

A photograph of the California State Capitol dome, featuring a large black dome with a white base and columns, set against a blue sky with some clouds. The image is framed by a white curved border.

# State Advisory Committee on Juvenile Justice and Delinquency Prevention:

**2020 Compliance Monitoring**

Annual Report

July 2021



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JUSTICE AND DELINQUENCY PREVENTION**

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**BSCC Staff**

- Kathleen T. Howard** ..... Executive Director
- Tracie Cone** ..... Communications Director
- Allison Ganter** .....Deputy Director, Facilities Standards & Operations and Research
- Ricardo Goodridge** .....Deputy Director, Corrections Planning & Grant Programs
- Eloisa Tuitama** .....Compliance Monitor, Facilities Standards & Operations
- Ginger Wolfe** ..... Staff Services Manager I, Facilities Standards & Operations

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## **BACKGROUND**

The Board of State and Community Corrections (BSCC) is the State Administering Agency that receives and disburses federal Title II formula grants to support state and local efforts in delinquency prevention and juvenile justice system improvement. To remain eligible for funds, the BSCC must maintain compliance with the Juvenile Justice and Delinquency Prevention Act (JJDP) of 1974 (as amended in 2002 and 2018), which is the enabling legislation for both the Title II formula grants and the state's juvenile justice advisory group.<sup>1</sup> California's state advisory group is the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP). The SACJJDP is a governor-appointed group of subject-matter experts.

A requirement for compliance with the JJDP is submission of an annual report from the state's juvenile justice advisory group to the Governor and Legislature, with recommendations regarding compliance with the first three of the four JJDP core requirements (those specifically related to compliance monitoring).<sup>2</sup> The fourth core requirement (Racial and Ethnic Disparities) is addressed separately and is not a part of the annual report to the Governor and Legislature.

The core requirements relative to compliance monitoring are:

1. Deinstitutionalization of Status Offenders<sup>3</sup> (DSO)

Prohibits, with specific exceptions, juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult (status offenders, truants, in-state runaways) from being held in secure detention.

2. Separation<sup>4</sup>

Prohibits youth who are under the jurisdiction of the juvenile court from having sight and/or sound contact with adult inmates while in secure detention.

3. Jail Removal<sup>5</sup>

Prohibits the secure detention of youth in a lock-up or jail for longer than six (6) hours.

This report will provide the Governor and Legislature with the most recent data submitted to the Office of Juvenile Justice and Delinquency Prevention (OJJDP), as well as the SACJJDP's recommendations regarding compliance with the core requirements.

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<sup>1</sup> 34 U.S.C. §§ 11131-11134.

<sup>2</sup> 34 U.S.C. § 11133(a)(3)(D)(ii).

<sup>3</sup> 34 U.S.C. § 11133(a)(11).

<sup>4</sup> *Id.* at (a)(12).

<sup>5</sup> *Id.* at (a)(13).

## **COMPLIANCE WITH CORE REQUIREMENTS**

BSCC staff monitors 1,177 law enforcement facilities for compliance with the core requirements. Through data collection and inspection, the BSCC annually determines the number of violations of core requirements at these facilities, and in accordance with the JJDP, submits an annual report on compliance to OJJDP.

Attachment A contains the BSCC's annual compliance monitoring data for the 2020 federal fiscal year (FY) reporting period, which runs from October 1, 2019 through September 30, 2020. Attachment B is a summary of the FY 2020 compliance monitoring violations. Attachment C is a summary chart of violations of the core requirements since 2003.

California maintains compliance with the core requirements so long as its rate of violations does not exceed the "de minimus" number of violations as established by OJJDP. OJJDP recalculates standards for compliance annually using a process described in federal regulation. States that report a rate at or below the standard are in compliance. States that report a rate exceeding the year's standards are out of compliance.

The OJJDP has established the following compliance standards for the FY 2020. Data from the FY 2020 reporting period verifies that California remains in de minimus compliance with all three core requirements.

| <b>Core Requirement</b> | <b>Federal Standard</b> | <b>California 2020 Rates</b> |
|-------------------------|-------------------------|------------------------------|
| <b>DSO</b>              | 4.57                    | 0.15                         |
| <b>Separation</b>       | 2.54                    | 0.00                         |
| <b>Jail Removal</b>     | 1.10                    | 0.72                         |

*Note: OJJDP develops standard rates of compliance per 100,000 juvenile population.*

California has remained in compliance because its number of JJDP violations decreased from the previous year (see Attachment B). Overall, the total number of violations has reduced from 109 to 75.

| <b>Core Requirement</b> | <b>FY 2019 Violations</b> | <b>FY 2020 Violations</b> |
|-------------------------|---------------------------|---------------------------|
| <b>DSO</b>              | 9                         | 13                        |
| <b>Separation</b>       | 0                         | 0                         |
| <b>Jail Removal</b>     | 100                       | 62                        |

In comparing the first core requirement, the number of DSO violations slightly increased by 44 percent from nine to 13 violations. These violations occurred in four local juvenile hall and camp facilities. The most common reasons reported to the BSCC were:

- Holding California runaways; and
- Holding runaways from out of state, where states did not have an Interstate Compact with California.

