
Policies and Procedures Manual

Monitoring Compliance

August 2024

Washington State
Office of Juvenile Justice
Department of Children, Youth & Families

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INTRODUCTION: BACKGROUND & PURPOSE

Washington State Office of Juvenile Justice within the Department of Children, Youth & Families is designated as the administrative office to implement JJDPa compliance monitoring, authorized by the Governor’s Executive Order 20-02, signed into effect on August 20, 2020. This Executive Order supersedes EO 15-03 in order to incorporate elements reauthorized by the Juvenile Justice Reform Act of 2018.

The Office of Juvenile Justice (OJJ) envisions Washington’s children as healthy, educated and free from violence. Should they come into contact with the juvenile justice system, we want the experience to be rare, fair and beneficial to them.

Positioned within the Department of Children, Youth and Families, OJJ provides statewide resource, education and coordination of juvenile justice system improvement and reform efforts. OJJ supports innovation and collaboration to reduce the impact of racial and ethnic disparities throughout the juvenile justice system. By providing compliance monitoring, funding and training, OJJ acts as a resource to juvenile justice system partners.

The work of OJJ generates better outcomes for youth by:

- Supporting and staffing the Washington State Partnership Council on Juvenile Justice, a designated primary state advisory group for juvenile justice topics in Washington described in the Governor’s Executive Order 20-02.
- Monitoring federal compliance with core requirements of the Juvenile Justice and Delinquency Prevention Act (JJDPa).
- Administering the Title II Formula Grant to incentivize juvenile justice system improvements at local, county and state levels.
- Supporting implementation of the Juvenile Detention Alternatives Initiative (JDAI) model in partnership with local JDAI sites.
- Providing technical assistance and serving as a resource for Washington State’s juvenile justice improvement initiatives.

Purpose of the Compliance Monitor

Title II, Part B, of the [Juvenile Justice and Delinquency Prevention Act](#) (“JJDPa” or the “Act”) sets out detailed requirements that a state must satisfy in order to be eligible to receive funding under the Act’s Formula Grants Program, including the submission of a state plan that satisfies the requirements set forth at 34 U.S.C. § 11133(a)(1)-(33). Under the Act, “[i]n accordance with regulations which the Administrator shall prescribe, such plan shall,” among other things—

...provide for an effective system of monitoring jails, lock-ups, detention facilities, and correctional facilities to ensure that the core requirements are met,

and for annual reporting of the results of such monitoring to the Administrator.
[34 U.S.C. § 11133(a)(14)]

Pursuant to Section 223(c)(1) of the JJDPa the Title II FY 2021 Formula Grant allocation for a state will be reduced by 20 percent for each core requirement with which it fails to comply.

There are four core requirements

- Deinstitutionalization of Status Offenders, Section 223(a)(11) of JJDPa
 - Removal of Juveniles Prosecuted as Adults from Adult Facilities, Section 223(a)(11)(B)”
- Sight and Sound Separation, Section 223 (a)(12) of the JJDPa
- Jail Removal, Section 223 (a)(13) of the JJDPa
- Racial and Ethnic Disparity Reduction, Section 223(1)(15) of the JJDPa

This state compliance monitoring manual describes the requirements, elements, and process of the JJDPa compliance monitoring system in Washington. The Racial and Ethnic Disparity Reduction plan can be found in a separate document as part of the Title II Formula Grant application requirements.

The purpose of this manual is to delineate the core requirements a state must address under JJDPa, and what the JJDPa requires states to include in a state compliance monitoring manual.

II. COMPLIANCE WITH CORE REQUIREMENTS – FEDERAL & STATE

This section describes the core requirements at 34 U.S.C. § 11133(a)(11), (12), and (13), and provides state staff in understanding the core requirements.

In Washington State, the Revised Code of Washington (RCW) is the compilation of all permanent laws now in force. It is a collection of Session Laws (enacted by the Legislature, and signed by the Governor, or enacted via the initiative process), arranged by topics, with amendments added and repealed laws removed. It does not include temporary laws such as appropriations acts. Juvenile justice in Washington State is primarily governed by statute, otherwise known as the Juvenile Justice Act of 1977, which establishes a system of accountability and rehabilitation for juvenile offenders. The Act is codified in the Revised Code of Washington (hereinafter referred to as “RCW”) under Title 13, primarily RCW 13.40. The following tables direct federal regulatory references in the left column, and state plan to meet the core requirements in the right column.

A. Deinstitutionalization of Status Offenders (DSO)

Summary of Requirement	State’s plan to address requirement <i>(State shall adhere to federal definitions for compliance monitoring.)</i>
<p>Pursuant to 34 U.S.C. § 11133(a)(11)(A), juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult (status offenders), or juveniles who are not charged with any offense and are unauthorized immigrants or are alleged to be dependent, neglected or abused (non-offenders), shall not be placed in secure detention facilities or secure correctional facilities. Compliance with the DSO requirement has been achieved when a state can demonstrate that no such juveniles were placed in secure detention and correctional facilities, or when the state’s DSO rate falls below the established threshold.</p>	<p>The DSO compliance monitoring process includes:</p> <ol style="list-style-type: none"> i. Collect data from facilities listed in the Compliance Universe by using an annual online survey. Questions are structured to flag potential incidents of non-compliance for a detailed follow-up. Annual data collecting begins in November for prior fiscal year from October 1 – September 30. ii. Analyze all responses with a focus on each response identifying status offense holdings and holds over 6 hours. For each agency reporting a status offense holding or a hold over 6 hours a follow-up interview is conducted. <p>For Status Offense Holdings:</p> <ul style="list-style-type: none"> • Confirmation of # Held • Were all held in non-secure spaces? • If not, how many were held securely? <p>For Holds Over 6 Hours:</p> <ul style="list-style-type: none"> • How many youth were held over 6 hours? • Why were they held over 6 hours? • Were they held only for processing, awaiting release or transfer? • If not, how many were held and for what reason? iii. The Compliance Monitoring (CM) Manager verifies data collected via online survey (Appendix B), conducts follow-up interviews and site visits (Appendix C & E). The CM Manager addresses any discrepancy with the facility administrator who completed the survey and reports. iv. Provide technical assistance to facilities to achieve deinstitutionalization of status offenders. <p>In 2019 Washington State legislation passed <u>HB 5290</u> prohibiting the use of detention as a court sanction for status offenders (in Washington State they are often referred to as Children in Need of Services, Truants, or At-Risk Youth.) The CM Manager addresses DSO violations with facilities as well as with agencies serving Children in Need of Services and At-Risk youth to improve the process of sustaining DSO.</p> <p>The Compliance Manager requests data from all Juvenile Detention Facilities that may hold juveniles taken into custody for a status offence or for violating a court order and analyses the data to ensure the following occurred:</p>

	<p>A. an appropriate public agency shall be promptly notified that such status offender is held in custody for violating such order;</p> <p>B. not later than 24 hours during which such status offender is so held, an authorized representative of such agency shall interview, in person, such status offender;</p> <p>C. not later than 48 hours during which such status offender is so held such representative shall submit an assessment to the court that issued such order, regarding the immediate needs of the status offender;</p> <p>D. there are procedures in place to ensure that any status offender held in a secure detention facility or correctional facility pursuant to a court order described in this paragraph does not remain in custody longer than 7 days or the length of time authorized by the court, whichever is shorter.</p> <p>Any facilities found out of compliance with the above procedures will receive training and technical assistance to correct any necessary policies and practices resulting in non-compliance.</p>
<p>YOUTH HANDGUN SAFETY EXCEPTION – Under 34 U.S.C. § 11133(a)(11)(A)(i)(I), the DSO requirement does not apply to juveniles charged with or found to have committed a violation of the Youth Handgun Safety Act (18 U.S.C. § 922(x)), or a similar state law, which prohibits a person younger than 18 from possessing a handgun. Such juveniles may be placed in secure detention or secure correctional facilities without resulting in an instance of noncompliance with the DSO requirement.</p>	<p>Washington State does not treat youth handgun offenses as status offenses, as reinforced by state statute that a juvenile guilt of crime of unlawful possession of a firearm is first degree a class B felony punishable according to chapter 9A.20 RCW.</p>
<p>VALID COURT ORDER EXCEPTION – The Valid Court Order (VCO) exception at 34 U.S.C. § 11133(a)(11)(A)(i)(II)</p>	<p>The Compliance Monitoring Manager will review compliance data self-reported by the facilities using the online data collection tool. Those reporting VCOs usage will be required to provide supporting documents. Verification will be done by the CM Manager during site visit.</p> <p>The 2019 Washington State legislature passed Senate Bill 5290, phasing out/eliminating the use of the valid court order exception to detain youth for acts like truancy, breaking curfew, or running away from home is counterproductive and may worsen outcomes for at-risk youth and status offenders. The Revised Code of Washington (RCW 7.21.080) can be https://app.leg.wa.gov/RCW/default.aspx?cite=7.21.080 By 2023 all VCO usages will be phased out.</p>

<p>INTERSTATE COMPACT ON JUVENILES EXCEPTION – Pursuant to the DSO requirement at 34 U.S.C. § 11133(a)(11)(A)(i)(III).</p>	<p>The Revised Code of Washington (RCW 13.24.011) pertaining to Interstate Compact for Juveniles can be found https://app.leg.wa.gov/RCW/default.aspx?cite=13.24.011</p> <p>The compacting states to this interstate compact recognize that each state is responsible for the proper supervision or return of juveniles, delinquents, and status offenders who are on probation or parole and who have absconded, escaped, or run away from supervision and control and in so doing have endangered their own safety and the safety of others. Information about WA Interstate Commission for Juveniles (ICJ) can be found at https://www.juvenilecompact.org/west/washington The WA ICJ Commission contact is wa-icj@dcyf.wa.gov.</p>
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B. Removal of Juveniles Prosecuted as Adults from Adult Facilities

Summary of Requirement	State’s plan to address requirement
<p>Under Section 223(a)(11)(B), on or after December 21, 2021, a juvenile who is charged as an adult cannot be detained in an adult jail or lockup or have sight or sound contact with adult inmates in a secure adult facility, with some exceptions.</p>	<p>The Compliance Monitoring Manager will:</p> <ol style="list-style-type: none"> i. Collect data from facilities listed in the Compliance Universe by using an annual online survey. Facilities that responded on the survey with status offenders holding must further elaborate by participating in a follow-up interview with the Compliance Monitoring Manager. See Appendix C. Annual data collecting begins in November for prior fiscal year from October 1 – September 30. ii. In the Data Collection Tool (see Appendix B) section pertaining to a juvenile charged as an adult and detained in an adult jail or lockup while awaiting trial or other legal process, facility is required to complete a detailed report (see Appendix C) on individual case (individual instance) that includes the following elements: <ul style="list-style-type: none"> • During this reporting period, how many juveniles charged as an adult were detained in your facility while awaiting trial or other legal process? • Does your facility ensure sight or sound separation between juveniles and adult inmates? • Did any of the Six-Hour Exception, Rural Exception, Conditions of safety/Travel Condition Exceptions apply? iii. Verify data collected via online survey, follow-up interviews, and site visits. Address any discrepancy with facility administrator completed the survey and reports.

