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BOARD OF STATE AND COMMUNITY CORRECTIONS

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EDMUND G. BROWN, JR.
Governor

May 4, 2015

Attention: Chief Probation Officers, Juvenile Detention Facility Managers, Status Offender Reporters, and Federal Youth Reporters

ANNUAL SURVEY – JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT AND WELFARE AND INSTITUTIONS CODE §207

The Board of State and Community Corrections (BSCC) monitors California's compliance with the core requirements of the Federal Juvenile Justice and Delinquency Prevention Act (JJDPA)¹. Part of compliance monitoring for the Deinstitutionalization of Status Offenders core requirement includes collecting data on status offenders, non offenders (Welfare and Institutions Code [WIC] §300 and material witnesses) and federal youth detained in juvenile facilities. This mailing explains the documentation required from facilities for monitoring purposes and includes necessary forms and instructions for completing them.

ALL FACILITIES: Each facility must complete a *Detention of Non-Delinquents in Juvenile Detention Facilities - 2015 Calendar Year Annual Survey*. Please complete this form, indicating whether or not status offenders, non offenders and/or federal youth may be held in your facility. **Please return it to the BSCC by June 15, 2015. A separate annual survey must be completed by each juvenile detention hall and camp, whether or not status offenders, non offenders, or federal youth are held.** The following reports may be required in addition to the annual survey.

If your facility holds status offenders or non offenders in secure detention (as per WIC §601 or §300): you must complete a *2015 Status Offender and Non Offender Detention Report* for each status offender or non offender youth held². Status offenders may only be held in a secure detention facility under the circumstances delineated in the JJDPA and WIC §207. Dependent youth (as per WIC §300) must **never** be held in secure detention, as per both federal and state law. Such youth held in secure detention will be reported as violations of the JJDPA.

➤ **If your facility detains WIC §601 Wards of the Court (post-disposition) for contempt of court:** a *Valid Court Order (VCO) Exception Checklist* must be completed and submitted along with the *Status Offender and Non Offender Detention Report* form for that individual.

- *Technical Assistance Note:* In June, 2014, Senate Bill 1296 became law and prohibits truant youth who are held in contempt of court from being held in secure detention in California; please see the related attachment for details. BSCC staff recommends that you consult with county counsel regarding the detention of status offenders for contempt of court and related state laws.

¹ Pub. L. No. 93-415 (1974), 42 U.S.C. 5601. For more information on the JJDPA and compliance monitoring, please visit <http://www.ojjdp.gov/compliance/index.html>.

² WIC §207 requires counties to submit monthly status offender detention reports to the BSCC.

If your facility holds non-criminal youth for the federal government: you must complete the *2015 Federal Youth Detention Report* for each individual. Please see the report for detailed instructions.

Status Offender and Non Offender, VCO, and Federal Youth Detention Reports are due to the BSCC on the 10th day of the month following the individual's release from custody. The BSCC will not disclose the names of youth reported by counties on these forms. Instructions for each of these forms are also enclosed. The forms and instructions may be downloaded from our website by clicking the *Status Offenders and Federal Youth* Expand Button at http://www.bscc.ca.gov/s_fsoservices.php.

If you or your staff have any questions, please contact Peg Symonik (peg.symonik@bscc.ca.gov; 916.323.8621) or Melynda Gillies (melynda.gillies@bscc.ca.gov; 916.323.9704). We appreciate your continued assistance in gathering accurate and pertinent information in a timely manner.

Sincerely,



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Enclosures