Whereas detaining runaways was just one of many reasons in the previous year, it is now the sole reason in FY 2020. Taking a deeper look into where and when these DSO incidents occurred revealed that all 13 incidents occurred before a state of emergency was declared in California. That is, these incidents occurred prior to the Covid-19 pandemic. Once a state of emergency was proclaimed, all juvenile detention facilities stopped accepting status offenders and nonoffenders for the remainder of FY 2020.

In FY 2020, Separation violations remained at zero.

Finally, for the last core requirement, the number of Jail Removal violations decreased by 29 percent from 100 to 62 violations. For these violations, the most common reasons reported to the BSCC were:

- Waiting for Live Scan delays;
- Conducting interviews; and
- Holding youth for release

The number of violations due to live scan delays decreased to 18 from 33, and the number of violations due to interviews decreased to 12 from over 30. Live Scan delays remain the source of the largest number of violations from one county. Because the local law enforcement agencies have no control or authority over the live scan process, the delays and thus, the violations will continue to occur. Eight youth were held in excess of six hours while waiting for a parent, guardian, or relative. Normally, waiting to be released to family would qualify as an exception to the core requirement if it is the sole reason for being detained. However, these youth were held and cited for an offense as well.

Overall, California's rates of JJDPA violations have been on a downward trend since 2003. While Jail Removal violations decreased by 28 percent, DSO violations increased by 44 percent. These annual fluctuations occur at a local level and reinforce the notion that continued compliance with the JJDPA requires continued outreach and technical assistance. The BSCC must continue to work with local county and city law enforcement agencies to maintain compliance.

## **BARRIERS TO COMPLIANCE AND STRATEGIES TO OVERCOME THEM**

To maintain compliance, the BSCC identifies barriers to compliance and develops strategies on an on-going and annual basis.

| <b>Barrier</b>  | <b>Strategy</b>  |
|---|--|
| <b>The turnover in local correctional staff creates a gap of knowledge with respect to core requirements in some facilities; constant training is required.</b> | <p>During the pandemic, the BSCC observed a greater number of local correctional staff turnover, whether for transfer, retirement, sick leave, or other reason.</p> <p>The BSCC continues to provide on-going technical assistance to law enforcement agencies and probation departments, both general and targeted.</p> <p>The BSCC staff continues to provide pre-inspection briefings to law enforcement agencies and probation departments; all information relevant to the upcoming inspection is provided, including detailed information on core requirements and essential data.</p> |
| <b>The addition of new BSCC staff.</b>  | <p>The BSCC continues to provide general and tailored training to FSO staff, focusing on the applicability of core requirements at different facilities.</p> <p>BSCC revises its compliance monitoring manual on an annual and on-going basis.</p> <p>The BSCC encourages new staff to observe compliance monitoring inspections as part of the orientation and training process. The opportunity to observe or conduct joint compliance monitoring inspections remains available to current staff.</p>  |

|  |   |
|--|---|
| <p><b>The state advisory group is comprised of subject-matter experts from across the state. Members' ability to join and observe compliance monitoring inspections would greatly enhance their understanding of the JJDP and core requirements. Yet there was not a clear process in place for members to learn about upcoming compliance monitoring inspections.</b></p> | <p>The BSCC developed a policy and procedure for SACJJDP to be stay informed of ongoing CM inspections and process for members to join and observe them. The implementation was delayed due to the ongoing pandemic.</p>  |
| <p><b>The FY2020 data shows increased DSO violations in juvenile halls and camps. Specifically, four counties held runaways securely prior to the pandemic.</b></p>  | <p>The BSCC will provide technical assistance and training to the specific facilities in the four counties with higher numbers DSO violations. The BSCC will also inquire how these facilities have modified their practices during the pandemic.</p>   |
| <p><b>The FY 2020 data shows decreased Jail Removal violations during the pandemic. Efforts must be made, and measures put in place, to ensure that violations do not sharply increase post-pandemic.</b></p>  | <p>The BSCC should collaborate with local juvenile justice commissions to ensure that the number of violations continue to trend downward.</p>  |
| <p><b>OJJDP announced new requirements that apply to court holding facilities, which will apply the Jail Removal core requirement to the secure detention of adjudicated juveniles in court holding facilities. These new requirements will impact our policies and procedures for those facilities.</b></p>   | <p>The BSCC must develop a plan to provide outreach and education to counties on the application of core requirement for court holding facilities. The BSCC also must develop a new data collection tool for these facilities and methods of BSCC staff to document reported data.</p> <p>The BSCC will modify its internal training to staff on how this change will impact compliance monitoring inspections for court holding facilities.</p> <p>The BSCC will also seek the input and expertise of the SACJJDP.</p> |