	<p>iii. Provide technical assistance to facilities to achieve Jail Removal requirements.</p> <p>RCW 13.40.116 (1) (c) states - For a juvenile who is subject to exclusive adult criminal court jurisdiction under RCW 13.04.030 or who has been transferred to adult criminal court under RCW 13.40.110, the juvenile may not be held in a jail or holding facility for a period exceeding twenty-four hours excluding weekends and holidays, unless a court finds, after a hearing and in writing, that it is in the interest of justice.</p>
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C. Separation of Juveniles from Adult Inmates

Summary of Requirement	State's plan to address requirement
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Pursuant to [34 U.S.C. § 11133\(a\)\(12\)](#), juveniles alleged to be or found to be delinquent, status offenders, and juveniles who are not charged with an offense and who are unauthorized immigrants or alleged to be dependent, neglected, or abused may not be detained or confined in any institution in which they have sight or sound contact with adult inmates.

The Compliance Monitoring Manager's responsibility is to collect and review data (See Appendixes B & C) and verify reporting during site visit (See Appendix E) to monitor and address compliance of 34 U.S.C. § 11133(a)(12) for sight or sound separation requirements.

In [RCW 13.04.116](#), state also imposes regulations on separation of juveniles and adult inmates:

- (1) A juvenile shall not be confined in a jail or holding facility for adults, except:
 - (a) For a period not exceeding twenty-four hours excluding weekends and holidays and only for the purpose of an initial court appearance in a county where no juvenile detention facility is available, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound of adult inmates;
 - (b) For not more than six hours and pursuant to a lawful detention in the course of an investigation, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound of adult inmates; or
 - (c) For a juvenile who is subject to exclusive adult criminal court jurisdiction under RCW 13.04.030 or who has been transferred to adult criminal court under RCW 13.40.110, the juvenile may not be held in a jail or holding facility for a period exceeding twenty-four hours excluding weekends and holidays, unless a court finds, after a hearing and in writing, that it is in the interest of justice.
 - (i) If a court determines that it is in the interest of justice to permit a juvenile who is subject to exclusive adult criminal court jurisdiction under RCW [13.04.030](#) or who has been transferred to adult criminal court under RCW [13.40.110](#) to be held in a jail or holding facility, the juvenile may not have sight or sound contact with adult inmates, unless the court also finds, after a hearing and in writing, that it is in the interest of justice to permit sight or sound contact with adult inmates. In making the determination regarding sight or sound contact with adult inmates under this subsection, the court shall consider:
 - (A) The age of the juvenile;
 - (B) The physical and mental maturity of the juvenile;

	<p>(C) The present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to himself or herself;</p> <p>(D) The nature and circumstances of the alleged offense;</p> <p>(E) The juvenile's history of prior delinquent acts;</p> <p>(F) The relative ability of the available adult and juvenile detention facilities to meet the specific needs of the juvenile, protect the safety of the public, and protect other detained juveniles; and</p> <p>(G) Any other relevant factors.</p> <p>(ii) If a court determines that it is in the interest of justice to permit a juvenile who is subject to exclusive adult criminal court jurisdiction under RCW <u>13.04.030</u> or who has been transferred to adult criminal court under RCW <u>13.40.110</u> to be held in a jail or holding facility or have sight or sound contact with adult inmates under this section:</p> <p>(A) The court shall hold a hearing at least once every thirty days to review whether it is still in the interest of justice to permit the juvenile to be held in a jail or holding facility, as defined under RCW <u>70.48.020</u>, or have sight or sound contact with adult inmates; and</p> <p>(B) The juvenile shall not be held in any jail or holding facility or permitted to have sight or sound contact with adult inmates, for more than one hundred eighty days, unless:</p> <p>(I) The court, in writing, determines that there is good cause to allow an extension beyond one hundred eighty days; or</p> <p>(II) The juvenile expressly waives this limitation.</p> <p>(iii) A juvenile who is subject to exclusive adult criminal court jurisdiction under RCW <u>13.04.030</u> or who has been transferred to adult criminal court under RCW <u>13.40.110</u> has the right to be represented by counsel, and if indigent, to have counsel appointed for him or her by the court at any hearing held to determine whether to place the juvenile in a jail or holding facility or to continue the juvenile's placement in such a facility.</p>
<p>In order to comply with the separation requirement, states must also have in effect a policy that requires individuals who work with both juveniles and adult inmates, including in collocated facilities,</p>	<p>The Washington Association of Sheriffs and Police Chiefs (WASPC) provide for Commission on Accreditation for Law Enforcement Agencies (CALEA)-based accreditation inspections. Accreditation requires sight and sound separation.</p>

<p>to have been trained and certified to work with juveniles.</p>	<p>The state of Washington has in place policy requiring individuals who work with juveniles and adult inmates to have training and certification to work with juveniles, as described in <u>RCW 43.101.350</u> with the <u>Juvenile Corrections Personnel Academy</u> training offered at the Criminal Justice Training Center and certification process through the Commission on Accreditation for Law Enforcement Agencies.</p> <p>The CM Manager will verify adequate training impacting Separation is in place for individuals who work with juveniles by reviewing policy manual of the facility during site visit.</p> <p>The Commission on Accreditation for Law Enforcement Agencies-based accreditation states that:</p> <ul style="list-style-type: none"> • The intent of this standard is to ensure the segregation of three detainee types. Juveniles should not be processed in the presence of adult violators and should be held in areas away from adult detainees. Females should be separated from areas where males are detained. • Sound for the purpose of this standard is defined as normal/loud conversation and does not include deliberate yelling or screaming. Persons supervising detainees should control yelling and screaming. • Agencies may comply with this standard by developing written procedural alternatives to avoid detaining males/females/juveniles in the same area. Compliance must be observed. <p>Jail managers and officers know that state law requires sight or sound separation. In our state, many of the law enforcement agencies have adopted Lexipol standards for their policies and procedures. These policies include the separation of juveniles from adults, and provide a section on “Non-contact Requirements”: there shall be no contact, including visual or audible, between juveniles held in temporary custody (either non-secure or secure detention) and adult prisoners who are detained in the jail or any other secure holding area.</p> <p>Some agencies make a practice of not having both adults and juveniles in their holding facility at the same time. A few have a separate area in which they routinely hold juveniles. Others have a more eclectic approach, using the holding facility if no adults are there, and turning to another location if adults are in holding.</p>
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<p>JUVENILES WHO ARE TRANSFERRED, CERTIFIED, OR WAIVED TO CRIMINAL COURT – Juveniles who have been transferred, certified, or waived to criminal court, and are therefore charged as adults, may not be detained in an adult jail or lockup or have sight or sound contact with adult inmates in a secure facility, unless it is pursuant to one of the exceptions at 34 U.S.C. § 11133(a)(13)(B). However, a court may determine that it would be in the interest of justice to do so consistent with 34 U.S.C. § 11133(a)(11)(B). See Section 223(a)(11)(B) above, which applies to juveniles charged as adults. If a juvenile who has been charged as an adult has been convicted and sentenced for the criminal offense, however, Section 223(a)(11)(B) no longer applies.</p>	<p>The CM Manager is responsible for monitoring separation requirements during site visits and noted exceptions if applicable.</p> <p>Washington RCW 13.04.116 states: (1) A juvenile shall not be confined in a jail or holding facility for adults, except: (a) For a period not exceeding twenty-four hours excluding weekends and holidays and only for the purpose of an initial court appearance in a county where no juvenile detention facility is available, a juvenile may be held in an adult facility provided that the confinement is separate from the sight or sound of adult inmates; (b) For not more than six hours and pursuant to a lawful detention in the course of an investigation, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound of adult inmates; or (c) For a juvenile who is subject to exclusive adult criminal court jurisdiction under RCW 13.04.030 or who has been transferred to adult criminal court under RCW 13.40.110, the juvenile may not be held in a jail or holding facility for a period exceeding twenty-four hours excluding weekends and holidays, unless a court finds, after a hearing and in writing, that it is in the interest of justice.</p>
<p>PROGRAMS IN WHICH JUVENILES HAVE SIGHT OR SOUND CONTACT WITH ADULT INMATES – Programs in which juveniles have sight or sound contact with adult inmates in an attempt to educate juveniles about life in prison and/or deter them from delinquent or criminal behavior (such as Scared Straight or shock incarceration programs) may result in instances of noncompliance with the separation (and possibly DSO and jail removal) requirements. Whether these programs result in instances of noncompliance will depend on the specific manner in which the program operates and the circumstances of the juveniles’ participation in such a program. Instances of noncompliance with the separation requirement may only occur if a juvenile’s participation in such a program is pursuant to law enforcement or juvenile or criminal court authority. In addition, for violations to occur, the juvenile must not be free to leave or withdraw from participation, even if her/his parent/guardian has not consented</p>	<p>WA does not operate Scared Straight or other shock incarceration programs in which juveniles have sight or sound contact with adult inmates in an attempt to educate juveniles about life in prison and/or deter them from delinquent or criminal behavior. The CM Manager obtains a copy of the policy manual for review during site visit and monitor that Scared Straight is not being practiced and the requirement is clearly stated in the facility’s policy manual.</p> <p>The only juveniles allowed to be placed in adult correctional facilities without a violation of the core protections would be juveniles who have been sentenced pursuant to adult criminal court jurisdiction under section 223(a)(11)(B). So a violation/noncompliance of the Separation requirement may occur if a juvenile is detained or confined in a secure adult facility as part of the Scared Straight or other shock incarceration programs, i.e. their participation in such program is involuntary (without their consents or parent/guardian consents) and they are not free to leave or withdraw from participation. It is the CM Manager’s responsibilities to monitor such requirements through on site visit, interviews, and review of facility’s policy.</p>

to, or wishes to withdraw consent for, the juvenile’s participation.	
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D. Removal of Juveniles From Adult Jails and Lockups

Summary of Requirement	State’s plan to address requirement
<p>Pursuant to 34 U.S.C. § 11133(a)(13) - no juvenile shall be detained or confined in any jail or lockup for adults, with exceptions described below. Juveniles who are accused of status offenses, juveniles who are not accused of any offense, and juveniles who have been adjudicated as delinquent may not be detained or confined for any length of time in an adult jail or lockup.</p> <p>The following four statutory exceptions apply to the jail removal requirement, as long as juveniles accused of non-status offenses do not have sight or sound contact with adult inmates and the state has in effect a policy that requires individuals who work with both juveniles and adult inmates in collocated facilities to have been trained and certified to work with juveniles:</p>	<p>The Compliance Monitoring (CM) Manager is responsible for:</p> <ol style="list-style-type: none"> i. Collecting data from facilities listed in the Compliance Universe by using an annual online survey. Annual data collecting begins in November for prior fiscal year from October 1 – September 30. ii. Requesting facility responded with an indication that an exception applied to provide documentation or submit a written request with explanations to the CM Manager. iii. The Compliance Monitoring (CM) Manager verifies and approves exceptions are consistent with OJJDP guidelines for RURAL EXCEPTION found at 34 U.S.C. § 11133(a)(13)(B)(ii)(I) U.S.C. § 11133(a)(13)(B)(ii)(I), TRAVEL CONDITIONS EXCEPTION – Under 34 U.S.C. § 11133(a)(13)(B)(ii)(II), and CONDITIONS OF SAFETY EXCEPTION – Under 34 U.S.C. § 11133(a)(13)(B)(ii)(III) U.S.C. § 11133(a)(13)(B)(ii)(III). iv. The CM Manager will provide technical assistance to facilities that addresses exception status and verifies exception status during onsite inspection. v. The CM Manager will verify adequate training impacting Jail Removal is in place for those who work with juveniles by reviewing policy manual of the facility during site visit. The state of Washington has in place policy requiring individuals who work with juveniles and adult inmates to have training and certification to work with juveniles, as described in RCW 43.101.350 with the Juvenile Corrections Personnel Academy training offered at the Criminal Justice Training Center and certification process through the Commission on Accreditation for Law Enforcement Agencies. <p>No facilities are utilizing exceptions at this time.</p>

III. ELEMENTS OF AN EFFECTIVE SYSTEM OF MONITORING

States participating in the Formula Grants Program must provide for an effective system of monitoring jails, lockups, detention facilities, and correctional facilities to ensure that they meet the core requirements, pursuant to the monitoring and reporting requirement at 34 U.S.C. § 11133(a)(14).

