

114TH CONGRESS
1ST SESSION

H. R. 3783

To provide definitions of terms and services related to community-based gang intervention to ensure that funding for such intervention is utilized in a cost-effective manner and that community-based agencies are held accountable for providing holistic, integrated intervention services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 21, 2015

Mr. CÁRDENAS (for himself, Mr. COHEN, Mr. CUMMINGS, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. JACKSON LEE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. NAPOLITANO, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. VAN HOLLEN, and Mr. VARGAS) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To provide definitions of terms and services related to community-based gang intervention to ensure that funding for such intervention is utilized in a cost-effective manner and that community-based agencies are held accountable for providing holistic, integrated intervention services, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Community-Based
3 Gang Intervention Act”.

4 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

5 (a) FINDINGS.—The Congress finds as follows:

6 (1) For the first time in the history of the
7 United States, more than one in every 100 adults is
8 incarcerated.

9 (2) The United States incarcerates more people
10 than any other country in the world, with more than
11 2,200,000 people behind bars and another 5,000,000
12 people on probation or parole.

13 (3) The United States has only 5 percent of the
14 world’s population, but 25 percent of the world’s
15 prisoners.

16 (4) In 2007, the Federal Government spent
17 \$19,617,000,000 on police protection, corrections,
18 and judicial and legal services, representing a 286-
19 percent increase since 1982. This included a 475-
20 percent increase for corrections and a 287-percent
21 increase for police protection.

22 (5) The growing prison system is also impact-
23 ing State budgets, with total State spending on in-
24 carceration topping \$53,000,000,000 in 2012, up
25 from \$10,000,000,000 in 1987.

1 (6) With increased prison costs, vital social pro-
2 grams and services such as education, job creation,
3 housing, and healthcare are being cut or eliminated
4 to maintain the prison industry.

5 (7) Between 1987 and 2007, the amount States
6 spent on corrections increased 127 percent, while the
7 increase in higher education spending was only 21
8 percent.

9 (8) Over the past 10 years, the State of Califor-
10 nia’s general fund expenditures for higher education
11 have fallen 9 percent, while general fund expendi-
12 tures for corrections and rehabilitation have in-
13 creased 26 percent.

14 (9) The State of California has the second larg-
15 est prison population in the Nation with 165,062
16 prisoners under the jurisdiction of State or Federal
17 correctional authorities in 2010.

18 (10) According to one study, there are now 6
19 times as many gangs and at least twice the number
20 of gang members in Los Angeles since the start of
21 the 30-year “war on gangs”.

22 (11) The city and county of Los Angeles have
23 been dubbed the “gang capital” of the Nation with
24 an estimated 463 gangs and 38,974 gang members

1 in the city, and more than 1,300 gangs and 150,000
2 gang members in the county.

3 (12) According to the Office of Juvenile Justice
4 and Delinquency Prevention, allowing 1 youth to
5 leave school for a life of crime and drug abuse costs
6 society between \$1,700,000 and \$2,300,000.

7 (13) In the State of California, the average an-
8 nual cost per inmate is \$47,421 for an adult inmate,
9 and \$218,000 for a youth inmate.

10 (14) The most recent data on overall State
11 spending on juvenile justice programs reveals that in
12 1998, States spent nearly \$4,200,000,000 on juve-
13 nile justice related programs, which was a 65-per-
14 cent increase from fiscal year 1994. Of those ex-
15 penditures, 67 percent went towards residential
16 placements, while only 8.4 percent went towards de-
17 linquency prevention.

18 (15) Gang and youth violence substantially de-
19 creases when governments address the root causes of
20 gang violence and adequately fund community-based
21 programs and practices.

22 (16) Studies continue to prove that community-
23 based gang intervention provides long-lasting, cost-
24 effective results and opportunities for the youth and
25 families most susceptible to gang violence.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that, in developing a comprehensive violence reduc-
3 tion strategy, the United States should acknowledge and
4 address larger, entrenched social conditions and issues
5 such as poverty, homelessness, inadequate educational sys-
6 tems, and limited economic opportunities that give rise to
7 gangs and gang violence.

