds may be appropriated to carry out part D, E, F, G, or I of title II, or title V or title VI for a fiscal year unless the aggregate amount appropriated to carry out title II (other than part D, E, F, G, or I or title V or VI) for the fiscal year is not less than the aggregate amount appropriated to carry out this title (other than part D, E, F, G, or I of this title or title V or VI) for the preceding fiscal year. [Section 299]

Authorizes \$50 million for part E (State Challenge Activities) for fiscal year 1993 and such sums as are necessary for fiscal years 1994, 1995, and 1996. [Section 299]

Authorizes \$15 million for part F (Treatment for Juvenile Offenders Who Are Victims of Child Abuse or Neglect) for fiscal year 1993, and such sums as are necessary for fiscal years 1994, 1995, and 1996. Stipulates that no amount is authorized for a fiscal year to carry out Part F unless the aggregate amount appropriated to carry out this title for that fiscal year is not less than the aggregate amount appropriated to carry out this title for the preceding fiscal year. Directs the Administrator to use 85 percent of part F funds to make grants for treatment and transitional services; not to exceed 10 percent for grants for research; and not to exceed 5 percent for salaries and expenses of the Office of Juvenile Justice and Delinquency Prevention related to administering part F. [Section 299]

Authorizes such funds as are necessary for part G (Mentoring) for fiscal years 1993, 1994, 1995, and 1996. [Section 299]

Authorizes such funds as are necessary for part H (Boot Camps) for fiscal year 1993. Directs that not more than \$12.5 million of part H funds shall be used to convert any 1 closed military base or other designated facility to a boot camp, and not more than \$2.5 million shall be used to operate any 1 boot camp during a fiscal year. Provides that no amount is authorized to be appropriated for a fiscal year to carry out part H unless the aggregate amount appropriated to carry out part A (Juvenile Justice and Delinquency Prevention Office), B (Federal Assistance for State and Local Programs), and C (National Programs) of this title for that fiscal year is not less than 120 percent of the aggregate amount appropriated to carry out those parts for fiscal year 1992. [Section 299]

Authorizes such sums as are necessary for each National Conference and associated State and regional conferences under Part I. [Section 299]

TITLE III -- RUNAWAY AND HOMELESS YOUTH

Amends the findings portion of *42 U.S.C. 5701* by updating the justification of the Federal responsibility to address the current problems of runaway and homeless youth. The health, emotional, and behavioral problems as well as the educational and training needs are highlighted, and the needs for an accurate national reporting system, early intervention services, and street-based services are presented. The updates also include an emphasis on providing care to runaway and homeless youth outside the welfare system and the law enforcement system that covers preventive services, emergency shelter services and extended residential shelter. [section 302]

Part A--Runaway and Homeless Youth Grant Program

The major changes in title III are the establishment of street-based services and home-based services if the appropriation for the Runaway and Homeless Youth basic center grant program exceeds \$50 million in a given year. These new provisions amend *42 U.S.C. 5633* to enable the Secretary to make grants to projects that locate runaway, homeless, and other street youth; refer them to the providers of crisis intervention services; and provide health education and disease prevention services to such youth. [Section 311]

To be eligible, a street-based project would agree to: identify and frequent areas where runaway, homeless, and street youth congregate; assess the problems and service needs of such youth; and, have staff work in teams with off-street clinical supervision. Project staff would also develop referral relationships with wide range of human service agencies, including law enforcement, education, social service, vocational services, training, public welfare, legal assistance, health and mental health organizations. The projects would keep statistical summaries profiling the youth served, would protect the confidentiality by not releasing information without the consent of the client, and would submit annual reports on the characteristics of the youth served. Entities receiving grants under the Runaway and Homeless Youth basic center grant program would comprise the pool of projects eligible to receive grants for street-based services and home-based services. [Section 311]

The grants for home-based services would target families at risk of separation because of runaway youth. The law defines a youth at risk of running away as those individuals who: are less than 18 years of age; have a history of running away; and have a parent, guardian, or custodian, who is not willing to provide for the basic needs of the youth or who is at risk of entering the child welfare or juvenile justice system because of the lack of services available to meet such needs. Services would include case management (intensive counseling, life skills and parenting instruction, and other services) in the family's residence for a period of up to 6 months. [Section 311]

