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Juvenile Justice Funding Trends

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SUMMARY

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Juvenile Justice Funding Trends

Although juvenile justice has always been administered by the states, the federal government has played a role through the administration of grant programs. Congress has influenced states' juvenile justice systems by authorizing and funding grant programs administered by the Department of Justice's (DOJ's) Office of Juvenile Justice and Delinquency Prevention (OJJDP).

The Juvenile Justice and Delinquency Prevention Act (JJDPA; P.L. 93-415), enacted in 1974, was the first comprehensive juvenile justice legislation passed by Congress. The JJDPA authorized a series of grant programs designed to support state juvenile justice systems and prevent juvenile delinquency. Since its enactment, the JJDPA has undergone several key amendments, including a significant reorganization in 2002 (by the 21st Century Department of Justice Appropriations Authorization Act; P.L. 107-273). Its grant programs were most recently amended and reauthorized by the Juvenile Justice Reform Act of 2018 (P.L. 115-385).

Funding for programs authorized by the JJDPA, as well as for other non-JJDPA grant programs that are administered by OJJDP, is provided through the Juvenile Justice Programs account in the annual Commerce, Justice, Science, and Related Agencies appropriations act. After the restructuring of juvenile justice grant programs in 2002, total funding for these programs began to decline. This decline generally continued through FY2007, after which funding for these programs started to increase. For FY2010, Congress provided $424 million for juvenile justice programs—the largest appropriation since FY2003. Juvenile justice funding then generally declined again from FY2010 through FY2017. After appropriating a low of $247 million for juvenile justice programs in FY2017, Congress increased juvenile justice funding annually from FY2018 through FY2022. The Consolidated Appropriations Act, 2022 (P.L. 117-103), provided $360 million for juvenile justice programs for FY2022—the largest appropriation since FY2010.

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The federal government has no juvenile justice system of its own. Rather, juvenile justice is administered by the states. The federal government, though, seeks to influence states' juvenile justice systems through the administration of grant programs and the provision of funds.[1]

This report provides a brief overview of funding for the juvenile justice-related grant programs administered by the Department of Justice's (DOJ's) Office of Juvenile Justice and Delinquency Prevention (OJJDP).

Juvenile Justice Legislation and Grant Programs

A number of federally funded juvenile justice grant programs are authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 (JJDPA, P.L. 93-415). Since its enactment, the JJDPA has been revised by several key amendments, including a significant reorganization in 2002 (by the 21st Century Department of Justice Appropriations Authorization Act; P.L. 107-273). Its grant programs were most recently amended and reauthorized by the Juvenile Justice Reform Act of 2018 (P.L. 115-385).

The JJDPA as originally enacted had three main components: (1) it established OJJDP to coordinate and administer federal juvenile justice efforts; (2) it created grant programs to assist states with their juvenile justice systems; and (3) it promulgated core mandates to which states must adhere in order to be eligible for certain grant funding. Although the JJDPA has been amended several times over the past 40 years, it continues to feature these three components.

The JJDPA has been the primary channel through which the federal government has provided juvenile justice funding to states. However, other programs also administered by OJJDP have contributed to overall federal juvenile justice funding.

The following section outlines various juvenile justice grant programs, including those authorized by the JJDPA. Grants noted in this section have been congressionally authorized at some point in time and have received an appropriation at least once in the 10-year period from FY2013 through FY2022. Congress has also provided appropriations for juvenile justice programs that do not have separate authorizations of appropriations; these programs are not discussed in this section, but they are included in **Table 1**, which outlines funding for juvenile justice programs since FY2013.

State Formula Grant Program

The JJDPA authorizes OJJDP to make formula grants to states[2] for the planning, establishment, operation, coordination, and evaluation of projects that develop more effective juvenile delinquency programs and improve juvenile justice systems.[3] Funds are allocated annually based on each state's relative population of people under age 18. States must adhere to certain core mandates to receive their funding.[4] The Juvenile Justice Reform Act of 2018 (P.L. 115-385) amended and reauthorized this program through FY2023.