8 **TITLE I—COMMUNITY-BASED**
9 **GANG INTERVENTION AGENCIES**

10 **SEC. 101. COMMUNITY-BASED GANG INTERVENTION AGEN-**
11 **CIES.**

12 The Juvenile Justice and Delinquency Prevention Act
13 of 1974 (42 U.S.C. 5601 et seq.) is amended by adding
14 at the end the following new title:

15 **“TITLE VI—COMMUNITY-BASED**
16 **GANG INTERVENTION GRANTS**

17 **“SEC. 601. PURPOSE.**

18 “The purpose of this title is to offer holistic and com-
19 prehensive support for the variety of community-based
20 gang intervention activities that focus on and engage ac-
21 tive and former gang members, their close associates, and
22 gang members in and returning from confinement. Gang-
23 involved youth and their families require specialized inten-
24 sive and comprehensive services that address the unique
25 issues encountered by youth when they become involved

1 with gangs. Community-based gang intervention involves
 2 proactive and reactive responses to gang activities on sev-
 3 eral levels, including—

4 “(1) the regional level, to promote and coordi-
 5 nate peace truces and cease-fires between groups;

6 “(2) the State and local level, including commu-
 7 nity and the juvenile halls, camps, Division of Juve-
 8 nile Justice facilities, county jails, and State prisons;
 9 and

10 “(3) the neighborhood and street level, includ-
 11 ing with active gang members individually.

12 **“SEC. 602. SUPPORT OF COMMUNITY-BASED GANG INTER-**
 13 **VENTION AGENCIES.**

14 “(a) SUPPORT OF COMMUNITY-BASED GANG INTER-
 15 VENTION AGENCIES.—Subject to the availability of appro-
 16 priations, the Administrator shall award grants to eligible
 17 entities to carry out the activities described in subsection
 18 (c).

19 “(b) ELIGIBLE ENTITY.—For the purposes of this
 20 section, an ‘eligible entity’ means a community-based gang
 21 intervention agency that is a nonprofit organization with
 22 a proven track record and expertise in providing commu-
 23 nity-based gang intervention activities through a commu-
 24 nity-based gang intervention model.

1 “(c) GRANT ACTIVITIES.—Each entity awarded a
2 grant under this section shall carry out the following ac-
3 tivities:

4 “(1) Conduct street mediation by working with
5 gang members and persons with influence over such
6 member to defuse and de-escalate potential and ac-
7 tual violence internally between gang members and
8 between rival gangs.

9 “(2) Develop local and regional truces by cre-
10 ating cease-fires or nonaggression agreements be-
11 tween rival gangs and neighborhoods.

12 “(3) Serve as conduits who facilitate constant
13 dialogue and maintenance between gangs and neigh-
14 borhoods.

15 “(4) Provide services that respond to the high
16 levels of anxiety experienced by gang members to de-
17 compress critical situations due to traumatic events.

18 “(5) Provide 24-hour, 7-day-a-week crisis inter-
19 vention services by responding to requests for vio-
20 lence prevention services made by gang members,
21 the families of gang members, school officials, inter-
22 vention workers, social service agencies, or law en-
23 forcement.

1 “(6) Provide targeted training and technical as-
2 sistance to violence-plagued communities after a
3 major gang-related incident.

4 “(7) Facilitate the development of a community
5 response plan, including training protocols, situa-
6 tional scene scenarios, and emergency response.

7 “(8) Make a reasonable effort to prevent gang-
8 related rumors from intensifying tension between
9 gangs or igniting violent responses by gangs.

10 “(9) Establish relationships with community
11 stakeholders to inform and engage them in quality-
12 of-life activities that enhance intervention activities.

13 “(10) Serve as intervention representatives in
14 communities by attending local meetings involving
15 nonprofit organizations, schools, faith-based organi-
16 zations, and other entities.

17 “(11) Develop conflict resolution skills and
18 techniques to address and resolve community con-
19 cerns related to gang activity in order to improve the
20 quality of life within neighborhoods.