In addition to serving as an alternative to the law enforcement and juvenile justice systems, an amendment to *42 U.S.C. 5711* would make the centers serve as alternatives to the child welfare and mental health systems. The law also amends *42 U.S.C. 5711* to increase the allocation formula's minimum amount for States from \$75,000 to \$100,000 and for designated territories from \$30,000 to \$45,000. [Section 311]

The 1992 Reauthorization Act amends *42 U.S.C. 5712* to limit the number of youth who may reside at a temporary shelter for runaway and homeless youth to no more than 20 and to require a ratio of staff to youth that is sufficient to ensure adequate care and supervision. Furthermore, the additions provide that projects develop a plan for outreach to minority youth who are homeless or runaways, or who have limited English-speaking ability. The projects include law enforcement, social service, health, school, and welfare personnel in the plan to ensure that related human service personnel are involved. [Section 312]

Amendments concerning the size of the project grants in *42 U.S.C. 5713* increase the priority given to grants from those smaller than \$150,000 to those smaller than \$200,000. [Section 316]

Part B--Transitional Living Grant Program

The Act alters the consent requirements for disclosing the records maintained on the homeless youth, by amending *42 U.S.C. 5714-2(a)* by requiring only the informed consent of the individual youth. The law also amends Transitional Living Grant Program by adding money management, consumer education and use of credit to the basic life skills component. [Section 322]

Part C--National Communications System

The Act states that priority in awarding the grant be given to applicants that have experience providing telephone services to runaway and homeless youth. [Section 331]

Part D--Coordinating, Training, Research, and Other Activities

The new law amends *42 U.S.C. 5701* by expanding the coordination, research, and training provisions. The law instructs the Secretary to coordinate the activities in matters relating to health, education, employment, and housing and encourage coordination with other departments. [Section 341]

Creates a new section that would enable the Secretary to make grants to State, regional, and nonprofit organizations to provide technical assistance and training. [Section 342]

Provides for a new section to authorize grants for research, demonstration and service projects designed to increase knowledge and improve services to

runaway, homeless, and other street youth, and lists areas for special consideration. [Section 343]

Includes amendments to establish "Temporary Demonstration Projects to Provide Services to Youth in Rural Areas." Provides for competitive grants to States, localities, and private entities for services like those of the Runaway and Homeless Youth Grant Program described in part A. A grant funded under this section is not to exceed \$100,000. [Section 344]

Part E--General Provisions

The new law redesignates "Part C -- General Provisions" to become part E and renumbers the sections accordingly. [Sections 371 and 372]

Part F--Administrative Provisions

Amends *42 U.S.C. 5715* by expanding on the reporting requirements to make them consistent with the new provisions and by requiring the persons responsible for evaluating the grantees to conduct on-site visits no less frequently than every 3 years. [Section 361]

Amends *42 U.S.C. 5751* to authorize: \$75,000,000 for FY1993 and such sums as may be necessary for FY1994 through FY1996 for the Runaway and Homeless Youth Program, (other than part B and section 344); \$25,000,000 in FY1993 and such sums as may be necessary for FY1994 through FY1996 for Part B--Transitional Living Program; and \$1 million for each year, FY1993 through FY1996, for the "Temporary Demonstration Projects to Provide Services to Youth in Rural Areas" program established in Section 344. The reauthorizations also include funds reserved for a National Communications Systems of \$912,500 in FY1993 (of which \$125,000 shall be available for equipment), \$826,900 in FY1994, \$868,300 in FY1995, and \$911,700 in FY1996. [Section 366]

TITLE IV -- MISSING CHILDREN

Amends *42 U.S.C. 5777* by authorizing sums as necessary for FY1993, FY1994, FY1995 and FY1996 to carry out the provisions for Title IV, the Missing Children's Assistance Act. [Section 407]

TITLE V -- INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

Amends *42 U.S.C. 5601 et seq.* by adding a new Title V, the Incentive Grants for Local Delinquency Prevention Programs Act. [Sections 501-506]

Finds that approximately 700,000 juveniles enter the juvenile justice system every year, and that almost \$2 billion is spent annually by Federal, State and

local governments to incarcerate many of them. Maintains that prevention of juvenile delinquency is more effective in human and fiscal terms than efforts to control it or change it after the fact. Finds that half or more of all States are unable to spend any juvenile justice formula grant funds to prevent delinquency because of other priorities, nor are many Federal resources dedicated to delinquency prevention. Concludes that Federal incentives are needed to assist States and local communities in mobilizing delinquency prevention policies and programs. [Section 502]