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[1] For more information on the legislative history of juvenile justice and details on the grant programs outlined in this report, refer to CRS Report RL33947, *Juvenile Justice: Legislative History and Current Legislative Issues*.

[2] The term *state* includes the 50 states, the District of Columbia, and the territories (American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands).

[3] 34 U.S.C. §11131.

[4] There are four core mandates with which—unless for specified exceptions—states must generally comply: states must keep status offenders (such as truants) out of secure detention or correctional facilities; states cannot detain or confine

Title V Incentive Youth Promise Grants for Local Delinquency Prevention

The JJDPA authorizes OJJDP to make grants to states[5], which are then transmitted through subgrants to units of local government (or nonprofits in partnership with units of local government) for delinquency prevention programs for juveniles who have come into contact with, or are at risk to come into contact with, the juvenile justice system.[6] The Juvenile Justice Reform Act of 2018 (P.L. 115-385) amended and reauthorized this program through FY2023. The JJDPA also authorizes OJJDP to make grants to eligible Indian tribes to support delinquency prevention programs for at-risk youth or those who have come into contact with the juvenile justice system. Traditionally, Congress dedicates amounts from the total appropriation for the Title V program for specific programs and purposes areas (e.g., the Tribal Youth program or preventing gang violence).

Victims of Child Abuse Act Grants

The Victims of Child Abuse Act of 1990 (Title II of the Crime Control Act of 1990, P.L. 101-647) authorizes several grant programs administered by OJJDP.

Subtitle A authorizes support for regional and local Children's Advocacy Centers (CACs), including state chapters, and for related training and technical assistance (34 U.S.C. §§20301-20307). The CAC program was most recently reauthorized (through FY2023) via the Victims of Child Abuse Act Reauthorization Act of 2018 (P.L. 115-424). For FY2022, it received $33 million (Division B of P.L. 117-103).

Subtitle B authorizes support for Court Appointed Special Advocates (CASAs) (34 U.S.C. §§20321-20323) and Subtitle C authorizes training of judicial personnel to improve handling of child abuse and neglect proceedings (34 U.S.C. §§20331-20334). Funding for these activities was most recently reauthorized through FY2027 in the Violence Against Women Act Reauthorization Act of 2022 (Division W of P.L. 117-103). For FY2022, CASA received $14 million and the training program received $4 million (Division B of P.L. 117-103).

Juvenile Mentoring Program

The Juvenile Mentoring Program was authorized by the Incentive Grants for Local Delinquency Prevention Programs Act (P.L. 102-586). Grants under this program are awarded to local educational agencies (in partnership with public or private agencies) to establish and support mentoring programs to reduce delinquent behavior, improve scholastic performance, and reduce school dropouts.[7] The program has continued to receive appropriations even though its authorization was repealed (P.L. 107-273).

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juveniles in facilities in which they would have contact with adult inmates; juveniles cannot be detained or confined in any jail or lockup for adults; and states must show that they are working to address racial and ethnic disparities within their juvenile justice systems.

[5] The term *state* includes the 50 states, the District of Columbia, and the territories (American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands).

[6] 34 U.S.C. §11313.

[7] For more information on the Juvenile Mentoring Program and youth mentoring, see CRS Report RL34306, *Vulnerable Youth: Federal Mentoring Programs and Issues*.