21 “(12) Work with schools to respond to gang-re-
22 lated issues and crises both in and outside of school.

23 “(13) Provide support services for youth and
24 families affected by gang violence and other victims
25 of gang violence (including any individual who is

1 physically, emotionally, financially, or otherwise
2 harmed by criminal activity, and those affected by
3 harm done to or by a family member), which may
4 include—

5 “(A) advocating for public sector and pri-
6 vate sector assistance and services;

7 “(B) grief counseling; and

8 “(C) referrals to treatment and rehabilita-
9 tion for cognitive, mental, emotional, physical,
10 or financial injury, loss, or suffering.

11 “(14) Provide comprehensive mental health
12 services to youth and families affected by gang vio-
13 lence or involvement, including—

14 “(A) integrated services comprised of indi-
15 vidual, family, and group therapy modalities,
16 and psychological education provided through
17 youth and parent training programs; and

18 “(B) gang-responsive services including
19 skills training, assessing and servicing youth
20 with developmental disabilities, behavioral modi-
21 fication, and services to address substance use
22 and abuse, anger management, emotional regu-
23 lation, traumatic stress, family violence, depres-
24 sion, suicide, anxiety, and educational problems.

1 “(15) Provide public and private sector career
2 job training, development, and placement, includ-
3 ing—

4 “(A) job-finding and job-maintaining skills,
5 including skills related to resume writing, inter-
6 viewing, workplace decorum, interpersonal com-
7 munication, and problem-solving;

8 “(B) information about legal rights in the
9 workplace; and

10 “(C) financial literacy.

11 “(16) Assist with substance use and abuse
12 treatment, domestic violence victims, and voluntary
13 tattoo removal of markings on the body related to
14 gang involvement.

15 “(d) AVAILABILITY OF VICTIMS ASSISTANCE.—An
16 entity awarded a grant under this section that provides
17 victim assistance under paragraph (13) of subsection (c)
18 shall not discriminate in the provision of such assistance
19 to an individual based on race, ethnicity, gender, sexual
20 orientation, socioeconomic level, or past record.

21 **“SEC. 603. DEFINITIONS.**

22 “‘In this title:

23 “(1) COMMUNITY.—Notwithstanding the defini-
24 tion of ‘community based’ in section 103, the term

1 ‘community’ means a unit of local government or an
2 Indian Tribe.

3 “(2) COMMUNITY-BASED GANG INTERVENTION
4 AGENCY.—The term ‘community-based gang inter-
5 vention agency’ means a community-based organiza-
6 tion, association, or other entity that—

7 “(A) promotes public safety, with the spe-
8 cific objective of reducing and stopping gang-re-
9 lated and gang-motivated violence and crime;
10 and

11 “(B) has a history of, or experience or spe-
12 cific training in, effectively working with gang-
13 involved youth and their families.

14 “(3) COMMUNITY-BASED GANG INTERVENTION
15 MODEL.—The term ‘community-based gang inter-
16 vention model’ means a holistic and comprehensive
17 approach to reducing gang violence that utilizes the
18 two-prong approach of community-based intervention
19 and an integrated approach of providing rehabilita-
20 tive service delivery to gang-involved youth that—

21 “(A) deploys specialists in community-
22 based gang intervention who are trained to uti-
23 lize the two-prong approach of community-
24 based gang intervention and who intercede,
25 interact, and participate with and in the com-

1 munity to quell rumors, prevent and mediate
2 conflicts, and respond to crises related to gang
3 activity and violence;

4 “(B) delivers rehabilitative services to
5 gang-involved individuals and families; and

6 “(C) addresses the barriers that gang-in-
7 volved youth and their families encounter and
8 the societal factors that promote gang violence.

