



January 10, 2023

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 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 camp, juvenile hall, secure youth treatment facility, and special purpose juvenile hall must complete a ***Detention of Non-Delinquents in Juvenile Detention Facilities - 2023 Calendar Year Annual Survey***. The survey is attached and is also available on the BSCC website for submission online, via email, fax, and mail. A survey must be submitted for each individual facility and indicate whether or not status offenders, non offenders, or federal youth are held. **Please submit completed surveys to the BSCC by February 28, 2023.** Your assistance in the completion of this annual survey is greatly appreciated. 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 *2023 Status Offender and Non Offender Detention Report for each status offender or non offender youth held*². Status offenders may only be held in a secure detention facility under the circumstances defined 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. The JJDPA also prohibits sight or sound contact between adult and juveniles who are detained or confined. This protection is more commonly known as the Separation requirement. Each time a separation incident occurs, the ***JJDPA Separation Incident Report*** must be completed and submitted to BSCC. See enclosed instructions, the report form is available for submission online only via the BSCC website

- **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.

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

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

- *Technical Assistance Note: Senate Bill 1296 prohibits truant youth who are held in contempt of court from being held in secure detention; 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.*

If your facility holds non-criminal youth for the federal government: you must complete the *2023 Federal Youth Detention Report* for each individual who is released from custody. 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 at https://www.bscc.ca.gov/s_fsoservices/.

If you or your staff have any questions, please contact the Status Offenders and Federal Youth Analyst at analyst@bscc.ca.gov or (916) 323-8621. We appreciate your continued assistance in gathering accurate and pertinent information in a timely manner.

Sincerely,



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Enclosures