



JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT 2002 JUVENILE DETENTION COMPLIANCE MONITORING

What?

- Congress first enacted the Juvenile Justice and Delinquency Prevention Act (JJDPA) in 1974 to promote the well-being of youth in the United States. The JJDPA 1974 established the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Formula Grants Program that directly funds Georgia's initiatives to improve our juvenile justice system.
- JJDPA was last authorized in 2002. In 2015, JJDPA was introduced in the House of Representatives for reauthorization. The JJDPA outlines Four Core Requirements Georgia must comply with in order to receive federal funding:
 1. **Deinstitutionalization of Status Offenders (DSO):** Status offenders may not be in secure custody in any adult detention facilities. Status offenders may not be held in juvenile secure confinement for extended periods of time. In Georgia status offenders are known as Children in Need of Services (CHINS).
 2. **Jail Removal:** Delinquent juvenile offenders may not be in secure custody in any adult detention facilities for more than 6 hours. This protection does not apply to adjudicated juveniles charged as adults (SB440 offenses).
 3. **Sight and Sound Separation:** All juveniles in secure or non-secure custody in any adult detention facilities must be sight and sound separated from adult inmates. This protection does not apply to adjudicated juveniles charged as adults (SB440 offenses).
 4. **Disproportionate Minority Contact (DMC):** States must assess and address the disproportionate contact of youth of color as key points in the juvenile justice system.
- In Georgia, the Juvenile Detention Compliance Monitor is charged with monitoring the DSO; Jail Removal; and Sight and Sound Separation. The DMC Coordinator is charged with monitoring DMC.

How?

- With the assistance of the Department of Juvenile Justice (DJJ), the Compliance Monitor tracks admissions to 184 adult detention facilities, including adult lock ups, on a monthly basis to monitor compliance with the first three core requirements. The Compliance Monitor conducts onsite visits to all facilities at least once every three years. The onsite visits serve as an audit function to verify the data submitted through the annual and monthly reports by DJJ; additionally, it allows for increased awareness on federal and state law while strengthening the relationship between state and local government.

Table 1: Juvenile Detention Compliance Monitor Timeline

Month	Tasks
January	Annual jail monitoring report submitted from previous year Clean data – annual report Update monitoring universe (including classifications) Update DJJ monitor contact list Identify compliance violations and contact facilities Monthly monitoring report submitted and data collected/verified
February	Update monitoring universe (including classifications) Update DJJ monitor contact list Identify compliance violations and contact facilities Begin planning annual compliance site visits Begin planning regional trainings for field monitors Monthly monitoring report submitted and data collected/verified
March	Identify compliance violations and contact facilities Begin annual compliance site visits Monthly monitoring report submitted and data collected/verified
April	Federal annual compliance monitoring report Update compliance monitoring manual Site visits (on going) Monthly monitoring report submitted and data collected/verified
May	Federal annual compliance monitoring report Update compliance monitoring manual Site visits (on going) Monthly monitoring report submitted and data collected/verified
June	Federal annual compliance monitoring report submitted Site visits (on going) Monthly monitoring report submitted and data collected/verified
July	Site visits (on going) Begin regional trainings for field monitors Monthly monitoring report submitted and data collected/verified
August	Site visits (on going) Regional trainings for field monitors Monthly monitoring report submitted and data collected/verified
September	Site visits (on going) Regional trainings for field monitors Monthly monitoring report submitted and data collected/verified
October	Site visits (on going) Regional trainings for field monitors Monthly monitoring report submitted and data collected/verified
November	Site visits (on going) Monthly monitoring report submitted and data collected/verified
December	Site visits (on going) Monthly monitoring report submitted and data collected/verified

When?

- Once a month a DJJ Field Monitor contacts the facility and fills out a monthly form which records every juvenile held in secure custody. There is also an annual onsite visit/form.
- The Compliance Monitor will do onsite audit visit to all adult detention facilities, including lock ups. These visits must be conducted at least once every three years, but cannot be less than 10% of facilities in any given year.
- During the onsite visit, the Compliance Monitor reviews the facility's juvenile policy and log records, asks a set of questions, and is given a 'tour' of the facility related to their juvenile procedure. The Compliance Monitor also will answer any questions the facility may have.

Table 2: OJJDP Annual Compliance Monitoring Determinations Timeline

Step	Due Date	Illustrative Example
Reporting Period	October 1 – September 30	10/1/16 – 9/30/17
Compliance Data Due	January 31 st (covering previous Federal fiscal year)	1/31/18
Determination Letters Issued	No later than April 30 (covering previous Federal fiscal year)	4/30/18
State Appeals Due	Within 30 days of receipt of determination	5/30/18
Projected Issuance of Title II Solicitation	March 30	3/30/18
Projected Due Date of Title II Grant Applications (State Plans)	June 30	6/30/18
Projected Award Date	No later than September 30	9/30/18

Why?

- Georgia participates in the JJDP and receives federal funding that benefits the juvenile justice system in our state. If Georgia fails to demonstrate full compliance, the OJJDP reduces our federal funding by 20% for each core requirement failure.
- More than a century of research supports the premise that youth are fundamentally different than adults, in both their level of responsibility as well as their potential for rehabilitation. The JJDP core requirements represent the highest standards for juveniles and are a result of evidence based research. Georgia is committed to providing what is "best practice" for juveniles who come into contact with the justice system.
- The DSO, jail removal, and sight and sound separation requirements can be found in both Georgia Code (O.C.G.A) and federal law.

For further information, please contact:

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