## **SACJJDP RECOMMENDATIONS**

The SACJJDP recommends that the Governor and Legislature continue to support the BSCC's approach to compliance monitoring, including strategies to overcome the barriers mentioned above. The SACJJDP bases its recommendation on the decreasing violation rates and the continuous training and technical assistance BSCC provides to the field.

The SACJJDP also recommends that BSCC highlight California's effort and commitment to maintaining compliance with the core requirements through outreach and collaboration with state and local entities.

## **ATTACHMENTS:**

- A: OJJDP California Compliance Data Collection FY 2020
- B: OJJDP California Compliance Data Summary Report FY 2020
- C: Summary of California Violations of JJDPA Since 2003

**California Compliance Data Collection - 2020  
Detailed Report**

| Metric  | Value   |
|---|---------|
| <b>STATE PROFILE</b>  |         |
| <b>STATE JUVENILE POPULATION DATA</b>   |         |
| Age at which original juvenile court jurisdiction ends (upper age at which a person is still classified as a juvenile).   | 17      |
| Total population, at and below the age at which original juvenile court jurisdiction ends.  | 8894641 |
| Total population under the age of 18.   | 8894641 |
| <b>FEDERAL DEFINITIONS</b>  |         |
| During the State's monitoring effort, were Federal definitions (under the Juvenile Justice and Delinquency Prevention Act or its implementing regulations) used?                                  | Yes     |
| <b>FACILITY SUB-TYPE - SECURE DETENTION or CORRECTION FACILITIES</b>  |         |
| Number of Juvenile Detention Facilities (facility sub-type).  | 48      |
| Number of Juvenile Detention Facilities (facility sub-type) that reported data.   | 48      |
| Percent of Juvenile Detention Facilities (facility sub-type) that reported data.  | 100%    |
| Number of Juvenile Detention Facilities (facility sub-type) that received onsite inspections.   | 21      |
| Percent of Juvenile Detention Facilities (facility sub-type) that received onsite inspections.  | 44%     |
| Number of Juvenile Correctional Facilities (facility sub-type).   | 42      |
| Number of Juvenile Correctional Facilities (facility sub-type) that reported data.  | 38      |
| Percent of Juvenile Correctional Facilities (facility sub-type) that reported data.   | 90%     |
| Number of Juvenile Correctional Facilities (facility sub-type) that received onsite inspections.  | 15      |
| Percent of Juvenile Correctional Facilities (facility sub-type) that received onsite inspections.   | 36%     |
| Number of Adult Jails (facility sub-type).  | 119     |
| Number of Adult Jails (facility sub-type) that reported data.   | 119     |
| Percent of Adult Jails (facility sub-type) that reported data.  | 100%    |
| Number of Adult Jails (facility sub-type) that received onsite inspections.   | 39      |
| Percent of Adult Jails (facility sub-type) that received onsite inspections.  | 33%     |
| Number of Adult Lockups (facility sub-type).  | 517     |
| Number of Adult Lockups (facility sub-type) that reported data.   | 500     |
| Percent of Adult Lockups (facility sub-type) that reported data.  | 97%     |
| Number of Adult Lockups (facility sub-type) that received onsite inspections.   | 210     |
| Percent of Adult Lockups (facility sub-type) that received onsite inspections.  | 41%     |
| Number of Prisons (facility sub-type).  | 35      |
| Number of Prisons (facility sub-type) that received onsite inspections.   | 0       |
| Percent of Prisons (facility sub-type) that received onsite inspections.  | 0%      |
| Number of other secure residential facilities (facility sub-type) used for the placement of individuals accused or adjudicated/convicted of a criminal offense.                                   | 0       |
| Number of other secure residential facilities (facility sub-type) used for the placement of individuals accused or adjudicated/convicted of a criminal offense that received onsite inspections.  | 0       |
| Percent of other secure residential facilities (facility sub-type) used for the placement of individuals accused or adjudicated/convicted of a criminal offense that received onsite inspections. | 0%      |
| Total number of facility sub-types (Note: this sum excludes prisons and other secure residential facilities).   | 726     |
| Total number of facility sub-types that reported data (Note: this sum excludes prisons and other secure residential facilities).  | 705     |
| Percent of facility sub-types that reported data.   | 97%     |
| Total number of facility sub-types that received onsite inspections (Note: this sum excludes prisons and other secure residential facilities).  | 285     |
| Percent of facility sub-types that received onsite inspections.   | 39%     |
| <b>FACILITY SUB-TYPE - INSTITUTIONS</b>   |         |
| Number of Juvenile Detention Facilities (institution sub-type).   | 48      |
| Number of Juvenile Detention Facilities (institution sub-type) that received onsite inspections.  | 21      |

