



January 10, 2024

Attention: Chief Probation Officers, Juvenile Detention Facility Managers,
Status Offender 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 letter explains the documentation required from facilities for monitoring purposes and includes necessary forms and instructions for completion.

Every Camp, Juvenile Hall, Secure Youth Treatment Facility, and Special Purpose Juvenile Hall must complete a **Detention of Non-Delinquents in Juvenile Detention Facilities - 2024 Calendar Year Annual Survey**. The survey is attached and available on the BSCC website for submission by email or regular 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 29, 2024.** A list of all facilities that will need a survey is included. Your assistance in the completion of this annual survey is greatly appreciated. The following reports are required in addition to the annual survey:

If your facility holds status offenders or non offenders in secure detention (WIC §601 or §300): you must complete a 2024 Status Offender and Non Offender Detention Report for each status offender or non offender held². Status offenders may only be held in a secure detention facility under the circumstances defined in the JJDPA and WIC §207. Dependent youth (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 adults 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 Wards of the Court (WIC §601)(post-disposition) for contempt of court:** a *Valid Court Order (VCO) Exception Checklist* must be

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.ojjdp.gov/compliance/index.html>.

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

completed and submitted along with the *Status Offender and Non Offender Detention Report* form for that individual.

- *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 *2024 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/.

The Board of State and Community Corrections (BSCC) and our predecessor agencies, the Corrections Standards Authority and Board of Corrections, have been proud to serve the State of California as the Designated State Agency responsible for compliance monitoring under the federal Juvenile Justice and Delinquency Prevention Act (JJDP). After nearly 30 years of service and collaborative partnership with local law enforcement agencies, the **BSCC will pass JJDP compliance monitoring responsibilities to the Office of Youth and Community Restoration (OYCR) beginning July 1, 2024 (pursuant to AB 505, Chapter 528, Statutes of 2023).**

It has been a pleasure and an honor to work alongside our local partners, providing guidance and support in the pursuit of maintaining and uplifting the care and treatment of juveniles in detention, and we thank you for your dedication throughout our many years of partnership. Information and updates on the transition of compliance monitoring to OYCR will be provided on our website linked above as it becomes available.

Please do not hesitate to contact BSCC's FSO Compliance Monitoring Analyst at analyst@bscc.ca.gov or (916) 323-8621 for assistance at any time **before July 1, 2024.** We appreciate your continued dedication in gathering accurate and pertinent information in a timely manner.

Sincerely,



ALLISON GANTER
Deputy Director
Facilities Standards and Operations Division
phone 916.323.8617
allison.ganter@bscc.ca.gov

Enclosures