

Office of Juvenile Justice: Compliance Data Collection Tool

Checklist to Assist with Organizing Materials for Online Data Entry

1.	Have your policies regarding juveniles readily available. Refer to Page 2 – 3 for specific definitions.	
2.	Information about your facility: Address, phone number, jurisdiction, leadership contact and person completing this questionnaire.	
3.	Construction features to restrict juveniles from leaving without permission of the facility staff: Number of holding cells, lockable interview/conference rooms, cuffing benches or stationary objects, and secured perimeters restricting egress	
4.	Data collection for the period of October 1, 2022 – September 30, 2023: **Information taken from your In-take Log Sheets <ul style="list-style-type: none"> • Total number of juveniles detained or confined in your facility • Purpose of detention for those detained • Number of status offenders securely detained • For those detained, the number of hours they were securely held • Interest of Justice holds of juvenile charged as an adult 	
5.	Does your policy address: (see definitions) <ol style="list-style-type: none"> (1) Sight and Sound Separation (2) Time Phasing (3) Restraint of known pregnant juveniles (4) Final Rule Prison Rape Elimination Act (PREA) (5) Scared Straight program (6) Training to work with juveniles 	

For more information about the Compliance Data Collection process, please contact Les Liggins, Compliance Monitor Manager at Les.Liggins@dcyf.wa.gov or 360.688.3356.

Reauthorized in 2018 with bipartisan support, the Juvenile Justice and Delinquency Prevention Act (JJJPA) is based on a broad consensus that children, youth, and families involved with the juvenile and criminal courts should be guarded by federal standards for care and custody, while also upholding the interest of community safety and the prevention of victimization. The JJJPA sets forth core requirements to ensure a minimum level of safety and equitable treatment for youth who come into contact with the juvenile justice system.

The Office of Juvenile Justice within the WA Department of Children, Youth & Families is designated as the administrative office to implement JJJPA compliance monitoring, as authorized by the Governor's Executive Order 20-02.

Highlighted Juvenile Justice and Delinquency Prevention Core Protection Requirements

Deinstitutionalization of Status Offenders: The Deinstitutionalization of Status Offenders (DSO) provision seeks to ensure that status offenders who have not committed a criminal offense are not held in secure juvenile facilities for extended periods of time or in secure adult facilities for any length of time. Status offenses are offenses that only apply to minors whose actions would not be considered offenses if they were adults. The most common status offenses include truancy, runaways, etc.

Separation of Juveniles From Adult Inmates: This provision seeks to prevent children from threats, intimidation or other forms of psychological abuse and physical assault. Under the Sight and Sound Separation protection clause, children cannot be housed next to adult cells, share dining halls, recreation areas or any other common spaces with adults, or be placed in any circumstance that could potentially expose them to threats or abuse from adult offenders. This includes youth charged as an adult.

Adult Jail and Lock-up Removal: 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.

- **Six-Hour Exception:** A juvenile accused of a delinquent offense may be detained for no more than 6 hours for the purposes of processing or release or while awaiting transfer to a juvenile facility.
 - **Rural Exception:** Juveniles accused of non-status offenses may be detained or confined in jails or lockups for adults for as long as 48 hours (excluding Saturdays, Sundays, and legal holidays) while awaiting an initial court appearance, when the jail or lockup is outside a metropolitan statistical area (as defined by the Office of Management and Budget (OMB)), and the state has no existing acceptable alternative placement available.
 - **Travel Conditions Exception:** An adult jail or lockup facility may detain a juvenile accused of a delinquent offense if the facility is located where conditions of distance to be traveled or the lack of highway, road, or transportation does not allow for court appearances within 48 hours (excluding Saturdays, Sundays, and legal holidays) so that a brief (not to exceed an additional 48 hours) delay is excusable.

Revised as of 12/5/2023

- **Condition of Safety Exception:** If the adult jail or lockup is located where conditions of safety exist (such as severely adverse, life-threatening weather conditions that do not allow for reasonably safe travel), a juvenile accused of a delinquent offense may be detained therein and his or her court appearance may be delayed until 24 hours after the time that such conditions allow for reasonably safe travel.
- **Removal of Juveniles Prosecuted as Adults from Adult Facilities:** 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 except when the court makes an initial determination that it is in the interest of justice.

A juvenile who is charged as an adult must not be held in an adult jail or lockup, nor have sight or sound contact with adult inmates, unless the Court determines that it is in the **interest of justice**, by making certain findings.