A. COMPLIANCE MONITORING POLICIES AND PROCEDURE

The Compliance Monitoring Manual (CMM) consists of monitoring policies and procedures as well as essential elements to ensure WA remains in compliance with the core requirements and maintains an effective system of monitoring. This CMM will be reviewed and revised at least annually, with updates happening on an as needed basis.

The following is an outline of an a planning agenda for implementation of key monitoring system elements, 28 CFR §31.303(f)(1)(i). The following agenda outline, schedule and tasks are conducted on an annual basis.

Compliance Monitor Planning Agenda Outline	
Compile and update a list of secure facilities	<p>The CM Manager works with the:</p> <ul style="list-style-type: none"> – Washington Association of Sheriffs and Police Chiefs (WASPC) to identify adult jails and lockups to be included in the Monitoring Universe. – Association of Juvenile Court Administrators to identify secure detention facilities to be included in the Monitoring Universe. – Juvenile Rehabilitation and Department of Corrections to identify secure correctional facilities to be included in the Monitoring Universe. – The CM Manager will request from these associations and agencies an updated listing every three years. The listings will include name and address of the secure facility, chief officer’s name and contact information. The next update is to take place September 2023. This process allows the CM Manager to create and update the state’s Monitoring Universe.
Communicate with facilities and schedule site visits	<ul style="list-style-type: none"> – Communicate to facilities about explanations and expectations of JJDP Act. – Present at annual WASPC conference to communicate federal compliance monitoring requirements and expectations. – Plan site visits schedule.
Conduct site visits and interviews (inspections)	<ul style="list-style-type: none"> – Review holding logs to determine the number of juvenile securely detained, how long they were detained, and adult transfer logistics.

	<ul style="list-style-type: none"> - Examine sight and sound separation from adults while in custody - Obtain a copy of facility’s policies specific to detaining and holding juveniles, and training of those who work with juveniles. - (If applicable) Obtain copies of Interest of Justice hold policy and documentation. - (If applicable) Verify and obtain copies of Rural Exception applied - A tour of the facility
Complete online survey and data collection and analysis	<ul style="list-style-type: none"> - Notice to all facilities requesting completion of online compliance data survey for core requirements data between October 1 and September 30 of each year. - Each facility will complete this online survey by December.
Verify data and provide technical assistance as needed	<ul style="list-style-type: none"> - Compliance Monitor Manager compiles data. - If needed, contact facilities to verify information to ensure accuracy. - Obtain additional detention data from Washington State Center for Court Research, and verify data collected from survey. - Examine noncompliance issues, contact facilities to resolve issues. Place facilities on high-risk category to signal follow-up site visits. - Further verify data during site visit.
Submit OJJDP Compliance Monitoring Report – GMS/PMT	<ul style="list-style-type: none"> - Complete state compliance monitoring report and submit report to the Office of Juvenile Justice and Delinquency Prevention. - Post summary report on SAG web site and in the biennial Report to the Governor and the Legislature.
Provide ongoing compliance standards consultations to address violations	<ul style="list-style-type: none"> - Educate key stakeholders with JJDP core requirements and compliance monitoring procedures with online webinars and conference presentations. - Offer 1:1 consultation to facilities on key issues on compliance. - Consult with state attorney general staff to ensure alignments of state and federal requirements. - Inform SAG on critical legislative/policy issues and recommendations to prevent noncompliance.

B. MONITORING AUTHORITY

Washington State Governor Jay Inslee issued Executive Order 20.02 (effective August 20, 2020) to integrate JJRA provisions and delegate Department of Children, Youth, and

Families (DCYF) to convene the Council (SAG) recognizing DCYF as the Designated State Agency and through the DCYF Office of Juvenile Justice to monitor jails, lock-ups, detention facilities, and correctional facilities to ensure the core requirements are met and evaluate the state’s compliance with the Act.

A full-time compliance monitoring manager position in the Office of Juvenile Justice takes on a primary responsibility on compliance monitoring functions.

C. VIOLATION PROCEDURES

In accordance with the rules set forth in 28 C.F.R. § 31.303(f)(1)(iii), including definitions provided in 34 U.S.C. § 11103, and 28 C.F.R. § 31.304, violation procedures will be conducted whenever juvenile data is collected from facilities or reviewed on-site using OJJDP’s suggested collection elements:

Compliance Monitoring Suggested Data Elements

Facility Type	DSO Applicable Requirement	Removal Applicable Requirement	Separation Applicable Requirement	Section 223(a)(11)(B) of the JJPA Applicable Requirement
Secure: JUVENILE Detention Facilities	yes	no	yes	no
Secure: JUVENILE Correction Facilities	yes	no	yes	no
Secure: ADULT Correction Facilities (Prisons)	yes	yes	yes	yes
Secure: ADULT Jails*	yes**	yes	yes	yes
Secure: ADULT Lockups*	yes**	yes	yes	yes

The Compliance Monitoring (CM) Manager is responsible for receiving, addressing, and responding to violation reported or alleged.

- If violation(s) are self-reported via online data collection process, the CM Manager will contact the facility administrator requesting additional information. Information collected that allows the CM Manager to cite for violations include:
 - ~ Incorrect identification as a non-secure facility
 - ~ 6-Hour or 24-Hour violations
 - ~ Jail removal exception status not documented
 - ~ Sight or sound separation not in place
 - ~ Time phasing not in place
 - ~ Inadequate staff training
 - ~ Missing or inconsistent data reporting

Each cited violation would be investigated by the CM Manager that include requesting additional information and exploring viable options and/or technical assistance to resolve the issues. The law enforcement representative on the State Advisory Group is a great resource to rely on for achieving resolutions with local facility. Persistent or unresolved violations are reported to DSA administrator and to the State Attorney General’s Office.

- If violation(s) are discovered during site visit, the compliance manager and the facility administrator will discuss corrective actions. Recommendations are

documented and sent to facility leadership following site visit with expectation for resolution. See Appendix E for Site Visit Findings & Recommendations Document.

- Third party reporting is very rare but if that occurs, the compliance manager will contact the facility to begin an investigation.

For facilities that have multiple violations during a site visit or data collection they will be listed as “High Risk”. Facilities listed as high risk will face a higher scrutiny from the compliance manager. They will receive site visits on a yearly basis, have their juvenile logs reviewed quarterly, and receive technical assistance on their detention policy and procedures as they adhere to juveniles.

Facilities that report violations after an investigation by the compliance manager are found to be in error about either the number of violations or have recorded false positives will be placed as High Risk as well. These facilities will receive technical assistance on the OJJDP and violations and receive a compliance visit the following year.

If a facility is showing repeated violations or unresolved issues, the compliance manager will classify the facility as “high risk” and the facility is subjected to annual site visit. Law Enforcement representative and members of the Washington Association of Sheriffs and Police Chiefs might be involved in assisting local facility with meeting accreditation requirements and compliance with federal law. Violations of state law will be referred to the Attorney General’s Office for consultation and technical assistance.

All violations are documented and copies filed and kept for at least two three-year cycle (at a minimum of six years.)

Common violations	Possible resolutions
A common way to find DSO Violations is to check the log sheet verifying if a juvenile is held not more than 24 hours after entering a secure facility and be released 24 hours after court appearance excluding weekends and holidays or when courts are closed.	<ul style="list-style-type: none"> - Often juveniles released to parents are on time. Child welfare/social workers tend to delay the pick-up time. Working with the headquarter and regional administrators to resolve issues about pick up time.
For Jail Removal Violations check the log sheet or incident reports to determine the start and end of the detention time.	<ul style="list-style-type: none"> - The only exceptions Washington uses for the jail removal are the rural exception and the increment weather exception. It is up to the facility to document cases of inclement weather when they had to hold a juvenile longer than 5 hours and 59 minutes.
A common way to find Sight or Sound Separation violations is to have the detention manager walk you through the facility as if you are the juvenile who just	<ul style="list-style-type: none"> - Take into account the layout of the secure facility and barriers to achieve sight and sound separation. - Check for policy on time phasing

brought to the facility.	between juvenile and adult detainment.
Staff turnovers often contributed to errors and incorrect reporting.	– Discuss errors and/or violations with the chief officers. Often they are unaware of mistakes made by less experienced staff.

D. ADHERENCE FEDERAL DEFINITIONS

Definitions that states use for key juvenile and criminal justice terms sometimes differ from the “federal” definitions. The federal definitions, for purposes of compliance monitoring, are only those provided in the JJDP A at 34 U.S.C. § 11103 the Formula Grants Program Regulation at 28 C.F.R. § 31.304 and An Overview of Statutory and Regulatory Requirements for Monitoring Facilities for Compliance With the Deinstitutionalization of Status Offenders, Separation, and Jail Removal Provisions of the Juvenile Justice and Delinquency Prevention Act.

Juvenile justice in Washington State is primarily governed by statute, otherwise known as the Washington State’s Juvenile Justice Act of 1977, which establishes a system of accountability and rehabilitation for juvenile offenders. The Act is codified in the Revised Code of Washington (RCW) under Title 13, primarily RCW 13.40, <https://app.leg.wa.gov/RCW/default.aspx?cite=13.04>.

The state and federal definitions are consistent. List of definitions is posted online and provided to all facilities annually as part of the data collection process. If there is a discrepancy between Federal and State definitions the Compliance manager will defer to the Federal definition.