Juvenile Accountability Block Grants

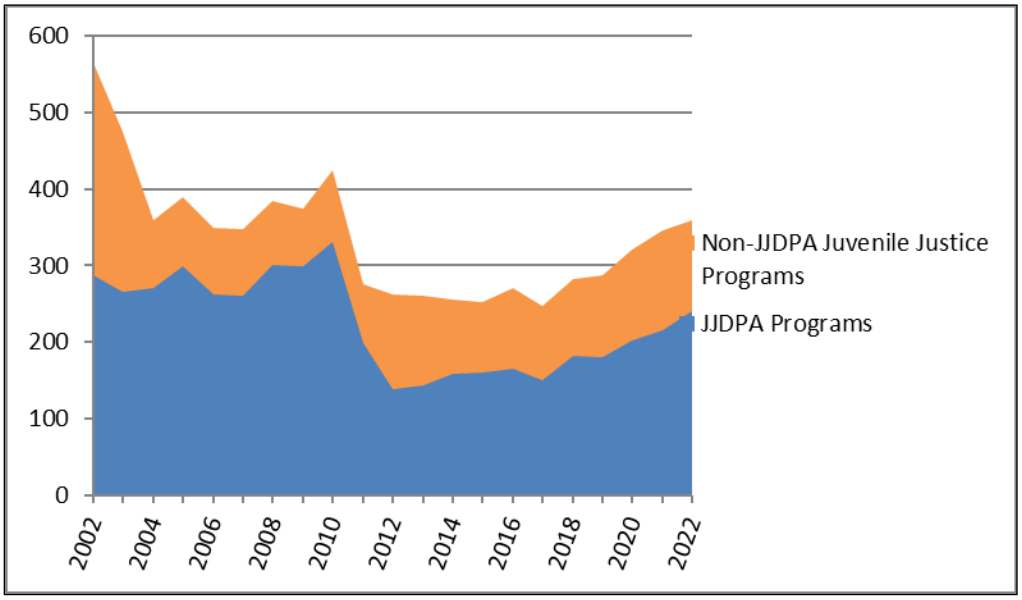
Congress initially established the Juvenile Accountability Block Grant (JABG) program by appropriating funding for it in the FY1998 Department of Justice Appropriations Act (P.L. 105-119). Congress subsequently authorized the JABG program through P.L. 107-273.[8] Although the authorization for the JABG program is not a part of the JJDPA, it nevertheless is administered by OJJDP. The JABG program authorizes the Attorney General to make grants to states and units of local government to strengthen their juvenile justice systems, including holding juveniles accountable for their actions.[9] Authorization for this program expired in FY2009, but Congress continued to provide appropriations through FY2013.

Juvenile Justice Appropriations

Congress appropriates funding for programs authorized by the JJDPA as well as for other non-JJDPA juvenile justice grant programs through the Juvenile Justice Programs account in the annual Commerce, Justice, Science, and Related Agencies Appropriations Act. **Figure 1** shows total appropriations for juvenile justice programs from FY2002 through FY2022.

Figure 1. Total Juvenile Justice Programs Appropriations, FY2002-FY2022

(dollars in millions)



Sources: FY2002 enacted taken from H.Rept. 107-278. FY2003 enacted taken from H.Rept. 108-10. FY2004 enacted taken from H.Rept. 108-401. FY2005 enacted taken from H.Rept. 108-792. FY2006 enacted taken from H.Rept. 109-272. FY2007 appropriation is based on FY2006 enacted minus a 1.28% rescission, as per P.L. 110-5. FY2008 enacted taken from P.L. 110-161. FY2009 enacted taken from P.L. 111-8. FY2010 enacted taken from P.L. 111-117. FY2011 enacted based on a CRS analysis of the text of P.L. 112-10. FY2012 enacted taken from P.L. 112-55. FY2013 amount provided by the U.S. Department of Justice. FY2014 enacted taken from P.L. 113-76. FY2015 enacted taken from P.L. 113-235. FY2016 enacted taken from P.L. 114-113. FY2017 enacted taken from

[8] The Juvenile Accountability Block Grant (JABG) program was codified within the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. §10401).

[9] The one core mandate of the JABG program is that states must begin to implement a system of graduated sanctions to be eligible for funding.

P.L. 115-31. FY2018 enacted taken from P.L. 115-141. FY2019 enacted taken from P.L. 116-6. FY2020 enacted taken from P.L. 116-93. FY2021 enacted taken from P.L. 116-260. FY2022 enacted taken from P.L. 117-103.

Notes: Numbers are rounded. Amounts are in nominal dollars. The amounts include all rescissions of current year budget authority. The FY2013 funding level also reflects sequestration pursuant to the Budget Control Act of 2011 (P.L. 112-25). JJDPA = Juvenile Justice and Delinquency Prevention Act (P.L. 93-415).