**California Compliance Data Collection - 2020  
Detailed Report**

|  |      |
|--|------|
| Percent of Juvenile Detention Facilities (institution sub-type) that received onsite inspections.  | 44%  |
| Number of Juvenile Correctional Facilities (institution sub-type).   | 42   |
| Number of Juvenile Correctional Facilities (institution sub-type) that received onsite inspections.  | 15   |
| Percent of Juvenile Correctional Facilities (institution sub-type) that received onsite inspections.   | 36%  |
| Number of Adult Jails (institution sub-type).  | 119  |
| Number of Adult Jails (institution sub-type) that received onsite inspections.   | 39   |
| Percent of Adult Jails (institution sub-type) that received onsite inspections.  | 33%  |
| Number of Adult Lockups (institution sub-type).  | 517  |
| Number of Adult Lockups (institution sub-type) that received onsite inspections.   | 210  |
| Percent of Adult Lockups (institution sub-type) that received onsite inspections.  | 41%  |
| Number of Prisons (institution sub-type).  | 35   |
| Number of Prisons (institution sub-type) that received onsite inspections.   | 0    |
| Percent of Prisons (institution sub-type) that received onsite inspections.  | 0%   |
| Number of Court Holding facilities (institution sub-type).   | 118  |
| Number of Court Holding facilities (institution sub-type) that received onsite inspections.  | 40   |
| Percent of Court Holding facilities (institution sub-type) that received onsite inspections.   | 34%  |
| Number of other secure residential facilities (institution sub-type) used for the placement of individuals accused or adjudicated/convicted of a criminal offense.                                   | 0    |
| Number of other secure residential facilities (institution sub-type) used for the placement of individuals accused or adjudicated/convicted of a criminal offense that received onsite inspections.  | 0    |
| Percent of other secure residential facilities (institution sub-type) used for the placement of individuals accused or adjudicated/convicted of a criminal offense that received onsite inspections. | 0%   |
| Total number of institution sub-types.   | 879  |
| Total number of institution sub-types that received onsite inspections.  | 325  |
| Percent of institution sub-types that received onsite inspections.   | 37%  |
| <b>FACILITY SUB-TYPE - ADULT JAIL or LOCKUP</b>  |      |
| Number of Adult Jails (adult jail or lockup sub-type).   | 119  |
| Number of Adult Jails (adult jail or lockup sub-type) that reported data.  | 119  |
| Percent of Adult Jails (adult jail or lockup sub-type) that reported data.   | 100% |
| Number of Adult Jails (adult jail or lockup sub-type) that received onsite inspections.  | 39   |
| Percent of Adult Jails (adult jail or lockup sub-type) that received onsite inspections.   | 33%  |
| Number of Adult Lockups (adult jail or lockup sub-type).   | 517  |
| Number of Adult Lockups (adult jail or lockup sub-type) that reported data..   | 500  |
| Percent of Adult Lockups (adult jail or lockup sub-type) that reported data..  | 97%  |
| Number of Adult Lockups (adult jail or lockup sub-type) that received onsite inspections.  | 210  |
| Percent of Adult Lockups (adult jail or lockup sub-type) that received onsite inspections.   | 41%  |
| Total number of Adult Jails and Lockups (adult jail or lockup sub-type).   | 636  |
| Total number of Adult Jails and Lockups (adult jail or lockup sub-type) that reported data..   | 619  |
| Percent of Adult Jails and Lockups (adult jail or lockup sub-type) that reported data.   | 97%  |
| Total number of Adult Jails and Lockups (adult jail or lockup sub-type) that received onsite inspections.  | 249  |
| Percent of Adult Jails and Lockups (adult jail or lockup sub-type) that received onsite inspections.   | 39%  |
| <b>FACILITY SUB-TYPE - COLLOCATED</b>  |      |
| Number of secure Juvenile Detention or Correctional Facilities that are Collocated with an Adult Jail or Lockup.   | 6    |
| Number of secure Juvenile Detention or Correctional Facilities that are Collocated with an Adult Jail or Lockup that received onsite inspections.  | 6    |
| Percent of secure Juvenile Detention or Correctional Facilities that are Collocated with an Adult Jail or Lockup that received onsite inspections.   | 100% |
| <b>SUMMARY OF FACILITIES REQUIRED TO REPORT COMPLIANCE DATA - 85% RULE</b>   |      |
| Cumulative percent of facilities reporting data that are required to report compliance data (85% rule).  | 97%  |