<i>Federally Defined Terms Relating to Compliance</i>	<i>Similar State Definitions, and How (If) They Differ From the Federal Definition</i>
ADULT INMATE 34 U.S.C. § 11103 (26) – means an individual who has reached the age of full criminal responsibility under applicable state law and has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal offense, and does not include an individual who (1) at the time of the offense, was younger than the maximum age at which a youth can be held in a juvenile facility under applicable state law; and (2) was committed to the care and custody or supervision, including post-placement or parole supervision, of a	<p>"Inmate" means a person committed to the custody of the department, including but not limited to persons residing in a correctional institution or facility and persons released from such facility on furlough, work release, or community custody, and persons received from another state, state agency, county, or federal jurisdiction. RCW 72.09.015 (14) https://app.leg.wa.gov/rcw/default.aspx?cite=72.09.015</p> <p>In Washington the age of criminal responsibility/majority is 18. https://app.leg.wa.gov/RCW/default.aspx?cite=26.28.010</p> <p>Passed in 2018, House Bill 6160 (also referred to as JR to 25) allows young people sentenced in adult court for crimes committed under age 18 to go to Juvenile Rehabilitation (JR) until age 25</p> <p>Federal and state law does not appear to be in contradiction.</p>

juvenile correctional agency by a court of competent jurisdiction or by operation of applicable state law.	
ASSESSMENT 34 U.S.C. 11103(38) includes, at a minimum, an interview and review of available records and other pertinent information – (A) by an appropriately trained professional who is licensed or certified by the applicable state in the mental health, behavioral health, or substance abuse fields; and (B) which is designed to identify significant mental health, behavioral health, or substance abuse treatment needs to be addressed during a youth’s confinement	"Assessment" means an individualized examination of a child to determine the child's psychosocial needs and problems, including the type and extent of any mental health, substance abuse, or co-occurring mental health and substance abuse disorders, and recommendations for treatment. "Assessment" includes, but is not limited to, drug and alcohol evaluations, psychological and psychiatric evaluations, records review, clinical interview, and administration of a formal test or instrument. RCW 13.40.020 (1)
COLLOCATED FACILITIES 34 U.S.C. § 11103 (28) - means facilities that are located in the same building or are part of a related complex of buildings located on the same grounds.	Washington does not define colocated facilities under state law. Therefore federal definitions are used to guide compliance monitor.
CORE REQUIREMENTS 34 U.S.C. § 11103 (30) – means the requirements described at 34 U.S.C. § 11133(11), (12), (13), and (15) .	Washington does not explicitly define Core Requirements under state law, therefore federal definitions are adopted to guide compliance monitor. Federal definitions are publicized on the DSA’s web site.
CRIMINAL-TYPE OFFENDER 28 C.F.R. § 31.304(a) means a juvenile offender who has been charged who or adjudicated for conduct which would, under the law of the jurisdiction in which the offense was committed, be a crime, if committed by an adult.	In RCW 13.40.020 (16) : "Juvenile offender" means any juvenile who has been found by the juvenile court to have committed an offense, including a person eighteen years of age or older over whom jurisdiction has been extended under RCW 13.40.300 ; and RCW 13.40.0357 outlined the juvenile offender sentencing standards of criminal offenses

<p>DETAIN OR CONFINE 28 C.F.R. § 31.304 (b)</p>	<p>Washington State RCW 12.40.020 (6) - "Confinement" means physical custody by the department of children, youth, and families in a facility operated by or pursuant to a contract with the state, or physical custody in a detention facility operated by or pursuant to a contract with any county detention facilities for juveniles Pretrial confinement or confinement of less than thirty-one days imposed as part of a disposition or modification order may be served consecutively or intermittently, in the discretion of the court</p>
<p>INSTITUTION Compliance Monitoring TA Tool</p>	<p>"Institution" means a juvenile facility established pursuant to chapters 72.05 and 72.16 through 72.20 RCW. (https://app.leg.wa.gov/RCW/default.aspx?cite=13.40.020)</p>
<p>JAIL OR LOCKUP FOR ADULTS 34 U.S.C. § 11103 (22) – means a locked facility that a state, unit of local government, or any law enforcement authority uses to detain or confine adult inmates.</p>	<p>Washington statutes do not provide a definition for Jail or Lockup for Adults. Therefore federal definitions are used to guide compliance monitor. According to RCW 70.48.020 "Jail" means any holding, detention, special detention, or correctional facility</p>
<p>JUVENILE OFFENDER 28 C.F.R. § 31.304 (d) means an individual subject to the exercise of juvenile court jurisdiction for purposes of adjudication and treatment based on age and offense limitations as defined by state law (i.e., a criminal-type offender or a status offender).</p>	<p>In RCW 13.40.020 (17) "Juvenile offender" means any juvenile who has been found by the juvenile court to have committed an offense, including a person eighteen years of age or older over whom jurisdiction has been extended under RCW 13.40.300;</p>
<p>MAXIMUM AGE OF EXTENDED JUVENILE COURT JURISDICTION Compliance Monitoring TA Tool by OJJDP – means the age above which a juvenile court may no longer exercise jurisdiction under state law.</p>	<p>“A juvenile may be under the jurisdiction of the juvenile court or the authority of the department of children, youth, and families beyond the juvenile’s eighteenth birthday only if prior to the juvenile’s eighteenth birthday” conditions detailed in Washington Code section 13.40.300(3) are met. Otherwise, “in no event may the juvenile court have authority to extend jurisdiction over any juvenile offender beyond the juvenile offender’s twenty-first birthday.” Rev. Code § 13.40.300(4) (2020).</p>
<p>MONITORING UNIVERSE Compliance Monitoring TA Tool – means all public and private facilities in which law enforcement or criminal or juvenile court authority detain juveniles and/or adult inmates.</p>	<p>Washington does not explicitly define Monitoring Universe under state law. Therefore federal Washington does not explicitly define Core therefore federal definitions are adopted to guide compliance monitor. Federal definitions are publicized on the DSA’s web site.</p>
<p>NONOFFENDER 28 C.F.R. § 31.304 (i) –</p>	<p>A non-offender, meaning a person in need of supervision who has not been accused or adjudicated a status offender or delinquent. RCW 13.24.022 (8)(e) https://app.leg.wa.gov/RCW/default.aspx?cite=13.24&full=true</p>

<p>RESIDENTIAL Compliance Monitoring TA Tool – means equipped with beds, cots, or other sleeping quarters and has the capacity to provide for overnight accommodations for juveniles or adults who are accused of committing or who have committed an offense.</p>	<p>Washington does not explicitly define Residential under state law, therefore federal definitions are adopted to guide compliance monitor. Federal definitions are publicized on the DSA’s web site.</p> <p>State juvenile correction (Juvenile Rehabilitation) facilities, county juvenile detention facilities, and crisis residential facilities are all equipped with capacities for overnight accommodations.</p>
<p>SECURE as defined under 28 C.F.R. § 31.304 (m) and used to define a detention or correctional facility – includes residential facilities that include construction features designed to physically restrict the movements and activities of persons in custody, such as locked rooms and buildings, fences, or other physical structures. It does not include facilities where physical restriction of movement or activity is provided solely through facility staff.</p>	<p>RCW 13.32A.030 (16) "Secure facility" means a crisis residential center, or portion thereof, that has locking doors, locking windows, or a secured perimeter, designed and operated to prevent a child from leaving without permission of the facility staff.</p>
<p>SECURE CORRECTIONAL FACILITY 34 U.S.C. § 11103 (13) – means any public or private residential facility which—(1) includes construction fixtures designed to physically restrict the movements and activities of juveniles or other individuals held in lawful custody in such facility; and (2) 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.</p>	<p>RCW 9.94.049: "correctional institution" means any place designated by law for the keeping of persons held in custody under process of law, or under lawful arrest, including state prisons, county and local jails, juvenile detention centers, and other facilities operated by the department of corrections, department of children, youth, and families, or local governmental units primarily for the purposes of punishment, correction, or rehabilitation following conviction or adjudication of a criminal offense</p> <p>RCW 70.48.071(2): "Correctional facility" means a facility operated by a governing unit primarily designed, staffed, and used for the housing of adult persons serving terms not exceeding one year for the purposes of punishment, correction, and rehabilitation following conviction of a criminal offense.</p> <p>DCYF's Juvenile Rehabilitation (JR) serves Washington state's highest-risk youth. Youth may be committed to JR custody by any county juvenile court. The juvenile courts follow prescribed sentencing guidelines to determine which youth will be committed to JR. These youth typically have committed many lower-level offenses or have committed a serious crime.</p>
<p>SECURE DETENTION FACILITY 34 U.S.C. § 11103 (12) – means any public or private residential facility which— (1) includes</p>	<p>RCW 13.40.020 (10): "Detention facility" means a county facility, paid for by the county, for the physical confinement of a juvenile alleged to have committed an offense or an adjudicated offender subject to a disposition or modification order. "Detention facility" includes county</p>

<p>construction fixtures designed to physically restrict the movements and activities of juveniles or other individuals held in lawful custody in such facility; and (2) 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.</p>	<p>group homes, inpatient substance abuse programs, juvenile basic training camps, and electronic monitoring.</p> <p><u>RCW 0.48.020 (8)</u>: "Holding facility" means a facility operated by a governing unit primarily designed, staffed, and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the temporary housing of such persons during or after trial and/or sentencing, but in no instance shall the housing exceed thirty days.</p>
<p>SIGHT OR SOUND CONTACT <u>34 U.S.C. § 11103 (25)</u> means any physical, clear visual, or verbal contact that is not brief and inadvertent.</p>	<p>Juvenile. No juvenile shall be held in a jail without sight or sound separation from adult prisoners. For purposes of this standard, a juvenile is a person under the chronological age of eighteen, who has not been transferred previously to adult courts; provided, that no person under the chronological age of sixteen shall be held in a jail or holding facility for adults; provided further, that this standard does not preclude or prohibit the housing of remanded pretrial prisoners under the chronological age of eighteen within juvenile detention facilities rather than city or county detention facilities. A juvenile shall not be considered “transferred previously to adult court” unless a juvenile court has held a hearing under <u>RCW 13.40.110</u></p>
<p>STATE <u>34 U.S.C. § 11103(7)</u>– means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.</p>	<p>Washington became the forty-second state of the United States of America on November 11, 1889.</p> <p><u>https://apps.leg.wa.gov/oralhistory/timeline_event.aspx?e=8</u></p>
<p>STATUS OFFENDER <u>34 U.S.C. § 11103(42)</u> – means a juvenile who is charged with or has committed an offense that would not be criminal if committed by an adult.</p>	<p>In Washington, status offense cases are classified as Children in Need of Services (RCW 13.32A), Truants (RCW 28A225), or At-Risk Youth (RCW 13.34). Behaviors include being a runaway, truant, beyond the control of parents or guardian, and having a substance abuse problem for which there are no pending criminal charges.</p> <p>The court shall hold a fact-finding hearing to consider a proper at-risk youth petition. The court shall grant the petition and enter an order finding the child to be an at-risk youth if the allegations in the petition are established by a preponderance of the evidence, unless the child is the subject of a proceeding under chapter 13.34 RCW. If the petition is granted, the court shall enter an order requiring the child to reside in the home of his or her parent or in an out-of-home placement as provided in <u>RCW 13.32A.192(2)</u>.</p>
<p>TWENTY-FOUR HOURS Compliance Monitoring TA Tool – means a consecutive 24-hour period, exclusive of any hours on Saturdays, Sundays, public holidays, or</p>	<p><u>RCW 13.04.116 (1) (a)</u>: (1) A juvenile shall not be confined in a jail or holding facility for adults, except:</p> <p>(a) For a period not exceeding a consecutive twenty-four hour period excluding weekends and holidays and only for the purpose of an initial court appearance in a county where no juvenile detention facility is</p>

days on which the courts in a jurisdiction otherwise are closed.	available, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound of adult inmates;
VALID COURT ORDER 34 U.S.C. § 11103(16) – means a court order that a juvenile court judge gives to a juvenile who was brought before the court and made subject to the order and who received, before the issuance of the order, the full due process rights that the U.S. Constitution guarantees to the juvenile.	In Washington State, legislators moved to phase out the use of the valid court order exception (VCO) that allows judges to place youth in detention for noncriminal behavior. Legislators passed HB 5290 eliminating the use of the valid court order exception to place youth in detention for noncriminal behavior.