Directs the Administrator to issue rules, provide staff and resources, and facilitate coordination and policy development among all delinquency prevention activities funded through the Department of Justice (including the preparation of an annual comprehensive plan to assist such coordination and policy development), as necessary to carry out this title. [Section 504]

Provides that the Administrator must submit a report to Congress, not later than 180 days after the end of each fiscal year, describing delinquency prevention grant activities funded under this title. Also, the report shall include description of accomplishments of grant activities, procedures followed to disseminate grant activity products and research findings, and assistance in policy development and coordination of Federal agencies and interagency efforts related to delinquency prevention. Directs the Administrator to identify successful approaches to delinquency prevention and make recommendations for future activities to be conducted under this title. [Section 504]

Directs the Administrator to make incentive grants for local delinquency prevention, transmitted through the appropriate State advisory group [defined as an advisory group appointed by the chief executive officer of a State under the plan described in section 223(a)] to units of local government. [Section 503 and 505]

Grants are for delinquency prevention programs and activities for youth who have had contact with the juvenile justice system or likely to have such contact. They may provide children, youth or their families with services related to recreation, tutoring and remedial education, development of work awareness skills, child and adolescent health and mental health, alcohol and substance abuse prevention, leadership development, and teaching that people are and should be held accountable for their actions. [Section 505]

Local government grantees must:

- be in compliance with the requirements concerning Federal Assistance for State and Local Programs (Title II, Part B);
- submit a 3-year plan outlining the grantee's approach for investment in delinquency prevention and intervention to the State advisory group, and provide the Administrator with a summary of this plan in the application for formula grant funds;
- appoint a local policy board of 15 to 21 members, with balanced representation among public agencies and private, nonprofit organizations

serving youth and families and business and industry, and empowered to make all recommendations for the distribution of grant funding and evaluation of activities;

- include in the application a plan for coordinating services to at-risk youth and families, such as nutrition, energy assistance and housing; and
 - provide a 50-percent match (either from their agency budget or from the State) of grant funding, including the value of in-kind contributions.
- [Section 505]

Priority shall be given to applicants that demonstrate ability in planning service and coordination among agencies, and collaborative efforts; develop innovative ways to involve the private nonprofit and business sector in delinquency prevention activities; and generate and enhance a statewide subsidy program to local governments dedicated to delinquency prevention and intervention. [Section 505]

The bill authorizes \$30 million for FY1993 and such sums as are necessary for fiscal years 1994, 1995 and 1996 to carry out this title. [Section 506]

Requires the General Accounting Office to submit a report to Congress after the grants for prevention programs have been funded for 2 years. The report shall study the effects of this program in encouraging State and local government agencies to comply with the requirements concerning Federal Assistance for State and Local Programs (Title II, Part B). [Section 506]

AMENDMENTS TO VICTIMS OF CRIME ACT OF 1990

Regional and Local Children's Advocacy Centers

Section 6 amends *42 U.S.C. 13001 et seq.* It establishes a new children's advocacy program to improve resources available to child abuse victims and their families; provide support for nonoffending family members; enhance coordination among community agencies and professionals involved in the intervention, prevention, prosecution and investigation of child abuse; and train physicians and other health care and mental health care professionals in a multidisciplinary approach to child abuse. Grants are to be awarded to regional and local programs that are housed in free-standing facilities that can be used by a multidisciplinary team of professionals for interviews of and services for physically and sexually abused children. [Sections 213-214]

A regional center must be established or funded in each of four regions designated by the U.S. Census Bureau. Center staff must have expertise in the prevention and judicial handling, and treatment of child abuse. These regional centers must provide information, services and technical assistance to communities in establishing local multidisciplinary programs to respond to child abuse. [Section 213]

This program is to be administered by the Administrator of the Juvenile Justice and Delinquency Prevention Office in consultation with the Director of the National Center on Child Abuse and Neglect (NCCAN), and the Director of the Office of Victims of Crime, DOJ. The Administrator must evaluate activities of grant recipients. In addition, the Administrator and Director of NCCAN must establish a children's advocacy board to provide guidance and oversight in implementing the program. A detailed review of the children's advocacy program must be submitted to Congress by the Attorney General and the Secretary of DHHS by March of each year. [Section 213]

For FY1993, \$15 million is authorized for the regional children's advocacy centers, and \$5 million for the local children's advocacy centers. [Section 214(B)]