| <b>DEINSTITUTIONALIZATION OF STATUS OFFENDERS (DSO)</b>  |       |
|--|-------|
| <b>STATUS OFFENDERS AND NON-OFFENDERS PLACED IN SECURE DETENTION OR CORRECTIONAL FACILITIES</b>  |       |
| Number of accused status offenders who were placed in secure detention or secure correctional facilities (both juvenile and adult facility types). 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.                      | 32    |
| Number of adjudicated status offenders who were placed in secure detention or secure correctional facilities (both juvenile and adult facility types). 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.                  | 0     |
| Number of accused and adjudicated status offenders who were placed in secure juvenile detention or secure juvenile correctional facilities who were 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.)   | 0     |
| Number of accused and adjudicated status offenders who were placed in secure juvenile detention or secure juvenile 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.)  | 19    |
| Calculated total number of status offenders placed in secure detention or secure correctional facilities that do not meet one of the statutory exceptions and therefore result in instances of non-compliance with DSO.  | 13    |
| Number of non-offenders who are aliens or who were alleged to be dependent, neglected, or abused, who were placed in secure detention or secure correctional facilities.   | 0     |
| Calculated total number of DSO violations.   | 13    |
| <b>DSO SUMMARY</b>   |       |
| Calculated total number of DSO violations adjusting for non-reporting facilities.  | 13.39 |
| RATE of non-compliance with DSO per 100,000 juvenile population.   | 0.15  |
| RATE of non-compliance with DSO per 100,000 juvenile population, adjusting for non-reporting facilities.   | 0.15  |
| <b>SEPARATION</b>  |       |
| <b>POLICY IMPACTING SEPARATION</b>   |       |
| 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   |
| <b>SIGHT and SOUND SEPARATION in SECURE JUVENILE DETENTION or CORRECTIONAL FACILITIES</b>  |       |
| Number of juveniles alleged to be or found to be delinquent detained or confined in secure juvenile detention and secure juvenile correctional facilities who were not sight and sound separated from adult inmates, including inmate trustees.  | 0     |
| Number of juvenile status offenders and juvenile non-offenders who were aliens or alleged to be dependent, neglected, abused, detained or confined in secure juvenile detention and secure juvenile correctional facilities who were not sight and sound separated from adult inmates, including inmate trustees.  | 0     |
| TOTAL number of juveniles alleged to be or found to be delinquent, juvenile status offenders, and juvenile non-offenders who are aliens or alleged to be dependent, neglected, abused, detained or confined in secure juvenile detention and secure juvenile correctional facilities who were not sight and sound separated from adult inmates, including inmate trustees. | 0     |
| <b>SIGHT and SOUND SEPARATION in ADULT JAILS, ADULT LOCKUPS, or PRISONS</b>  |       |
| Number of juveniles alleged to be or found to be delinquent, detained or confined in jails or lockups for adults or adult prisons who were not sight and sound separated from adult inmates.   | 0     |
| Number of juvenile status offenders and juvenile non-offenders who are aliens or alleged to be dependent, neglected, or abused, detained or confined in jails or lockups for adults or adult prisons, without sight and sound separation from adult inmates.   | 0     |
| TOTAL number of juveniles 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 jails or lockups for adults or adult prisons without sight and sound separation.  | 0     |
| <b>SIGHT and SOUND SEPARATION in COURT HOLDING FACILITIES</b>  |       |
| Number of juveniles alleged to be or found to be delinquent, detained or confined in court holding facilities who were not sight and sound separated from adult inmates.   | 0     |
| Number of juvenile status offenders and juvenile non-offenders who are aliens or alleged to be dependent, neglected, or abused detained or confined in court holding facilities who were not sight and sound separated from adult inmates.   | 0     |