E. IDENTIFICATION OF THE MONITORING UNIVERSE

The reporting of instances of noncompliance with the core requirements is facility-based and therefore the “monitoring universe” includes all facilities within the state (public and private) that are jails and lockups for adults (including court holding facilities), secure detention facilities, and secure correctional facilities (including adult prisons), as listed at 34 U.S.C. § 11133(a)(14). These are the facilities in which instances of noncompliance with the core requirements may occur. States must ensure that they identify and include all of these facilities as part of the monitoring universe.

The CM Manager is responsible for identifying and updating all facilities in the monitoring universe. A master file of “Compliance Monitoring Universe” is updated and maintained annually by the CM Manager. The Compliance Monitoring Universe classified facilities to four types as listed at 34 U.S.C. § 11133(a)(14).

- i. Adult Jails and Lockups (including court holding facilities)
- ii. Secure Detention Facilities
- iii. Secure Correctional Facilities

The CM Manager works with the:

- Washington Association of Sheriffs and Police Chiefs (WASPC) to identify adult jails and lockups to be included in the Monitoring Universe.
- Association of Juvenile Court Administrators to identify secure detention facilities to be included in the Monitoring Universe.
- Juvenile Rehabilitation and Department of Corrections to identify secure correctional facilities to be included in the Monitoring Universe.

Determination of secure vs non-secure juvenile holding facilities will be provided to these associations and agencies in order to clarify and determine secure vs non-secure identification elements – as shown in Appendix A.

The CM Manager will request from these associations and agencies an updated listing every three years. The listings will include name and address of the secure facility, chief officer’s name and contact information. The next update is to take place October 2024.

This process allows the CM Manager to create and update the state’s Monitoring Universe.

The online data collection survey also allows the CM Manager to identify and verify status of secure facilities annually. The annual online data collection survey includes queries found in Appendix B:

Agency Information	Name, address, email, phone
Construction Features (provide the total # of each type)	Holding cells
	Lockable rooms
	Stationary cuffing
	Restricting Egress
Age Range at Adult Jail	17 under
	18 +
Age Range at Juvenile Court	17 under
	18+

F. CLASSIFICATION OF THE MONITORING UNIVERSE:

States are required under [28 C.F.R. § 31.303\(f\)\(1\)\(i\)\(B\)](#) to classify each facility in the monitoring universe to specify whether it is a (1) a jail or lockup for adults ([34 U.S.C. § 11103\(22\)](#)); (2) secure detention facility ([34 U.S.C. § 11103\(12\)](#)); or (3) secure correctional facility

The CM Manager is responsible for classifying facility types according to JJDPA.

- (1) Adult Jail or Lockup for adults means a secure facility that is used by a State, unit of local government, or law enforcement authority to detain or confine adult inmates. ([34 U.S.C. § 11103\(22\)](#))
- (2) Secure Detention Facilities means 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. ([34 U.S.C. § 11103\(12\)](#))
- (3) Secure Correctional Facilities means 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 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. ([34 U.S.C. § 11103\(13\)](#)).

The following is a most updated monitoring universe by facility types as of August 2024.

Adult Jails	72
Adult Lockups (including Court Holding Facilities)	89
Collocated Facilities	1
Secure Juvenile Detention Facilities	24
Secure Adult & Juvenile Correctional Facilities	2
**No facilities have utilized Rural Exception during this reporting period.	

ADULT JAILS

1.	Aberdeen PD/ City Jail	25.	King County SO -Shoreline PD	49.	Pend Orielle County SO
2.	Arlington PD	26.	KCCF (King County Corrections Facility)	50.	Port of Seattle PD - Waterfront Station
3.	Bellevue PD	27.	King County Maleng Facility	51.	Port of Seattle PD – SeaTac Station
4.	Benton County Corrections Dept.	28.	Kirkland PD/City Jail	52.	Port Orchard PD
5.	Bothell PD	29.	Kitsap County SO/Jail	53.	Port Townsend PD
6.	Burlington PD	30.	Klickitat County Jail	54.	Pullman PD
7.	Camas PD	31.	La Center PD	55.	Puyallup City Jail/PD
8.	Cheney PD	32.	Lake Forest Park PD	56.	Redmond PD
9.	Clallam County Corrections	33.	Lakewood PD	57.	San Juan County Jail
10.	Cowlitz County Corrections/Jail	34.	Lewis County Sheriff Office/Jail	58.	SCORE Jail
11.	Des Moines PD	35.	Lynnwood PD/ City Jail	59.	Seattle PD-East Precinct
12.	East Wenatchee PD	36.	Mason County Jail	60.	Seattle PD-North Precinct
13.	Enumclaw PD/City Jail	37.	Mercer Island PD	61.	Seattle PD-South Precinct
14.	Everett PD	38.	Milton PD	62.	Seattle PD-Southwest Precinct
15.	Ferry County Jails	39.	Monroe City PD	63.	Seattle PD-West Precinct
16.	Fife PD/City Jail	40.	Morton PD	64.	Shelton PD
17.	Forks PD/City Jail	41.	Moses Lake PD	65.	Snoqualmie PD
18.	Gig Harbor PD	42.	Mountlake Terrace PD	66.	Stevens County Jail
19.	Grand View City Jail/PD	43.	Mukilteo PD	67.	Sumner PD
20.	Hoquiam PD/City Jail	44.	Normandy Park PD	68.	Sunnyside PD/City Jail
21.	Issaquah City Jail/PD	45.	Oak Harbor PD/City Jail	69.	Tacoma PD/HQ
22.	Jefferson County Sheriff’s Office/Jail	46.	Ocean Shores PD	70.	Walla Walla SO/Jail
23.	King County SO- Maple Valley PD	47.	Othello PD	71.	Wahkiakum County Jail
24.	King County SO - SeaTac PD	48.	Pacific City Jail/PD	72.	Washougal PD

ADULT LOCKUPS

1.	Algona PD	31.	Grays Harbor County SO	61.	Selah PD
2.	Anacortes PD	32.	Island County SO	62.	Sequim PD
3.	Bainbridge PD	33.	Kalama PD	63.	Skagit County SO
4.	Battle Ground PD	34.	Kelso PD	64.	Skamania County Jail
5.	Blaine PD	35.	Kennewick PD	65.	Snoh. Co. – Everett
6.	Bonney Lake PD	36.	Kent PD	66.	Snoh. Co. – North Precinct
7.	Bremerton PD	37.	Kent Corrections Facility	67.	Snohomish County SO Mill Creek
8.	Brewster PD	38.	King County SO - Sammamish PD	68.	Snoh. Co. - Sultan PD
9.	Brier PD	39.	King County SO – Burien	69.	Snoh. Co. -Stanwood PD
10.	Chelan County Regional Justice Ctr	40.	Lacey PD	70.	Snohomish PD
11.	Chewelah PD	41.	Liberty Lake PD	71.	Snohomish Corrections Bureau
12.	Clallam County SO	42.	Lincoln County SO	72.	Spokane Airport PD
13.	Clyde Hill PD	43.	Longview PD	73.	Spokane PD –HQ
14.	Columbia County Corrections	44.	Lynden PD	74.	Spokane Valley SO/PD
15.	Coulee Dam PD	45.	Marysville PD/City Jail	75.	Steilacoom PD
16.	Cowlitz County SO	46.	Mason County SO North Belfair	76.	Tenino PD
17.	Douglas County SO	47.	Mount Vernon PD	77.	Thurston Co. SO
18.	Dupont PD	48.	Okanogan County Corrections	78.	Tieton PD
19.	Duvall PD	49.	Olympia City PD	79.	Tumwater PD
20.	Eastern WA Univ. PD	50.	Omak PD	80.	Union Gap PD
21.	Edmonds PD	51.	Oroville PD	81.	University of WA PD
22.	Ellensburg PD	52.	Orting PD	82.	Vancouver East PD
23.	Elma PD	53.	Pacific County SO	83.	Vancouver West PD
24.	Ephrata PD	54.	Pasco PD	84.	Warden PD
25.	Evergreen State College PD	55.	Pierce County SO-Edgewood PD	85.	West Richland PD
26.	Everson PD	56.	Port Angeles PD	86.	Westport PD-
27.	Federal Way PD	57.	Poulsbo PD	87.	Woodland PD
28.	Ferndale PD	58.	Prosser PD	88.	Yakima PD
29.	Granger PD	59.	Quincy PD	89.	Yelm PD
30.	Grant County SO	60.	Sedro Woolley PD	90.	Zillah PD

COLLOCATED FACILITY:

1. Whitman County Jail

SECURE JUVENILE DETENTION FACILITIES:

1. Martin Hall Juvenile Detention Facility
2. Benton Juvenile Justice Center
3. Chelan County Juvenile Detention Center
4. Clallum County Juvenile Detention Center
5. Clark County Juvenile Detention Center
6. Cowlitz County Youth Services Center
7. Grays Harbor County Juvenile Detention Facility
8. Island County Juvenile Detention Center
9. Jefferson County Youth Detention Center
10. King County Family Justice Center
11. Kitsap County Juvenile Department
12. Klickitat County Juvenile Department
13. Lewis County Juvenile Detention Center
14. Mason County Juvenile Detention Facility
15. Pierce County Juvenile Detention Facility
16. Skagit County Juvenile Detention Facility
17. Snohomish County Juvenile Detention Facility
18. Spokane County Detention Services
19. Thurston County Juvenile Detention Facility
20. Walla Walla/Columbia County Juvenile Justice Center
21. Whatcom County Juvenile Detention Center
22. Yakima County Juvenile Justice Center
23. Chelan County Secure Crisis Residential Center
24. Clallam County Secure Crisis Residential Center

SECURE CORRECTIONAL FACILITIES:

DCYF Juvenile Rehabilitation Facilities

1. Green Hill School – medium/maximum security – older, male offenders
2. Echo Glen Children’s Center – medium/maximum security – female offenders and younger male offenders

G. INSPECTION OF FACILITIES

Pursuant to 28 C.F.R. § 31.303(f)(1)(i)(C), inspection of facilities is necessary to ensure an accurate assessment of each facility’s classification and record keeping.

