MINORS IN COURT HOLDING FACILITIES – CALENDAR YEAR 2023

*\*Please see Monitoring Authority on reverse\**

 *THIS IS A REQUIRED SUBMISSION* ***DUE FEBRUARY 28, 2023***

**SECTION I. Facility Identification**

Agency Name: Facility Name:

Facility Street Address:

City:

Date:

Zip:

County:

**SECTION II. Facility Operation**

|  |  |  |  |
| --- | --- | --- | --- |
| **Adult Detention** | 1. Will ADULTS be ***securely*** held in this court holding facility? | Yes | No |
| ***If YES, check ALL that apply:*** |
| Locked Room Cell | Cuffing Fixture |  | Other, explain  |
|  |
| **Juvenile Detention** | 2. a.) Will MINORS be held in this facility? | Yes | No |
| ***If YES, check ALL that apply:*** |
| **Nonsecure** | **Secure:**Locked Room | Cell | Cuffing Fixture | Other, explain  |

**SECTION III. Contact Information**

|  |  |  |
| --- | --- | --- |
| Name and Title of Reporting Person | Phone: | Date: |
| E-Mail: |  |
| Name and Title of Facility Administrator | Phone: | Date: |
| E-Mail: |  |

|  |  |
| --- | --- |
| **Submit completed form by email:** | **analyst@bscc.ca.gov** |
| **by fax:** | **(916) 322-2461** |
| **by mail:** | **Board of State and Community Corrections** |
|  | **ATTN: Compliance Monitor Analyst** |
|  | **2590 Venture Oaks Way, Ste. 200,****Sacramento, CA 95833** |
| **Questions?** | **analyst@bscc.ca.gov** **or (916) 323-8621** |
| **This form may be downloaded at:** | [**https://www.bscc.ca.gov/s\_fsoservices/**](https://www.bscc.ca.gov/s_fsoservices/) **in the Youth in Adult Detention Facilities accordion.** |

# MONITORING AUTHORITY

The Federal Juvenile Justice and Delinquency Prevention Act (JJDPA)1 and Welfare and Institutions Code (WIC) §209(f) require the Board of State and Community Corrections (BSCC) to monitor facilities that hold minors in detention for compliance with three core requirements:

1. **Deinstitutionalization of Status Offenders** (JJDPA Section 223 (a) [11])

Minors who are charged with only a status offense (WIC §601) or who are nonoffenders (WIC §300)

**must not** be held in secure detention.

1. **Separation** (JJDPA Section 223 (a) [12])

Minors held in secure detention **must not** come into sight or sound contact with adult offenders.

1. **Jail Removal** (JJDPA Section 223 (a) [13])

Delinquent minors (WIC §602) **must not** be held in secure detention for more than **six (6) hours**

pending investigation, processing, and release.

Additionally, WIC §210.2 requires the BSCC to survey law enforcement agencies regarding the processing of minors to ensure compliance with WIC §207.1(b).

If such a facility holds minors in secure custody, the BSCC will follow up with the agency for additional information. This further step assists the BSCC with data collection and federal auditing requirements.

# INSPECTION REQUIREMENTS

Depending on the type of facility you operate, each facility will be inspected as listed below:

All facilities identified through the Annual Survey of Court Holding Facilities may be subject to onsite verification.

The following types of facilities will be inspected TRIENNIALLY:

* Facilities that answer **YES** to questions 1 **AND** 2 on the Annual Survey of Court Holding Facilities.
	+ These facilities report that they intend to hold adults **AND** minors in secure detention in their facility.

1 Pub. L. No. 93-415 (1974), 34 U.S.C. 5601. For more information on the JJDPA and compliance monitoring, please visit: [https://www.ojjdp.gov/compliance/index.html.](https://www.ojjdp.gov/compliance/index.html)