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 access 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 lockups, 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>
<thead>
<tr>
<th>Month</th>
<th>Tasks</th>
</tr>
</thead>
</table>
| 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

<table>
<thead>
<tr>
<th>Step</th>
<th>Due Date</th>
<th>Illustrative Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting Period</td>
<td>October 1 – September 30</td>
<td>10/1/15 – 9/30/16</td>
</tr>
<tr>
<td>Compliance Data Due</td>
<td>January 31st (covering previous Federal fiscal year)</td>
<td>1/31/17</td>
</tr>
<tr>
<td>Determination Letters Issued</td>
<td>No later than April 30 (covering previous Federal fiscal year)</td>
<td>4/30/17</td>
</tr>
<tr>
<td>State Appeals Due</td>
<td>Within 30 days of receipt of determination</td>
<td>5/30/17</td>
</tr>
<tr>
<td>Projected Issuance of Title II Solicitation</td>
<td>March 30</td>
<td>3/30/17</td>
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<tr>
<td>Projected Due Date of Title II Grant Applications (State Plans)</td>
<td>June 30</td>
<td>6/30/17</td>
</tr>
<tr>
<td>Projected Award Date</td>
<td>No later than September 30</td>
<td>9/30/17</td>
</tr>
</tbody>
</table>

Why?

- Georgia participates in the JJDPA 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 25% 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 JJDPA 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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