Once facilities are identified and classified, the next step is on the Compliance Monitor Planning Agenda is to communicate with the facility administrators. An introductory letter offers a brief explanation about compliance monitor and core requirements, provides expectations for site visit and process of data collection. The goal is to visit all secure facilities within a three-year period and more frequent visits for those with facility type changes or deemed at high risk with unresolved violations.

When setting up an onsite visit the Manager creates a list of secure facilities schedule for that year grouped by regions and site visit dates. The regions are then scaled by risk of violations from certain facilities, optimal times to be seen due to weather and distance from other facilities. Each facility is notified via email communication with the pending visit. Individualized email is sent to the primary contact and copied to the administrator at least 3 weeks prior to the visit. See Appendix C – SAMPLE LETTER

SITE VISIT

When conducting site visit, Compliance Monitor Manager uses a standardized check list as an inspection tool (See Appendix E). Site visit includes the following steps:

- Review holding logs to determine the number of juvenile securely detained, how long they were detained, and adults transfer logistics.
- Obtain a copy of facility's policy specific to detaining and holding juveniles.
- When applicable, obtain copies of Interest of Justice Hold policy and documentation.
- Interview administrator and discuss JJDP A requirements. Identify technical assistance where needed.
- Conduct a tour of the facility.

The tour of a facility serves as a practical exercise where the facility administrator will treat the Compliance Monitor Manager as a "juvenile" allowing the Manager to experience the process of booking, holding, through transfer or release as well as the surroundings that ensure sight and sound separation and other construction features within the facility.

While the CM Manager is not required to monitor nonsecure facilities since they are not included in the monitoring universe. In order to ensure that the monitoring universe includes all facilities that meet the statutory definition of "jail or lockup for adults," (34 U.S.C. § 11103(22)) "secure detention facility," (34 U.S.C. § 11103(12)), and "secure correctional facility," (34 U.S.C. § 11103(13)), however, nonsecure facilities will still be visited to monitor for any change from nonsecure to secure.

See Appendix D – Inspection Tool/Site Visit Findings & Recommendations

H. DATA COLLECTION & VERIFICATION

Pursuant to 28 C.F.R. § 31.303(f)(1)(i)(D) and (5), the state must collect and verify data from all adult jails, adult lockups, secure detention facilities, and secure correctional facilities for the 12-month federal fiscal year (FY) reporting period, to determine whether the facilities are in compliance with the applicable requirements of DSO, Section 223(a)(11)(B), separation, and jail removal. The federal fiscal year is October 1 to September 30. States that are unable to report data for 100% of facilities must report data for at least 85% of facilities within the state that are required to report.

Facilities are going to self-report compliance data using the online data collection survey. The CM Manager administers the data collection survey and compile yearly compliance data.

Facilities in the Monitor Universe will self-report on applicable DSO, Removal, Separation, and Interest of Justice Hold requirements.

Facilities reporting securely detained status offenders and/or with jail removal violations are asked to complete a supplemental data collection form that discloses more details on each instance. The supplemental data allows the Compliance Monitoring Manager to analyze the violations more closely and to consider technical assistance or potential resolutions for the problems. The request for data submission will begin after November for information from prior federal fiscal year.

Data self-reported by facilities will also be verified by the CM Manager during site visit – at least 10% data subjected for review during site visits to verify accuracy. Facilities with unresolved issues over time will be placed on “high risk” and subjected to annual site visit.

Sight or Sound Separation Policy	(Y/N)
Time-Phasing Policy	(Y/N)
No Restraints on Pregnant Juvenile Policy	(Y/N)
Interest of Justice Holds	(Y/N)
# TOTAL Admitted/Confined during reporting period	# Juveniles Detained
	# Detained for Status Offenses
	# Detained for longer than 6 hours
	# Detained for reasons other than processing, awaiting release, or transfer.

See Appendix B – Data Collection Survey

IV. COMPLIANCE MONITORING REPORTING

Under 28 C.F.R. § 31.303(f)(5), annual compliance monitoring reports must cover the previous federal fiscal year, except that the OJJDP Administrator may grant an extension of the reporting deadline, for good cause, upon a state’s request. Compliance data and supporting documentation is submitted annually through OJJDP’s Compliance Reporting Tool.

OJJ created an online data collection tool to collect compliance data from local facilities yearly that covers previous federal fiscal year (October 1 – September 30) as part of the Compliance Monitoring Planning Agenda

The Compliance Monitor Manager is responsible for reviewing all data collected, checking for accuracy, and addressing discrepancy proactively. This would involve contacting individual facility for 1:1 consultation and verification of information.

Statewide data is then cross-checked with data provided by Washington State Center for Court Research.

Prior to submitting WA data on OJJDP Compliance Monitoring Tool platform, the OJJ staff including the Compliance Monitor Manager work together to complete a trial run of data submission using a template that is a replicate of the data entry categories in OJJDP Compliance Monitoring Tool. The template includes multi-years entries for comparative analysis. Changes from one year to another are explained. A compliance improvement plan is developed to recommend necessary steps in meeting full compliance beyond minimum requirements.

After successfully submitted the Compliance Data, we download the detailed report and post it on the web page.

See Appendix E for Data Reporting Template.

APPENDIX A

JJDP A Secure vs Non-Secure Juvenile Holding Facilities

The Washington Association of Sheriffs and Police Chiefs, the Washington Association of Juvenile Court Administrators, Juvenile Rehabilitation and Department of Corrections will assist the CM Manager with an updated listing for the purpose of identifying secure juvenile holding facilities for the Monitoring Universe annually. The following matrix is used to determine if a facility is secure or nonsecure.

Is the juvenile held in a locked room, cell, or other enclosure?	Yes 	SECURE
No 		
Is the juvenile held in a secure perimeter?	Yes 	SECURE
No 		
Is the juvenile attached to a cuffing bench or stationary object?	Yes 	SECURE
No 		
Is the juvenile placed in a room with a cuffing bench attached to a stationary object?	Yes 	SECURE
No 		
NON-SECURE		

APPENDIX B
Online Data Collection Survey Elements

Agency Information	Name, address, email, phone
Construction Features (provide the total # of each type)	Holding cells
	Lockable rooms
	Stationary cuffing
	Restricting Egress
Age Range at Adult Jail	17 under
	18 +
Age Range at Juvenile Court	17 under
	18+
Sight or Sound Separation Policy	(Y/N)
Time-Phasing Policy	(Y/N)
No Restraints on Pregnant Juvenile Policy	(Y/N)
Prohibit Scared Straight Policy	(Y/N)
Interest of Justice	(Y/N) Was your facility ordered to hold a juvenile charged as an adult in the interest of justice?
Data questions regarding those Admitted/Confined during reporting period	# Juveniles Detained
	# Detained for Status Offenses
	(Y/N) Detained Under 6 Hours?
	(Y/N) Detained only for purposes of processing, awaiting release or transfer?
Issues	

WA Compliance Monitoring
Juvenile Prosecuted as an Adult Data Form
(For each juvenile or individual instance)

NAME OF FACILITY: Click or tap here to enter text.

NAME OF JUVENILE (or Unique Identifier): Click or tap here to enter text.

GENDER: Click or tap here to enter text. RACE/ETHNICITY: Click or tap here to enter text.

AGE: Click or tap here to enter text. DOB: Click or tap here to enter text.

- (1) Was there a court hearing to consider whether it was in the interest of justice to detain the juvenile in an adult jail or lock up or such that he has contact with adult inmates?
 Yes No
- (2) Is there a written court order following the hearing to determine that it is in the interest of justice to detain the juvenile in an adult jail or lockup or such that he has contact with adult inmates?
 Yes No
- (3) Does the order indicate that the court considered the following factors? Yes No
 - The age of the juvenile;
 - The physical and mental maturity of the juvenile;
 - The present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile;
 - The nature and circumstances of the alleged offense;
 - The juvenile's history of prior delinquent acts;
 - The relative ability of the available adult and juvenile detention facilities to not only meet the specific needs of the juvenile but also to protect the safety of the public as well as other detained youth; and
 - Any other relevant factor.
- (4) Following the initial hearing and court order, was there a court hearing at least every 30 or (in the case of a rural jurisdiction) 45 days, to review whether it is still in the interest of justice to permit the juvenile to be so detained?
 Yes No
- (5) If the individual has been detained in a jail or lockup for adults, or such that he has sight or sound contact with adult inmates, for more than 180 days, is there a written court order that articulates the court's finding of good cause for an extension, or documentation of a waiver by the juvenile?
 Yes No
- (6) Attach a copy of the court order if available.

THIS FORM IS COMPLETED BY: Click or tap here to enter text.

DATE: Click or tap here to enter text.

Please return completed form to OJJ Compliance Manager within 3 working days following Online Data Submission.

APPENDIX C

Introductory Letter – Sample

Compliance manager uses the introductory letter to inform and schedule inspection/site visit.

Dear

The Washington State Partnership Council on Juvenile Justice (Partnership Council) is a State Advisory Group appointed by the Governor via Executive Order 20-02. One of the critical functions of the Partnership Council is to assist Washington in monitoring and reporting on compliance with the Juvenile Justice Delinquency Prevention Act.

The Juvenile Justice Delinquency Prevention Act requires annual reporting on the core protections afforded to juveniles who may become detained or confined at a facility under law enforcement or county. These core protections include deinstitutionalization of status/non-offenders, separation of juveniles from adult inmates, and removal of juveniles from jails or lockups.

A successful monitoring process requires:

1. Identify/certify every secure facility that might securely detain or confine juveniles pursuant to law enforcement or juvenile court authority (publicly or privately owned and operated),
2. Collect/verify data from each facility,
3. Conduct site visits to verify classification and to confirm that facilities maintain adequate sight and sound separation between juvenile detainees and adult inmates. The site visit process also reviews recordkeeping systems to ensure that facilities are maintaining sufficient data and policies to determine compliance with the core protections requirements.

The monitoring process is made simple because of the support and cooperation of local facilities and their staff. This email communication serves as an introduction and a request. I am Compliance Monitor, Cpt. Les Liggins, and I will conduct compliance monitoring visits. I retired from Seattle PD after 30+ years of service. Secondly, please expect to hear from me regarding scheduling a site visit with your facility. The site visit will take approximately 30 minutes that include a tour of your facility and review of items as described in the attached site visit checklist.

Your service is valuable to our community. I look forward to working with you to complete this important process as efficiently and expediently as possible.