9 “(4) EVIDENCE-BASED.—The term ‘evidence-
10 based’, when used with respect to a practice relating
11 to gang activity prevention and intervention (includ-
12 ing community-based gang intervention), means a
13 practice (including a service, program, or strategy)
14 that has statistically significant outcomes that in-
15 clude a reduction in gang-related violence and an in-
16 creased number of youth in job development, recre-
17 ation, arts-based activities, or faith-based activities.
18 Such outcomes may be determined by—

19 “(A) an experimental trial, in which par-
20 ticipants are randomly assigned to participate
21 in the practice that is the subject of the trial;
22 or

23 “(B) a quasi-experimental trial, in which
24 the outcomes for participants are compared
25 with outcomes for a control group that is made

1 up of individuals who are similar to such par-
2 ticipants.

3 “(5) GANG.—The term ‘gang’ means a group of
4 individuals—

5 “(A) organized by geography, culture, or
6 activity;

7 “(B) that have a group name, and may
8 have other identifying characteristics of the
9 group such as colors and nicknames; and

10 “(C) who engage in the use of violence to
11 defend the members or territory of the group.

12 “(6) PROMISING.—The term ‘promising’, when
13 used with respect to a practice relating to commu-
14 nity-based gang intervention, means a practice that
15 is not evidence-based, but—

16 “(A) that has outcomes from an evaluation
17 that demonstrate that such practice reduces
18 gang-related violence and crime; or

19 “(B) about which a study is being con-
20 ducted to determine if such practice is evidence-
21 based.

22 “(7) YOUTH.—The term ‘youth’ means—

23 “(A) an individual who is 18 years of age
24 or younger; or

1 “(B) in any State in which the maximum
2 age at which the juvenile justice system of such
3 State has jurisdiction over individuals exceeds
4 18 years of age, an individual who is such max-
5 imum age or younger.”.

6 **TITLE II—AMENDMENTS TO THE**
7 **OFFICE OF JUVENILE JUS-**
8 **TICE AND DELINQUENCY**
9 **PREVENTION**

10 **SEC. 201. DEFINITION OF COMMUNITY-BASED GANG INTER-**
11 **VENTION.**

12 Section 103 of the Juvenile Justice and Delinquency
13 Prevention Act of 1974 (42 U.S.C. 5603) is amended—

14 (1) in paragraph (1), by inserting “except when
15 used in title VI,” before “the term”;

16 (2) in paragraph (28), by striking “and” after
17 the semicolon;

18 (3) in paragraph (29), by striking the period at
19 the end and inserting “; and”; and

20 (4) by adding at the end the following new
21 paragraph:

22 “(30) except when used as part of the term
23 ‘community-based gang intervention agency’ or
24 ‘community-based gang intervention model’, the
25 term ‘community-based gang intervention’ means a

1 two-prong approach to reducing gang violence
2 that—

3 “(A) provides specialized, gang-specific me-
4 diation and mitigation to stop or prevent vio-
5 lence by, within, and between gangs; and

6 “(B) provides the redirection of individual
7 gang members and their families through
8 proactive efforts that increase peace and safety
9 for gang members, their families, and their
10 communities.”.

11 **SEC. 202. COMMUNITY-BASED GANG INTERVENTION REP-**
12 **RESENTATIVE TO STATE ADVISORY BOARDS.**

13 Section 223(a)(3)(ii) of the Juvenile Justice and De-
14 linquency Prevention Act of 1974 (42 U.S.C.
15 5633(a)(3)(ii)) is amended—

16 (1) in subclause (III), by inserting “, or com-
17 munity-based gang intervention” after “delinquency
18 prevention or treatment”; and

19 (2) in subclause (IV), by inserting “community-
20 based gang intervention,” after “prevention and
21 treatment,”.

22 **SEC. 203. GRANTS FOR DELINQUENCY PREVENTION PRO-**
23 **GRAMS.**

24 Section 504 of the Juvenile Justice and Delinquency
25 Prevention Act of 1974 (42 U.S.C. 5783) is amended—

1 (1) in subsection (a)—

2 (A) by redesignating paragraphs (7) and
3 (8) as paragraphs (8) and (9), respectively; and

4 (B) by inserting after paragraph (6) the
5 following new paragraph:

6 “(7) community-based gang intervention and
7 gang prevention activities;”; and

8 (2) in subsection (c)(2), by inserting “and com-
9 munity-based gang intervention” before “activities;”.

○