Overall funding for juvenile justice programs, which had typically been above $500 million, peaked at $565 million in FY2002. From FY2002 to FY2007, however, overall funding fell by 38% to $348 million. The majority of this reduction came from cuts to the JABG program. Appropriations for JABG fell from a high of $250 million in FY2002 to $49 million in FY2007. From FY2007 to FY2010, total funding for juvenile justice programs increased by almost 22% to $424 million, with funding for JJDPA programs increasing by 27% to $331 million over this same period. This was the largest juvenile justice appropriation since FY2003.

Funding for juvenile justice programs again began to decline in FY2011, and that decline generally continued through FY2017. From FY2010 to FY2017, total funding for juvenile justice programs decreased by nearly 42%, from $424 million to $247 million. Contributing to this drop, Congress eliminated funding for the Challenge Grants[10] in FY2011 and for the JABG program in FY2014. During this time period, however, Congress also started appropriating funding for programs that had not previously been funded under the Juvenile Justice Programs account, including funding for missing and exploited children programs, child abuse training programs for judicial personnel and practitioners, and grants and technical assistance in support of a National Forum on Youth Violence Prevention.

After appropriating $247 million for juvenile justice programs in FY2017, Congress increased juvenile funding annually from FY2018 through FY2022. Congress increased funding for juvenile justice programs to nearly $283 million for FY2018, and it included funds for a new Opioid Affected Youth Initiative. Congress again increased juvenile justice program funding to $287 million in FY2019, and it set aside money for an initiative serving children exposed to violence.[11] Congress then increased funding for juvenile justice programs to $320 million for FY2020 and included a new set-aside from the Title V Incentive Grants for Local Delinquency Prevention for grants to prevent trafficking of girls. Congress continued to increase funding for FY2021 and FY2022, and Congress most recently appropriated $360 million for juvenile justice programs for FY2022—the largest appropriation since the $424 million in FY2010.

Historical Appropriations by Program

Table 1 provides a breakdown of funding for the Juvenile Justice Programs account by program for the 10-year period from FY2013 to FY2022.

Appropriations for specific programs in the Juvenile Justice Programs account can vary from year to year. In addition, Congress sometimes provides funding for programs as a specific line item in the Juvenile Justice Programs account, but in other years funding for those programs is provided as a set-aside from another program in the account. For example, the Community Based Violence Prevention Initiative and the Competitive Grants Focusing on Girls in the Juvenile Justice System Program have received line item appropriations in some fiscal years and have been funded by set-asides from the Title V Incentive Grants Program in other years. By contrast, some programs,

[10] The Challenge Grants program authorized OJJDP to make discretionary grants to state, local, and tribal governments and private entities to carry out programs to develop, test, or demonstrate promising new initiatives that may prevent, control, or reduce juvenile delinquency. The program last received appropriations in FY2010.

[11] Funding for this purpose was previously provided under the State and Local Law Enforcement Assistance Account from FY2012 to FY2016.

when funded, have consistently been funded through set-asides from the Title V program (e.g., the tribal youth program and grants focused on girls in the juvenile justice system).

Table 1. Juvenile Justice Appropriations by Program, FY2013-FY2022

(dollars in millions)

Program	FY2013[a]	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022
State Formula Grants	41	56	55	58	55	60	60	63	67	70
Emergency Planning—Juvenile Detention Facilities	—	*(1)*	*(1)*	*(1)*	*(1)*	*(1)*	*(1)*	*(1)*	*(1)*	*(1)*
Juvenile Mentoring Program Grant	84	89	90	90	80	94	95	97	100	102
Title V Incentive Grants for Local Delinquency Prevention	19	15	15	18	15	28	25	42	49	50
Community Gang Prevention	*(5)*	*(3)*	*(3)*	*(5)*	*(4)*	*(4)*	—	—	—	—
Tribal Youth Program	*(9)*	*(5)*	*(5)*	*(10)*	—	*(5)*	*(5)*	*(5)*	*(10)*	*(14)*
Enforcing Underage Drinking Laws	*(5)*	*(3)*	—	—	—	—	—	—	—	—
Juvenile Justice and Education Collaboration Assistance	—	*(5)*	—	—	—	—	—	—	—	—
Community-Based Violence Prevention Initiative	—	—	*(6)*	—	*(8)*	*(8)*	—	—	—	—
National Forum on Youth Violence Prevention	—	—	*(1)*	—	—	—	—	—	—	—
Children of Incarcerated Parents Web Portal	—	—	—	*(1)*	*(1)*	*(1)*	*(1)*	*(1)*	*(1)*	*(1)*
Competitive Grants Focusing on Girls in the Juvenile Justice System	—	—	—	*(2)*	*(2)*	*(2)*	*(2)*	*(2)*	*(3)*	*(5)*
Opioid Affected Youth Initiative	—	—	—	—	—	*(8)*	*(9)*	*(10)*	*(10)*	*(12)*
Children Exposed to Violence Initiative	—	—	—	—	—	—	*(8)*	*(8)*	*(8)*	*(8)*
Prevention of Trafficking of Girls	—	—	—	—	—	—	—	*(2)*	*(2)*	*(4)*
Vulnerable and At-Risk Youth Initiative	—	—	—	—	—	—	—	—	—	*(3)*