Respectfully,



Les Liggins, Compliance Monitor Manager

Pronouns: He/Him

Office of Juvenile Justice

Les.Liggins@dcyf.wa.gov 360.688.3356

P.O. Box 40975, Olympia, WA 98504-0975



Washington State Department of
CHILDREN, YOUTH & FAMILIES

APPENDIX D
Inspection Tool

The CM Manager uses this form to inspect and verify compliance data during site visit.

Juvenile Justice and Delinquency Prevention Act Compliance Monitoring
Summary of Onsite Visit
Findings and Recommendations

Date of Visit: Click or tap here to enter text. Anticipated Next Visit: Click or tap here to enter text.

Name of Facility: Click or tap here to enter text.

Address: Click or tap here to enter text.

Phone: Click or tap here to enter text.

Interview involved:

- Sheriff or Police Chief: Click or tap here to enter text.
- Jail Manager (if applicable): Click or tap here to enter text.
- Others: Click or tap here to enter text.

A. Facility Classifications:

Definitions:

Secure Correctional Facilities means any 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.**

Secure Detention Facilities means any 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 or of any other individual accused of having committed a criminal offense.**

Adult Jail or Lockup means a secure facility that is used by a State, unit of local government, or law enforcement authority to detain or confine adult inmates.

What classification best described your facility?

- 6-hour Holding 72-hour holding 30-day holding Correctional
- Lockup – Describe conditions Click or tap here to enter text.
- Holding Facility – Describe conditions Click or tap here to enter text.

Jail – Describe conditions Click or tap here to enter text.

Approved Removal/Rural Exception applied - Describe Click or tap here to enter text.

Was there a change in the facility's classification from previous year? Yes No

Explain: Click or tap here to enter text.

Are you anticipating any changes to the building/physical layout of the facility? Yes No

Explain:

Current assessed classification: Secure Non-secure

B. Description of Construction/Physical Features:

(a) Location of secure areas Click or tap here to enter text.

Describe conditions that made this a secure facility:

Click or tap here to enter text.

(b) Number of cells Click or tap here to enter text.

(c) Bed Capacity Click or tap here to enter text.

(d) Are juveniles securely detained in this facility? Yes No

Where are they securely detained/held? Click or tap here to enter text.

(e) Are Auto Decline youth detained in this facility? Yes No

Where are they securely detained/held? Click or tap here to enter text.

(f) Review relevant policy and procedures: (Lexipol policies)

6-hour hold limit for juveniles accused of a delinquent offense

Sight and sound separation policy

Policy to prohibit detainment of status offenders and non-offenders

Policy of no restraints on known pregnant detainees

Comments: Click or tap here to enter text.

****Obtain a copy (electronic copy preferred) of your department's policies specific to detaining and holding juveniles**

C. Verification of Data: Onsite review of department's records for the previous year (October 1, 2021 – September 30, 2022) to determine the number of juveniles securely detained and how long the juveniles were detained):

Log Sheets

Other records

Complete and/or verify self-reporting data ** If your facility has not submitted data for last fiscal year please do so as soon as possible, preferably before a schedule site visit. The online data link is <https://www.surveymonkey.com/r/HZTBKF5>

D. Compliance Violations Cited #Click or tap here to enter text.

6-Hour Hold Exception

Deinstitutionalization of status offenders

Jail Removal

Separation

Others

E. Findings and Recommendations

Click or tap here to enter text.

This form is completed by: Click or tap here to enter text.

Date: Click or tap here to enter text.

APPENDIX E
Annual CMT Tools – Data Reporting Report (Sample)

Washington Compliance Data Collection - 2022	
Detailed Report	
STATE JUVENILE POPULATION DATA	
Age of full criminal responsibility under state law (Select an age from 16 to 25).	17
Total population under the age of full criminal responsibility under state law (Juvenile Population).	1665794
FACILITIES	
Number of adult lockups (including court holding facilities) that detain adult inmates.	89
Number of adult lockups (including court holding facilities) that detain adult inmates and reported data.	80
Percent of adult lockups (including court holding facilities) that detain adult inmates and reported data.	90%
Number of adult lockups (including court holding facilities) that detain adult inmates and received onsite inspections.	13
Percent of adult lockups (including court holding facilities) that detain adult inmates and received onsite inspections.	15%
Number of adult jails.	72
Number of adult jails that reported data.	67
Percent of adult jails that reported data.	93%
Number of adult jails that received onsite inspections.	14
Percent of adult jails that received onsite inspections.	19%
Number of secure, juvenile, detention facilities.	24
Number of secure, juvenile, detention facilities that reported data.	24
Percent of secure, juvenile, detention facilities that reported data.	100%
Number of secure, juvenile, detention facilities that received onsite inspections.	0
Percent of secure, juvenile, detention facilities that received onsite inspections.	0%
Number of secure, adult, correctional facilities (including prisons).	0
Number of secure, adult, correctional facilities (including prisons) that received onsite inspections.	0
Percent of secure, adult, correctional facilities (including prisons) that received onsite inspections.	0%
Number of secure, juvenile, correctional facilities.	2
Number of secure, juvenile, correctional facilities that reported data.	2
Percent of secure, juvenile, correctional facilities that reported data.	100%
Number of secure, juvenile, correctional facilities that received onsite inspections.	0
Percent of secure, juvenile, correctional facilities that received onsite inspections.	0%
Number of secure Juvenile Detention or Correctional Facilities that are Collocated with an Adult Jail or Lockup.	1

Number of secure Juvenile Detention or Correctional Facilities that are Collocated with an Adult Jail or Lockup that received onsite inspections.	0
Percent of secure Juvenile Detention or Correctional Facilities that are Collocated with an Adult Jail or Lockup that received onsite inspections.	0%
Total number of facilities.	187
Total number of facilities that reported data.	173
Percent of all facilities that reported data.	93%
Total number of facilities that received onsite inspections.	27
Percent of all facilities that received onsite inspections.	14%
SUMMARY OF FACILITIES REQUIRED TO REPORT COMPLIANCE DATA - 85% RULE	
Cumulative percent of facilities reporting data that are required to report compliance data (85% rule).	93%
DEINSTITUTIONALIZATION OF STATUS OFFENDERS (DSO)	
STATUS OFFENDERS AND NON-OFFENDERS PLACED IN SECURE DETENTION OR CORRECTIONAL FACILITIES	
Number of accused and adjudicated status offenders who were placed in secure detention or correctional facilities. Include status offender Valid Court Order violators (where applicable) and out of state runaways. Do not include juveniles held in violation of the Youth Handgun Safety Act or similar state law.	141
Number of accused and adjudicated status offenders who were placed in secure juvenile detention or correctional facilities and charged with or committed a violation of a valid court order. (Note: This is a statutory exception to the total number of instances of non-compliance with DSO.)	112
Number of accused and adjudicated status offenders who were placed in secure juvenile detention or correctional facilities in accordance with the Interstate Compact on Juveniles as enacted by the State. (Note: This is a statutory exception to the total number of instances of non-compliance with DSO.)	6
Calculated total number of accused and adjudicated status offenders who were placed in secure detention or correctional facilities not pursuant to one of the statutory exceptions, and therefore resulting in instances of non-compliance with DSO.	23
Number of non-offenders who were placed in secure detention or correctional facilities and are aliens or were alleged to be dependent, neglected, or abused.	0
DSO SUMMARY	
Calculated total number of DSO violations.	23
Calculated total number of DSO violations adjusting for non-reporting facilities.	24.86
RATE of non-compliance with DSO per 100,000 juvenile population.	1.38
RATE of non-compliance with DSO per 100,000 juvenile population, adjusting for non-reporting facilities.	1.49
SEPARATION	
POLICY IMPACTING SEPARATION	

Does the state have a policy in effect that requires individuals who work with both juveniles and adult inmates to have been trained and certified to work with juveniles?	Yes
SEPARATION IN SECURE JUVENILE DETENTION OR CORRECTIONAL FACILITIES	
Number of juveniles alleged to be or found to be delinquent who were detained or confined in secure juvenile detention or secure juvenile correctional facilities and who had sight or sound contact with adult inmates, including inmate trustees.	0
Number of juvenile status offenders and juvenile non-offenders who were aliens or alleged to be dependent, neglected, or abused and were detained or confined in secure juvenile detention or correctional facilities and had sight or sound contact with adult inmates, including inmate trustees.	0
TOTAL number of juveniles who were alleged to be or found to be delinquent, juvenile status offenders or juvenile non-offenders who are aliens or alleged to be dependent, neglected, or abused and were detained or confined in secure juvenile detention or correctional facilities and had sight or sound contact with adult inmates, including inmate trustees.	0
SEPARATION IN ADULT JAILS, ADULT LOCKUPS, SECURE ADULT DETENTION FACILITIES AND SECURE ADULT CORRECTIONAL FACILITIES	
Number of juveniles who were alleged to be or found to be delinquent and were detained or confined in adult jails or adult lockups, secure adult detention facilities, or secure adult correctional facilities and had sight or sound contact with adult inmates.	0
Number of juvenile status offenders and juvenile non-offenders who are aliens or alleged to be dependent, neglected, or abused and detained or confined in adult jails or adult lockups, secure adult detention facilities, or secure adult correctional facilities and had sight or sound contact with adult inmates.	0
TOTAL number of juveniles who were alleged to be or found to be delinquent, juvenile status offenders, and juvenile non-offenders who are aliens or alleged to be dependent, neglected, or abused, who were detained or confined in adult jails or adult lockups, secure adult detention facilities, or secure correctional facilities, and who had sight or sound contact with adult inmates.	0
Total number of juveniles charged as adults and detained in adult jails or lockups (for any length of time) that had sight or sound contact with adult inmates under section 223(a)(12)	0
SEPARATION SUMMARY	
Calculated total number of separation violations	0
Calculated total number of separation violations adjusting for non-reporting facilities	0
RATE of non-compliance with separation per 100,000 juvenile population.	0
RATE of non-compliance with separation per 100,000, adjusting for non-reporting facilities.	0
JAIL REMOVAL	

