

Office of Juvenile Justice: Compliance Data Collection Tool

Checklist to Assist with Organizing Materials for Online Data Entry



1.	Review definitions pertaining to key compliance elements and type of facility (see definitions on page 2-3)	
2.	Have your policies regarding juveniles readily available.	
3.	Information about your facility: Address, phone number, jurisdiction, primary and secondary administrative contact and/or person in charge of the facility and/or person completing this questionnaire	
4.	Construction features to restrict: Number of holding cells, number of lockable interview rooms, number of secured perimeters restricting egress	
5.	Data collection for the period of October 1, 2019 – September 30, 2020: **Information taken from your In-take Log Sheets <ul style="list-style-type: none"> • Number of admissions of juveniles for this reporting periods • Number of secure detentions of juveniles accused of criminal offenses • Number of juveniles accused of a criminal offense and securely detained longer than six hours, • Number of juveniles accused of a criminal offenses awaiting court appearance, • Number of juveniles accused of a criminal offenses detained more than six hours before and after court appearance, • Number of remanded juveniles accused or convicted of a criminal offense in your secured facility: <ul style="list-style-type: none"> ○ Where are youth who are remanded held in your county? ○ What services are provided for these youth? • Number of juveniles held for five or more school days, average daily population of your facility • Number of status offenders securely detained and number of status offenders detained for contempt of court or failure to appear. <p>*Complete Jail Removal Data Form for each status offender</p>	
6.	Does your policy address: (see definitions) <ol style="list-style-type: none"> (1) Sight and Sound Separation (2) Time Phasing (3) Restraint of know pregnant juveniles (4) Final Rule Prison Rape Elimination Act (PREA) 	



Definitions

Non-secure Law Enforcement Offices: A facility, such as police administrative offices, that is administered by a law enforcement entity but does not have construction fixtures designed to physically restrict the movements and activities of individuals held in lawful custody. 42 U.S.C. § 5603(22) (2002); 28 C.F.R. § 31.304(n)(1996). If an agency or office develops the capacity to securely detain or confine individuals in custody, then it must be monitored as an adult jail or lockup.

Adult Jails: A locked facility administered by state, county or local law enforcement and correctional agencies, the purpose of which is to detain adults charged with violating criminal law, pending trial. Also considered as adult jails are those facilities used to hold convicted adult criminal offenders sentenced for less than one year. 28 C.F.R. § 31.304(m)(1996).

Adult Lockups: A locked facility that is used by a state, unit of local government or any law enforcement authority to detain or confine individuals. Similar to an adult jail except that an adult lockup is generally a municipal or police facility of a temporary nature that does not hold persons after they have been formally charged. 42 U.S.C. § 5603(22) (2002); 28 C.F.R. § 31.304(n)(1996).

Juvenile Detention Facilities: A public or private residential facility, which includes construction fixtures designed to physically restrict the movements and activities of juveniles or other individuals held in lawful custody in such facility, and is used for the temporary placement of any juvenile who is accused of having committed an offense, any juvenile who has been adjudicated delinquent and is awaiting placement or any other individual accused of having committed a criminal offense. 42 U.S.C. § 5603(12)(2002).

Juvenile Correctional Facilities: A public or private residential facility which includes construction fixtures designed to physically restrict the movements and activities of juveniles or other individuals held in lawful custody in such facility, and is used for the placement, after adjudication and disposition, of any juvenile who has been adjudicated as having committed an offense or any other individual convicted of a criminal offense. 42 U.S.C. § 5603(13)(2002).

Collocated Facilities: A juvenile facility located in the same building, or as part of a related complex of buildings located on the same grounds of a facility for adults. 42 U.S.C. § 5603(28)(2002).

Court Holding Facilities: A secure facility, other than an adult jail or lockup, which is used to temporarily detain persons immediately before or after detention hearings or other court proceedings. 28 C.F.R. § 31.303(d)(1996).

Crisis Residence Centers: Crisis residential centers (CRCs) are short-term, semi-secure facilities for runaway youth and adolescents in conflict with their families. Youth cannot remain in a CRC more than 15 consecutive days.

Department of Corrections (DOC): All state-operated adult prisons and supervises adult inmates who live in the community.

Secure Detention Facility: Any public or private residential facility which:

- a. Includes construction fixtures designed to physically restrict the movements and activities of juveniles or other individuals held in lawful custody in such facility.
- b. Is used for the temporary placement of any juvenile who is accused of having committed an offense or of any other individual accused of having committed a criminal offense.

Sight and Sound Separation: When children are placed in an adult jail or lock-up, "sight and sound" contact with adults is prohibited under the Juvenile Justice and Delinquency Prevention Act (JJDP). This provision seeks to prevent children from threats, intimidation or other forms of psychological abuse and physical assault. Under "sight and sound," children cannot be housed next to adult cells, share dining halls, recreation areas or any other common spaces with adults, or be placed in any circumstance that could expose them to threats or abuse from adult offenders.

Adult Jail and Lock-up Removal: Under the JJDP, youth may not be detained in adult jails and lock-ups except for limited times before or after a court hearing (six hours), in rural areas (24 hours plus weekends and holidays) or in unsafe travel conditions. This provision is designed to protect children from psychological abuse, physical assault and isolation. Children housed in adult jails and lock-ups have been found to be eight times more likely to commit suicide, two times more likely to be assaulted by staff and 50% more likely to be attacked with a weapon than children housed in juvenile facilities.

Deinstitutionalization of Status Offenders: Status offenses are offenses that only apply to minors whose actions would not be considered offenses if they were adults. The most common are skipping school, running away, breaking curfew and possession or use of alcohol. Under the JJDP, status offenders may not be held in secure detention or confinement. There are, however, several exceptions to this rule, including allowing some status offenders to be detained for up to 24 hours. The Deinstitutionalization of Status Offenders (DSO) provision seeks to ensure that status offenders who have not committed a criminal offense are not held in secure juvenile facilities for extended periods of time or in secure adult facilities for any length of time. These children should instead receive community-based services, such as day treatment or residential home treatment, counseling, mentoring, family support and alternative education