

When Holding Juveniles in Adult Jails and Lockups

The State/Territory of **California** is a participating State/Territory in the Title II Formula Grants Program, as authorized by the 2018 Juvenile Justice and Delinquency Prevention Act. **Office of Youth and Community Restoration (OYCR)** is the state's designated agency for administering this program and monitoring facilities for their compliance. To contact our office, **call (916) 651-0423 or email OYCRCompliance.Monitor@chhs.ca.gov**.

1. Document All Juveniles in Custody

All juveniles (any person under the state's age of criminal responsibility) who while in custody enter a Jail or Lockup for Adults must be reported to OYCR at least once per month. (See contact information above.) At a minimum, it is important to document the time that each juvenile becomes detained, the reasons for custody, when they were released, to whom, and any relevant court documents.

2. Ensure Proper Use of Secure Areas

Use of secure areas for juveniles is only permitted if the juvenile has been accused of committing an offense that would be criminal if committed by an adult. Detention must only be for the purposes of processing a charge, awaiting transfer to a juvenile facility, or making a court appearance.

3. Prevent Sight/Sound Contact between Juveniles and Adults in Custody

Juveniles must be kept sight and sound separated from adult inmates at all times. Any contact beyond that which is brief and inadvertent may result in violations against the state. It is important to report any events of sustained contact to your superiors. Separation can be maintained by using separate areas of the facility or time-phasing the use of the secure areas during processing.

4. Ensure Timely Transfer or Release of All Juveniles Detained

Juveniles accused of an offense that would be criminal if committed by an adult may be detained for up to 6 hours. Be intentional about how this time is spent in the secure portions of the facility. Time spent in the nonsecure portion of the facility, or in a court before a judge, does not count towards this limit.

5. Report Documented Juveniles to the State in order to Certify Compliance

Reporting is essential. Participation in the Title II Formula Grants Program creates an enforceable, private right of action for juveniles if protections are not afforded. Ensure timely reporting to certify compliance for each juvenile detained in the facility to your state's Designated Agency for administering Title II. If you need assistance, please contact us.

For more information on what this is or how to comply, visit:
<https://oycr.ca.gov/compliance-monitoring>