FACILITIES IN WHICH JUVENILES WERE DETAINED OR CONFINED	
Total number of jails or lockups for adults that are approved for the rural exception. (If zero, do not include rural table for certifying 45-day hearings on Interest of Justice)	0
Total number of adult jails and adult lockups in which juveniles were detained or confined that meet rural exception criteria.	0
Total number of juveniles detained in a jail or lockup for adults that is approved for the rural exception.	0
Total number of juveniles charged as adults and detained in adult jails or lockups beyond what is permitted by exception under section 223(a)(13) (i.e., 6 hours for urban facilities/48 hours for rural facilities)	0
JUVENILES DETAINED WITHIN SIGHT OR SOUND CONTACT OF ADULT INMATES	
Total number of juveniles accused of a delinquent offense who were detained or confined in adult jails or adult lockups for 6 hours or less, for processing or release, while awaiting transfer to a juvenile facility, or prior to/following a court appearance, but who had contact with adult inmates.	0
JUVENILES ACCUSED OF DELINQUENT OFFENSES OR ADJUDICATED DELINQUENT	
Total number of juveniles accused of delinquent offenses who were detained or confined in adult jails or adult lockups in excess of 6 hours, and not pursuant to the rural, conditions of distance, or conditions of safety exceptions.	0
Total number of juveniles accused of delinquent offenses who were detained or confined in adult jails or adult lockups, for 6 hours or less, for purposes other than processing or release, while awaiting transfer to a juvenile facility, or during which period such juveniles made a court appearance.	0
Total number of juveniles accused of delinquent offenses who were detained or confined in adult jails or adult lockups in excess of 6 hours, but less than 48 hours (not including weekends and legal holidays), while awaiting an initial court appearance pursuant to the rural exception, provided that there was no sight or sound contact with adult inmates (Note: This is a statutory exception to the jail removal requirement and applies to facilities that have prior approval to use the rural exception by the DSA)	0
Total number of juveniles accused of delinquent offenses who were detained or confined in excess of 6 hours but not more than 48 (not including weekends and legal holidays) while awaiting an initial court appearance in an Adult Jail or Adult Lockup due to conditions of distance to be traveled or the lack of highway, road, or transportation, provided that during this time there was no contact with adult inmates (pursuant to Section 223(a)((13)(B)(ii)(II) of the JJDP Act) (Note: This is a statutory exception to the total number of instances of non-compliance with jail removal or its rural exception.)	0

Total number of juveniles accused of delinquent offenses who were detained or confined in adult jails or adult lockups in excess of 6 hours, but not more than 24 hours after the time that such conditions allowed for reasonably safe travel, while awaiting an initial court appearance, where conditions of safety existed (e.g., severe adverse, life-threatening weather conditions that do not allow for reasonably safe travel), provided that during there was no contact with adult inmates (Note: This is a statutory exception to the jail removal requirement.)	0
Total number of juveniles adjudicated of delinquent offenses who were detained or confined in adult jails or adult lockups for any length of time.	0
JUVENILE STATUS AND NONOFFENDERS	
Total number of accused or adjudicated status offenders detained or confined for any length of time in adult jails or adult lockups.	6
Total number of juveniles who have not been charged with any offense and are aliens or are alleged to be dependent, neglected, or abused who were detained or confined for any length of time in adult jails or adult lockups.	0
JAIL REMOVAL SUMMARY	
Total instances of non-compliance with the jail removal requirement.	6
Total instances in which the state used the rural, travel conditions, or conditions of safety exceptions to detain or confine juveniles in adult jails or adult lockups in excess of 6 hours.	0
Total instances of non-compliance with the jail removal requirement as a result of juveniles detained or confined in adult jails or adult lockups, adjusting for non-reporting facilities.	6.57
Rate of non-compliance with jail removal per 100,000 juvenile population.	0.36
Rate of non-compliance with jail removal per 100,000 juvenile population, adjusting for non-reporting facilities.	0.39
SECTION 223(a)(11)(B)	
USE OF JAILS OR LOCKUPS FOR ADULTS TO DETAIN JUVENILES CHARGED AS ADULTS	
Does state law restrict the use of facilities qualifying as "jails or lockups for adults" to be used for the confinement of juveniles charged as adults and pending the outcome of their trial? If "Yes", using the "Other Documentation" tab, upload relevant statutes to provide documentation for the following areas: (1) juveniles charged as adults; (2) direct file/waiver hearings; and (3) sentencing.	Yes
INITIAL COURT HEARING ESTABLISHING INTEREST OF JUSTICE	
Total number of juveniles accused of criminal offenses who were detained or confined in adult jails or adult lockups in excess of 6 hours, and not pursuant to the rural, conditions of distance, or conditions of safety exceptions.	0
Of the total number of juveniles charged as adults that were detained in jails or lockups for adults, how many received an interest of justice hearing?	0
How many interest of justice hearing court orders met all 7 factors?	0
Of the court orders that met all seven factors, please describe what "other relevant factors" were considered?	

Response: n/a	
Number of Interest of Justice hearings that did not occur plus the number of Interest of Justice hearings that did occur but did not meet all seven (7) factors.	0
Of the number of interest of justice court orders that did not meet all 7 factors, which factors were not met - please check all that are missing:	
LENGTH OF STAY FOR JUVENILES CHARGED AS ADULTS DETAINED OR CONFINED IN ADULT JAILS OR LOCKUPS	
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for upwards to 180 days and received a court hearing, in non-rural areas, at 30 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 30 days, in non-rural areas	0
Number of Court Hearings at 30 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in non-rural areas	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for upwards to 180 days and received a court hearing, in non-rural areas, at 60 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 60 days, in non-rural areas	0
Number of Court Hearings at 60 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in non-rural areas	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for upwards to 180 days and received a court hearing, in non-rural areas, at 90 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 90 days, in non-rural areas	0
Number of Court Hearings at 90 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in non-rural areas	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for upwards to 180 days and received a court hearing, in non-rural areas, at 120 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 120 days, in non-rural areas	0
Number of Court Hearings at 120 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in non-rural areas	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for upwards to 180 days and received a court hearing, in non-rural areas, at 150 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 150 days, in non-rural areas	0
Number of Court Hearings at 150 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in non-rural areas	0

Total number of Court Hearings for upwards to 180 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in non-rural areas (Total Number of Violations)	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for upwards to 180 days and received a court hearing, in rural areas, at 45 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 45 days, in rural areas	0
Number of Court Hearings at 45 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in rural areas	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for upwards to 180 days and received a court hearing, in rural areas, at 90 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 90 days, in rural areas	0
Number of Court Hearings at 90 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in rural areas	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for upwards to 180 days and received a court hearing, in rural areas, at 135 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 135 days, in rural areas	0
Number of Court Hearings at 135 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in rural areas	0
Total number of Court Hearings for upwards to 180 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in rural areas (Total Number of Violations)	0
JUVENILES CHARGED AS AN ADULT WITH A LENGTH OF STAY AT OR MORE THAN 180 DAYS IN AN ADULT JAIL OR LOCKUP	
How many juveniles have been detained in a jail or lockup for adults, or such that they have sight or sound contact with adult inmates, for more than 180 days?	0
Of the number of juveniles charged as adults in 4a, how many written court orders articulates the court's finding of good cause for an extension, or documents a waiver by the juvenile?	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for greater than 180 days and received a court hearing, in non-rural areas, at 210 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 210 days, in non-rural areas	0
Number of Court Hearings at 210 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in non-rural areas	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for greater than 180 days and received a court hearing, in non-rural areas, at 240 days	0

Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 240 days, in non-rural areas	0
Number of Court Hearings at 240 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in non-rural areas	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for greater than 180 days and received a court hearing, in non-rural areas, at 270 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 270 days, in non-rural areas	0
Number of Court Hearings at 270 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in non-rural areas	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for greater than 180 days and received a court hearing, in non-rural areas, at 300 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 300 days, in non-rural areas	0
Number of Court Hearings at 300 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in non-rural areas	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for greater than 180 days and received a court hearing, in non-rural areas, at 330 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 330 days, in non-rural areas	0
Number of Court Hearings at 330 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in non-rural areas	0
Total number of Court Hearings for greater than 180 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in non-rural areas (Total Number of Violations)	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for greater than 180 days and received a court hearing, in rural areas, at 225 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 225 days, in rural areas	0
Number of Court Hearings at 225 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in rural areas	0
Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for greater than 180 days and received a court hearing, in rural areas, at 270 days	0
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 270 days, in rural areas	0
Number of Court Hearings at 270 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in rural areas	0

Number of Juveniles Charged as an Adult Detained or Confined in an Adult Jail or Lockup for greater than 180 days and received a court hearing, in rural areas, at 315 days	0			
Number of Court Orders received that document the 7 relevant factors to consider when making an "Interest of Justice" finding at 315 days, in rural areas	0			
Number of Court Hearings at 315 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in rural areas	0			
Total number of Court Hearings for greater than 180 days that did not document the 7 relevant factors to consider when making an "Interest of Justice" finding in rural areas (Total Number of Violations)	0			
How many juveniles have been detained or confined in a jail or lockup for adults, or such that they have sight or sound contact with adult inmates, for more than 360 days?	0			
Of the number of juveniles charged as adults in 4c, how many written court orders articulate the court's finding of good cause for an extension, or documentation of a waiver by the juvenile?	0			
SECTION 223(A)(11)(B) SUMMARY				
Total instances of non-compliance with the 223(a)(11)(B) requirement.	0			
Total instances of non-compliance with the 223(a)(11)(B) requirement, adjusting for non-reporting facilities.	0			
Rate of non-compliance with Section 223(a)(11)(B) per 100,000 juvenile population.	0			
Rate of non-compliance with 223(a)(11)(B) per 100,000 juvenile population, adjusting for non-reporting facilities.	0			
Secure Facility On-Site Inspection Compliance - Planning Cycle 10/01/2019 - 09/30/2022				
	Year	Total Number	Number Facilities	Percent Facilities
		Secure Facilities	Receiving On-Site Inspections	Receiving On-Site Inspections
	1	158	0	0.00%
	2	179	27	15.08%
✓	3	187	27	14.44%

External Email



Dear Colleagues,

I am pleased to provide you with the FY 2022 compliance standards. These standards will be applied to compliance monitoring reports submitted by each participating state for the FY 2022 reporting period and used to calculate determinations of states compliance with Section 223(a)(11), (12), and (13) of the Juvenile Justice and Delinquency Prevention (JJDP) Act, as amended. Determinations of states compliance in FY 2022 will be used, in part, to establish Title II Formula Grant Program funding level allocations for each state in the FY 2023 funding year.

Pursuant to 28 CFR § 31.303(f)(6), FY 2022 compliance standards were calculated by taking the average of participating states' FY 2020 and FY 2021 compliance monitoring rates for the deinstitutionalization of status offenders (DSO), separation, and jail removal core requirements (removing, when applicable, the largest outlier¹ per each requirement) and multiplying the adjusted standard deviation by no less than one.

In accordance with this methodology, the FY 2023 compliance numerical thresholds have been established as follows:

- a rate of **3.81** per 100,000 juvenile population for Section 223(a)(11) of the JJDP Act (the DSO requirement);
- a rate of **1.08** per 100,000 juvenile population for Section 223(a)(12) of the JJDP Act (the separation requirement);
- a rate of **6.40** per 100,000 juvenile population for Section 223(a)(13) of the JJDP Act (the jail removal requirement).

States reporting a rate at or below a given standard will be determined to be in compliance with that core requirement. States reporting a rate that exceeds a particular standard will be determined to be out of compliance with that core requirement. Pursuant to Section 223(c)(1) of the JJDP Act, the Title II FY 2022 Formula Grant allocation for a state will be reduced by 20 percent for each core requirement with which it fails to comply.

Please contact your STRAD Program Manager if you have questions.

Thank You,

Dr. TeNeane Bradford
Associate Administrator
State and Tribal Relations Assistance Division, OJJDP