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BOARD OF STATE AND COMMUNITY CORRECTIONS

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GAVIN NEWSOM
Governor

January 27, 2021

Attention: Sheriffs, Chiefs of Police, and Law Enforcement Agency Commanders

ANNUAL SURVEY OF LAW ENFORCEMENT FACILITIES AND MONTHLY REPORT FORMS FOR CALENDAR YEAR 2021

The Board of State and Community Corrections (BSCC) annually surveys each law enforcement facility to determine if it contains a lockup and whether it will be holding minors in secure or nonsecure detention. The enclosed survey requests information relative to how your facility detains minors and assists the BSCC in identifying its inspection responsibilities.

Please distribute this annual survey to ALL substations under your jurisdiction, including storefront, mall, airport, stadium, theme park, or other locations; we request that **each** facility complete the **Annual Survey of Law Enforcement Facilities** and return it to BSCC no later than **March 30, 2021**. Your assistance in the completion of this annual survey and in identifying any facilities under your jurisdiction is greatly appreciated.

IMPORTANT: The Annual Survey of Law Enforcement Facilities form requests separate information related to adults in secure detention and juveniles in secure and nonsecure detention. If your facility holds adults **and** minors in secure detention, the sheriff or chief of police must annually certify, by checking the box, that the facility is in conformity with the requirements set forth in Welfare and Institutions Code (WIC) §210.2(a). This annual certification is required pursuant to WIC §210.2(b).

If your facility holds delinquent minors in **SECURE or NONSECURE DETENTION** in a building that contains a lockup¹, in addition to the Annual Survey of Law Enforcement Facilities, you must submit the number and duration of such minors held in detention each month via the **Monthly Report on the Detention of Minors – Calendar Year 2021**. **This form is due to the BSCC by the 10th of the following month; a separate report is required for each month.** Both state and federal statute require that delinquent minors be held no longer than six (6) hours. There are detailed instructions accompanying this form to assist you with completion.

If a facility holds adults AND minors in **SECURE DETENTION**², the BSCC is required to monitor that facility for compliance with three of the four core requirements of the federal Juvenile Justice and Delinquency Prevention Act (JJDP). Depending on the type of law enforcement facility, some must also meet the requirements of WIC §207.1(d)(1) and applicable sections of Title 15 minimum standards pertaining to minors in detention. If such a facility reports that it will hold minors in **NONSECURE** detention, they must meet the requirements of WIC §207.1(d)(2). *Please see the enclosed information regarding requirements of the JJDP, WIC §207.1(d), and Title 15.*

¹ A room or secure enclosure under the control of a sheriff or other peace officer that is primarily for the temporary confinement of adults upon arrest.

² According to the JJDP, secure detention occurs when a minor is locked in a secure room, cell, or enclosure, and/or when a minor is secured to a stationary object (e.g., cuffing fixture).

This letter, related forms, and technical assistance tools – including a training video – can be downloaded from the BSCC website at: https://www.bscc.ca.gov/s_fsoservices , under the *Youth in Adult Detention Facilities* button. Thank you for your continued support of this process, should you or your staff have any questions regarding minors in detention, please contact your assigned Field Representative at (916) 445-5073 or the Compliance Monitor, Eloisa Tuitama, at eloisa.tuitama@bscc.ca.gov, (916) 341-7328.

Sincerely,



ALLISON GANTER
Deputy Director
Facilities Standards and Operations Division

Enclosures