Program	FY2013[a]	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022
Juvenile Accountability Block Grant	23	—	—	—	—	—	—	—	—	—
Victims of Child Abuse Act	18	19	19	20	21	21	23	27	30	33
Community-Based Violence Prevention Initiative	10	6	—[b]	8	—[b]	—[b]	—	—	—	—
Missing and Exploited Children	63	67	68	72	73	76	82	88	94	99
Child Abuse Training	1	2	2	2	2	2	3	4	4	4
National Forum on Youth Violence Prevention	2	1	—[c]	—	—	—	—	—	—	—
Competitive Grants Focusing on Girls in the Juvenile Justice System	—	1	2	—[d]	—[d]	—[d]	—[d]	—[d]	—[d]	—[d]
Children of Incarcerated Parents Web Portal	—	1	1	—[d]	—[d]	—[d]	—[d]	—[d]	—[d]	—[d]
Improving Indigent Defense	—	—	—	3	2	2	—	—	3	3
Total Juvenile Justice Appropriation	**261**	**255**	**252**	**270**	**247**	**283**	**287**	**320**	**346**	**360**

Sources: FY2011 enacted based on a CRS analysis of the text of P.L. 112-10. FY2012 enacted taken from P.L. 112-55. FY2013 amount provided by the U.S. Department of Justice (DOJ). FY2014 enacted taken from P.L. 113-76. FY2015 enacted taken from P.L. 113-235. FY2016 enacted taken from P.L. 114-113. FY2017 enacted taken from P.L. 115-31. FY2018 enacted taken from P.L. 115-141. FY2019 enacted taken from P.L. 116-6. FY2020 enacted taken from P.L. 116-93. FY2021 enacted taken from P.L. 116-260. FY2022 enacted taken from P.L. 117-103.

Notes: Numbers in parentheses are nonadds that have been set aside from other grant programs. Amounts may not add to totals due to rounding. Amounts are in nominal dollars.

a. The FY2013 amounts reflect rescissions of discretionary budget authority provided in P.L. 113-6 as specified in § 3001 of the act. Per § 3001, a rescission of 1.877% was applied to appropriations for discretionary nonsecurity (as defined at 2 U.S.C. § 900(c)(4)(A)) accounts, including juvenile justice. The post-rescission amounts also include an additional rescission, as calculated by the Office of Management and Budget per § 3004 of the act, of 0.2% for discretionary nonsecurity accounts. In addition, the FY2013 funding levels reflect reductions that resulted from the sequestration ordered by President Obama on March 1, 2013, pursuant to the Budget Control Act of 2011 (P.L. 112-25).

b. For FY2015, FY2017, and FY2018, funding for the Community-Based Violence Prevention Initiative was appropriated as set-aside funding from the Title V Incentive Grants.

c. For FY2015, funding for the National Forum on Youth Violence Prevention was appropriated as set-aside funding from the Title V Incentive Grants.

d. For FY2016-FY2022, funding for the Competitive Grants Focusing on Girls in the Juvenile Justice System and the Children of Incarcerated Parents Web Portal was appropriated as set-aside funding from the Title V Incentive Grants.

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