AMENDMENTS TO THE HEAD START IMPROVEMENT ACT OF 1992

Section 7 amends Head Start to expand training services funded by the program and to require the Department of Health and Human Services to develop a systematic approach to provide training and technical assistance for Head Start personnel. [Section 648]

AMENDMENTS TO THE CHILD CARE DEVELOPMENT BLOCK GRANT ACT AMENDMENTS OF 1992

Section 8 makes technical corrections to the Child Care and Development Block Grant program. The same corrections were enacted as part of the Head Start Improvement Act of 1992. [Section 658(J)(c)]

AMENDMENTS TO THE CHILD ABUSE PREVENTION AND TREATMENT ACT OF 1974

Section 9 amends 42 U.S.C. 5206A by changing the confidentiality requirement for receipt of funds under the basic State grant program for child abuse neglect, prevention, and treatment. As stated in prior law, States are required to preserve the confidentiality of all child abuse records to protect children and their parents or guardians. In addition, the amendment requires States to have methods to ensure that child abuse records are made available to persons or entities that the State determines have a need to know such information. The amendment also requires States to have methods to disclose such records to any Federal, State or local governmental entity that needs access to such information in order to carry out its responsibilities to protect children [Section 107 (b)(4)]

The amendment declares a sense of Congress that each State should implement formal interagency, multidisciplinary review teams to investigate child abuse and neglect related deaths.

TABLE 1

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT (1974)
 AUTHORIZATIONS AND APPROPRIATIONS
 (IN MILLIONS)

Fiscal Year	Title II Appropriations	Title III Appropriations	Title IV Appropriations
1975	\$25.0	5.0	N/A
1976	50.0	7.0	N/A
1977	75.0	8.0	N/A
1978	100.0	11.0	N/A
1979	100.0	11.0	N/A
1980	100.0	11.0	N/A
1981	100.0	11.0	N/A
1982	70.0	10.5	N/A
1983	70.0	21.5	N/A
1984	70.2	23.3	4.0
1985	70.2	23.3	4.0
1986	67.3	22.2	3.8
1987	70.3	23.3	4.9
1988	66.7	26.1	4.0
1989	66.7	26.9	4.0
1990	72.5 ^a	38.7 ^c	4.1
1991	75.3 ^a	45.0 ^c	7.9
1992	81.2 ^b	47.8 ^c	8.5 ^b
1993	77.0	46.9 ^c	8.4 ^d

SOURCE: U.S. Budget Appendix, Fiscal years 1976-1992; P.L. 102-
 NOTE: N/A means not applicable.

^a This sum includes amounts for the separately authorized Prevention and Treatment Programs Relating to Juvenile Gangs and Drug Abuse and Drug

Trafficking in Part D of Title II, funded at \$2 million for FY 1990 and \$3.5 million for FY 1991.

^b Estimated.

^c The totals for FY 1990, FY 1991, FY1992, and FY 1993 include funding for the Transitional Living Program--\$9.9 million for FY 1990 and FY 1991, \$12 million for FY 1992, and \$11.8 million for FY1993.

^d Of the total, \$500,000 is appropriated for the Missing Alzheimer Patient Alert Program.

RELATED READINGS

- U.S. Congress. House. Committee on Education and Labor. Juvenile justice and delinquency prevention amendments of 1992. Report to accompany H.R. 5194. Washington, U.S. Govt. Print. Off., 1992. 94 p. (102d Congress, 2d session. House. Report no. 102-756)
- U.S. Congress. Senate. Committee on the Judiciary. S. 2792 a bill to amend and authorize appropriations for the continued implementation of the juvenile justice and delinquency prevention act of 1974. Report to accompany S. 2792. Washington, U.S. Govt. Print. Off., 1992. 93 p. (102d Congress, 2d session. Senate. Report no. 102-393)
- U.S. Library of Congress. Congressional Research Service. Juvenile justice and delinquency prevention; background and current issues. Report by Suzanne Cavanagh and David Teasley. August 11, 1992. Washington, 1992. 18 p.
- . Juvenile justice and delinquency prevention: comparison of major bills of the 102d Congress. Report by Suzanne Cavanagh, David Teasley, Ruth Wasem and Dale Robinson. June 19, 1992. Washington, 1992. 52 p.
- . Runaway and homeless youth: problems, programs, and policies. Report by Ruth Ellen Wasem. June 30, 1992. Washington, 1992. 15 p.
- . Youth gangs: an overview. Report by Suzanne Cavanagh and David Teasley. June 9, 1992. Washington, 1992. 16 p.