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| TOTAL number of juveniles 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 detained or confined in court holding facilities who were not sight and sound separated from adult inmates.   | 0     |
| <b>SIGHT and SOUND SEPARATION SUMMARY</b>  |       |
| TOTAL number of juveniles 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, not sight and sound separated from adult inmates in Secure Juvenile Detention Facilities, Secure Juvenile Correctional Facilities, Adult Jails, Adult Lockups, Prisons, and Court Holding Facilities.  | 0     |
| RATE of non-compliance with separation per 100,000 juveniles at and below the age at which original juvenile court jurisdiction ends.  | 0.00  |
| <b>JAIL REMOVAL</b>  |       |
| <b>POLICY IMPACTING JAIL REMOVAL</b>   |       |
| Is there a state policy in effect requiring individuals who work with both adult inmates and juveniles to be trained and certified to work with juveniles?   | Yes   |
| <b>FACILITIES IN WHICH JUVENILES WERE DETAINED OR CONFINED</b>   |       |
| Number of Adult Jails and Adult Lockups in which juveniles were detained or confined that meet rural exception criteria (pursuant to Section 223(a)(13)(B)(ii)(I) of the JJDP Act) and for which approval has been granted by OJJDP.   | 0     |
| <b>JUVENILES DETAINED WITHIN SIGHT OR SOUND CONTACT OF ADULT INMATES</b>   |       |
| Number of juveniles accused of delinquent offenses detained or confined in Adult Jails or Adult Lockups 6 hours or less for processing or release, awaiting transfer to a juvenile facility, or prior to/following a court appearance, but who had contact with adult inmates (pursuant to Section 223(a)(13)(A) of the JJDP Act).   | 0     |
| <b>JUVENILES ACCUSED OF DELINQUENT OFFENSES OR ADJUDICATED DELINQUENT</b>  |       |
| Number of juveniles accused of delinquent offenses detained or confined in Adult Jails and Adult Lockups in excess of 6 hours, and not pursuant to a valid use of the rural, travel conditions or safety exceptions, as detailed in Section 223(a)(13)(B) of the JJDP Act.   | 57    |
| Number of juveniles accused of delinquent offenses detained or confined in Adult Jails and Adult Lockups, for 6 hours or less for purposes other than processing or release, while awaiting transfer to a juvenile facility, or periods during which such juveniles are making court appearances (pursuant to Section 223(a)(13)(A) of the JJDP Act).  | 0     |
| Number of juveniles accused of delinquent offenses who were detained or confined in excess of 6 hours but less than 48 hours (not including weekends and legal holidays) awaiting an initial court appearance in an Adult Jail or Adult Lockup approved by OJJDP for use of the rural exception, provided that during this time there was no contact with adult inmates (pursuant to Section 223(a)(13)(B)(ii)(I) of the JJDP Act) (Note: This is a statutory exception to the total number of instances of non-compliance with jail removal.)   | 0     |
| Number of juveniles accused of delinquent offenses who were detained or confined in excess of 48 hours but less than 96 hours (not including weekends and legal holidays) 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.)   | 0     |
| Number of juveniles accused of delinquent offenses awaiting an initial court appearance in an Adult Jail or Adult Lockup where conditions of safety existed (e.g., severe adverse, life-threatening weather conditions that do not allow for reasonably safe travel) and who were detained or confined for in excess of 6 hours but not more than 24 hours after the time that such conditions allowed for reasonably safe travel, provided that during this time there was no contact with adult inmates (pursuant to Section 223(a)(13)(B)(ii)(III) of the JJDP Act) (Note: This is a statutory exception to the total number of instances of non-compliance with jail removal.) | 0     |
| Number of juveniles adjudicated of delinquent offenses who were detained or confined in Adult Jails and Adult Lockups for any length of time.  | 0     |
| <b>JUVENILE STATUS AND NONOFFENDERS</b>  |       |
| Number of accused or adjudicated status offenders detained or confined for any length of time in Adult Jails or Adult Lockups.   | 3     |
| Number of juvenile non-offenders detained or confined for any length of time in Adult Jails or Adult Lockups.  | 2     |
| <b>JAIL REMOVAL SUMMARY</b>  |       |
| Total instances of non-compliance with the Jail removal requirement as a result of juveniles detained or confined in Adult Jails and Adult Lockups.  | 62.00 |
| Total instances in which the state used the rural, travel conditions, or conditions of safety exceptions to detain or confine juveniles in Adult Jails and Adult Lockups in excess of 6 hours.   | 0     |

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|  |       |
|--|-------|
| Total instances of non-compliance with the Jail removal requirement as a result of juveniles detained or confined in Adult Jails and Adult Lockups adjusting for non-reporting facilities. | 63.70 |
| Rate of non-compliance with jail removal per 100,000 juvenile population at and below the age at which original juvenile court jurisdiction ends.  | 0.70  |
| Rate of non-compliance with jail removal per 100,000 juvenile population at and below the age at which original juvenile court jurisdiction ends, adjusting for non-reporting facilities.  | 0.72  |

