



## BOARD OF STATE AND COMMUNITY CORRECTIONS 2013 STATUS OFFENDER AND NON OFFENDER GENERAL INFORMATION

The Juvenile Justice and Delinquency Prevention Act of 2002 (JJDP A)<sup>1</sup> requires the Board of State and Community Corrections (BSCC) to monitor juvenile detention facilities for compliance with the following core requirement:

**Deinstitutionalization of Status Offenders (JJDP A Section 223 (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] excluding –

- (i) juveniles who are charged with or who have committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;
- (ii) juveniles who are charged with or who have committed a violation of a valid court order; and
- (iii) juveniles who are held in accordance with the Interstate Compact on Juveniles as enacted by the State;

shall not be placed in secure detention facilities or secure correctional facilities; and

(B) juveniles—

- (i) who are not charged with any offense; and
- (ii) who are—
  - (I) aliens; or
  - (II) alleged to be dependent, neglected, or abused;

shall not be placed in secure detention facilities or secure correctional facilities.

Compliance with JJDP A core requirements is required for California to receive its portion of Title II Formula Grant Funds for prevention and intervention and Title V Community Prevention Grant Funds.

In accordance with the JJDP A, the BSCC is required to submit the number of status offenders and non offenders held in secure detention annually to the Office of Juvenile Justice and Delinquency Prevention (OJJDP), in addition to reporting any violations of the JJDP A. This survey is designed to assist the BSCC with data collection and reporting requirements.

**Agencies that operate secure juvenile detention facilities** are required to complete the 2013 Status Offender and Non Offender Detention Report each time a status offender (as defined in Section 601 WIC) or non offender is released from the facility.

- A separate Non Offender Detention Report form is to be completed each time a status offender or non offender is detained and submitted after the individual has been released.
- If a status offender is committed for consecutive weekends, complete a separate report for each individual detention period. Submit the report each time after the individual has been released.
- This form is to be submitted to the BSCC by the 10<sup>th</sup> of the month when status offenders or non offenders were held and released during the preceding month.
- All sections are to be completed before submission.

**\*\*\*Please be aware that in addition to the JJDP A core requirements, WIC Sections 601, 206 & 207 also apply to the detention of non offenders.\*\*\***

If you have any questions regarding the 2013 Status Offender Detention Report, please contact Peg Symonik at (916) 323-9704 or e-mail [peg.symonik@bscc.ca.gov](mailto:peg.symonik@bscc.ca.gov)

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

**Summary of the JJDP A: Juvenile Detention or Correctional Facilities**

<b>Accused (pre-disposition) juvenile status offender</b>	Secure hold limited to 24 hours prior to and 24 hours after an initial court appearance (excluding weekends and holidays).
<b>Adjudicated (post-disposition) juvenile status offender (WIC 601 Ward of the Court)</b>	Secure holding prohibited.
<b>Status offender accused of violating a valid court order (WIC 601 Ward of the court pending finding of contempt of court)</b>	Juvenile must be interviewed by an appropriate public agency within 24 hours of being placed in secure custody. The court must receive an assessment from the public agency and the juvenile must have a reasonable cause hearing within 48 hours of being placed in secure custody. Time limits exclude weekends and holidays.
<b>Status offender adjudicated for violating a valid court order. (WIC601 Ward of the court with a true finding of contempt of court and given confinement time)</b>	No restrictions on holding.