**Secure Facility On-Site Inspection Compliance - Planning Cycle 10/01/2019 - 09/30/2022**

|  | <b>Year</b> | <b>Total Number Secure Facilities</b> | <b>Number Facilities Receiving On-Site Inspections</b> | <b>Percent Facilities Receiving On-Site Inspections</b> |
|--|-------------|---------------------------------------|--|---|
|  | 1           | 844                                   | 325  | 38.51 %   |
|  | 2           |                                       |  |   |
|  | 3           |                                       |  |   |
|  |             | <b>844</b>                            | <b>325</b>   | <b>38.51 %</b>  |

| Metric  | Value       |                                    |   |  |
|---|-------------|------------------------------------|---|--|
| <b>STATE PROFILE</b>  |             |                                    |   |  |
| <b>STATE JUVENILE POPULATION DATA</b>   |             |                                    |   |  |
| Age at which original juvenile court jurisdiction ends (upper age at which a person is still classified as a juvenile).   | 17          |                                    |   |  |
| Total population, at and below the age at which original juvenile court jurisdiction ends.  | 8894641     |                                    |   |  |
| Total population under the age of 18.   | 8894641     |                                    |   |  |
| <b>DEINSTITUTIONALIZATION OF STATUS OFFENDERS (DSO)</b>   |             |                                    |   |  |
| <b>DSO SUMMARY</b>  |             |                                    |   |  |
| Calculated total number of DSO violations adjusting for non-reporting facilities.   | 13.39       |                                    |   |  |
| RATE of non-compliance with DSO per 100,000 juvenile population.  | 0.15        |                                    |   |  |
| RATE of non-compliance with DSO per 100,000 juvenile population, adjusting for non-reporting facilities.  | 0.15        |                                    |   |  |
| <b>SEPARATION</b>   |             |                                    |   |  |
| <b>SIGHT and SOUND SEPARATION SUMMARY</b>   |             |                                    |   |  |
| TOTAL number of juveniles 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, not sight and sound separated from adult inmates in Secure Juvenile Detention Facilities, Secure Juvenile Correctional Facilities, Adult Jails, Adult Lockups, Prisons, and Court Holding Facilities. | 0           |                                    |   |  |
| RATE of non-compliance with separation per 100,000 juveniles at and below the age at which original juvenile court jurisdiction ends.   | 0.00        |                                    |   |  |
| <b>JAIL REMOVAL</b>   |             |                                    |   |  |
| <b>JAIL REMOVAL SUMMARY</b>   |             |                                    |   |  |
| Total instances of non-compliance with the Jail removal requirement as a result of juveniles detained or confined in Adult Jails and Adult Lockups.   | 62.00       |                                    |   |  |
| Total instances in which the state used the rural, travel conditions, or conditions of safety exceptions to detain or confine juveniles in Adult Jails and 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 and Adult Lockups adjusting for non-reporting facilities.  | 63.70       |                                    |   |  |
| Rate of non-compliance with jail removal per 100,000 juvenile population at and below the age at which original juvenile court jurisdiction ends.   | 0.70        |                                    |   |  |
| Rate of non-compliance with jail removal per 100,000 juvenile population at and below the age at which original juvenile court jurisdiction ends, adjusting for non-reporting facilities.   | 0.72        |                                    |   |  |
| <b>Secure Facility On-Site Inspection Compliance - Planning Cycle 10/01/2019 - 09/30/2022</b>   |             |                                    |   |  |
|   | <b>Year</b> | <b>Number of Secure Facilities</b> | <b>Number of Facilities Receiving On-Site Inspections</b> | <b>Percent of Facilities Receiving On-Site Inspections</b> |
|   | 1           | 844                                | 325   | 38.51 %  |
|   | 2           |                                    |   |  |
|   | 3           |                                    |   |  |
| <b>Planning Cycle Summary:</b>  |             | <b>844</b>                         | <b>325</b>  | <b>38.51 %</b>   |
| Planning Cycle Summary:<br>1. If the number of secure facilities increases or decreases, percent of on-site inspections are calculated using the most recent change<br>2. In recognition that on-site inspections may exceed the number of secure facilities, percentages are capped at 100%  |             |                                    |   |  |

California Violations of JJDPA Since 2003

Attachment C

|                                | 2020 | % change | 2019 | % change | 2018 | % change | 2017 | % change | 2016 | % change | 2015 | % change | 2014 | % change | 2013 | % change | 2012 | % change | 2011 | % change | 2010   | % change | 2009 | % change | 2008  | % change | 2007  | % change | 2006  | % change | 2005 | % change | 2004 | % change | 2003 |  |
|--------------------------------|------|----------|------|----------|------|----------|------|----------|------|----------|------|----------|------|----------|------|----------|------|----------|------|----------|--------|----------|------|----------|-------|----------|-------|----------|-------|----------|------|----------|------|----------|------|--|
| DSO JH                         | 13   | 44%      | 9    | 70%      | 30   | 88%      | 16   | 7%       | 15   | -6%      | 16   | -60%     | 40   | -7%      | 43   | 13%      | 38   | -22%     | 49   | -39%     | 80     | -20%     | 75   | 11%      | 90    | 70%      | 53    | -47%     | 100.6 | -63%     | 270  | 28%      | 211  | -11%     | 237  |  |
| DSO LOCKUPS                    | 5    | 79%      | 24   | 0%       | 24   | -11%     | 27   | -27%     | 37   | 0%       | 37   | -31%     | 54   | 20%      | 45   | -48%     | 87   | 43%      | 61   | 177%     | 22     | -12%     | 25   | -38%     | 40    | -13%     | 46    | n/a      |       |          |      |          |      |          |      |  |
| DSO TOTAL (JH + LU)            | 18   | 45%      | 33   | 39%      | 54   | 26%      | 43   | -17%     | 52   | -2%      | 53   | -44%     | 94   | 7%       | 88   | -30%     | 125  | 14%      | 110  | 8%       | 102.00 | 2%       | 100  | -23%     | 130   | 31%      | 99.37 | -1%      | 100.6 | -63%     | 270  | 28%      | 211  | -11%     | 237  |  |
| DSO TOTAL RATE                 | 0.15 | 50%      | 0.10 | 84%      | 0.62 | 32%      | 0.47 | -34%     | 0.71 | 0%       | 0.71 | -30%     | 1.01 | 6%       | 0.95 | -29%     | 1.34 | 14%      | 1.18 | 8%       | 1.09   | 2%       | 1.07 | -23%     | 1.39  | 36%      | 1.02  | -2%      | 1.04  | -64%     | 2.86 | 28%      | 2.23 | -11%     | 2.51 |  |
| Separation                     | 0    | 0%       | 0    | 0%       | 0    | 0%       | 0    | 0%       | 0    | 0%       | 0    | -100%    | 1    | 100%     | 0    | -100%    | 2    | 200%     | 0    | 0%       | 0      | -100%    | 1    | 0%       | 1     | 0%       | 1     | -97%     | 33    | -25%     | 44   | 100%     | 0    | 0%       | 0    |  |
| Jail Removal Total (6 hr Rule) | 57   | 29%      | 80   | 38%      | 58   | -21%     | 73   | -4%      | 76   | 15%      | 66   | -7%      | 71   | 25%      | 57   | -17%     | 69   | 6%       | 65   | -13%     | 75     | -17%     | 90   | 18%      | 76.21 | -29%     | 107   | -52%     | 225   | 185%     | 79   | 0%       | 79   | -25%     | 106  |  |
| Jail Removal Rate              |      |          |      |          |      |          |      |          |      |          |      |          |      |          |      |          |      |          |      |          |        |          |      |          |       |          |       |          |       |          |      |          |      |          |      |  |
| Jail Removal (total with SO)   | 62   | 38%      | 100  | 3%       | 103  | 3%       | 100  | -12%     | 113  | 10%      | 103  | -18%     | 125  | 23%      | 102  | -35%     | 156  | 24%      | 126  | 30%      | 97.12  | -16%     | 115  | -1%      | 116   | -25%     | 154.2 |          |       |          |      |          |      |          |      |  |
| Jail Removal Rate              | 0.72 | 35%      | 1.10 | 3%       | 1.14 | 3%       | 1.1  | -11%     | 1.24 | 12%      | 1.11 | -17%     | 1.34 | 22%      | 1.1  | -35%     | 1.68 | 24%      | 1.36 | 32%      | 1.03   | -16%     | 1.23 | -1%      | 1.24  | -22%     | 1.59  |          |       |          |      |          |      |          |      |  |

In 2006, we increased our lockup universe and also began to clean up status offender reporting methods and training. In 2007, we began reporting status offenders held in lockups, therefore increasing the DSO TOTAL and the JAIL REMOVAL TOTAL numbers. In 2016 the reporting period changed from a 12-month calendar year to a 12-month federal fiscal year beginning October 1st and ending September 31st.

-92% percentage change between 2003 total DSO and 2020 (page 3 of the Gov/Leg Report)

-46% percentage change between 2003 Jail Removal and 2020 (page 3 of the Gov/Leg Report)