

A photograph of the California State Capitol dome, featuring a dark dome and white columns, set against a blue sky with some clouds. The image is framed by a white curved border.

State Advisory Committee on Juvenile Justice and Delinquency Prevention: 2018 Compliance Monitoring

Annual Report
December 2019



**BOARD OF STATE AND COMMUNITY CORRECTIONS
STATE ADVISORY COMMITTEE ON JUVENILE JUSTICE
AND DELINQUENCY PREVENTION**

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Allison Ganter.....Deputy Director, Facilities Standards & Operations and Research
Ricardo Goodridge..... Deputy Director, Corrections Planning & Grant Programs
Eloisa Tuitama..... Compliance Monitor, Facilities Standards & Operations
Ginger Wolfe..... Staff Services Manager I, Facilities Standards & Operations



BACKGROUND

The Board of State and Community Corrections (BSCC) is the State Administering Agency that receives and disburses federal Title II formula grants to support state and local efforts in delinquency prevention and juvenile justice system improvement. To remain eligible for such funds, the BSCC must maintain compliance with the Juvenile Justice and Delinquency Prevention Act (JJJPA) of 1974 (as amended in 2002 and 2018), which is the enabling legislation for both the Title II formula grants and the state's juvenile justice advisory group.¹ California's state advisory group is the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP). The SACJJDP is a governor-appointed group of subject matter experts.

A requirement for compliance with the JJJPA is submission of an annual report from the state's juvenile justice advisory group to the Governor and Legislature, with recommendations regarding compliance with the first three of the four JJJPA core requirements (those specifically related to compliance monitoring).² The fourth core requirement (Reducing Disproportionate Minority Contact) is addressed separately and is not a part of the annual report to the Governor and Legislature.

The core requirements relative to compliance monitoring are:

1. Deinstitutionalization of Status Offenders³ (DSO)

Prohibits, with specific exceptions, juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult (status offenders, truants, in-state runaways) from being held in secure detention.

2. Separation⁴

Prohibits youth who are under the jurisdiction of the juvenile court from having sight and/or sound contact with adult inmates while in secure detention.

3. Jail Removal⁵

Prohibits the secure detention of youth in a lock-up or jail for longer than six (6) hours.

This report will provide the Governor and Legislature with the most recent data submitted to the Office of Juvenile Justice and Delinquency Prevention (OJJDP), as well as the SACJJDP's recommendations regarding compliance with the core requirements.

¹ 34 U.S.C. §§ 11131-11134.

² 34 U.S.C. § 11133(a)(3)(D)(ii).

³ 34 U.S.C. § 11133(a)(11).

⁴ *Id.* at (a)(12).

⁵ *Id.* at (a)(13).

COMPLIANCE WITH CORE REQUIREMENTS

BSCC staff monitor nearly 1,200 law enforcement facilities for compliance with the core requirements. Through data collection and inspection, the BSCC annually determines the number of violations of core requirements at these facilities, and in accordance with the JJDP, submits an annual report on compliance to OJJDP.

Attachment A contains the BSCC's annual compliance monitoring report for the 2018 federal fiscal year reporting period, which runs from October 1, 2017 through September 30, 2018. Attachment B is a summary of violations of the core requirements since 2003.

California maintains compliance with the core requirements so long as the rate of violations does not exceed the "de minimus" number of violations as established by OJJDP. OJJDP recalculates standards for compliance annually using a process described in federal regulation. States that report a rate at or below the standard are in compliance. States that report a rate exceeding the year's standards are out of compliance.

Data from the 2018 reporting period verifies that California remains in de minimus compliance with all three core requirements.

| Core Requirement | Federal Standard | California 2018 Rates |
|-------------------------|-------------------------|------------------------------|
| DSO | 5.85 | 0.62 |
| Separation | 0.30 | 0.00 |
| Jail Removal | 7.04 | 1.14 |

Note: OJJDP develops standard rates of compliance per 100,000 juvenile population.

Since 2003, California's rates of violation have decreased overall (see Attachment B); however, in comparing the 2017 and 2018 reporting periods DSO and Jail Removal violations increased. DSO violations increased by 26 percent due to violations that occurred in juvenile hall and camp facilities. The rise in DSO violations are attributed to common reasons for DSO violation, including:

- in-state runaways;
- out-of-state runaways without Interstate Compact Agreements; and
- truancy.

The increase in violations suggest the need for training and technical assistance specific to juvenile halls and camps on the DSO requirement.

Jail Removal violations increased 3 percent between the 2017 and 2018 reporting periods. The increase occurred among status offenders and nonoffenders. Common reported reasons include:

- history of delinquent;
- flight risk;
- danger to self or others; and
- combative, aggressive, or violent behavior.

The increased violations suggest the need for education specific to the Jail Removal requirement and the treatment of status offenders and non-offenders.

Despite increases in DSO and Jail Removal violations, the rates of violation continue to decrease. Since 2003, DSO violations have decreased 77 percent and Jail Removal violations decreased nearly 45 percent (see Attachment B). There have been violations of the separation requirement over the years; however, the BSCC determined that each incident was isolated and provided necessary statements of explanation to OJJDP.

It should be noted that as the number of law enforcement facilities in the compliance monitoring universe continues to increase each year, overall rates of violations continue to decline.

BARRIERS TO COMPLIANCE AND STRATEGIES TO OVERCOME THEM

To maintain compliance, the BSCC identifies barriers to compliance and develops strategies on the bi-monthly and annual basis. Below is summary of barriers and strategies.

| Barrier | Strategy |
|---|---|
| <p>The volume of admissions to juvenile detention facilities, adult jails and lockups makes it difficult for the BSCC to review all appropriate data outside of the biennial inspection cycle.</p> | <p>The BSCC has streamlined its data collection process, making it easier for law enforcement agencies and probation departments to submit information.</p> |
| <p>The sheer number of facilities in California (nearly 1,200) makes it difficult to verify all appropriate data annually on-site.</p> | <p>The BSCC continues to identify barriers and develop strategies regarding the compliance monitoring inspections and the compliance monitoring system on a regular and on-going basis.</p> |
| <p>The turnover in local correctional staff creates a gap of knowledge with respect to core requirements in some facilities; constant training is required.</p> | <p>The BSCC provides on-going technical assistance to law enforcement agencies and probation departments, both general and targeted. If a facility's data appears inconsistent with previous data, or if there is an increase in violations, the BSCC provides specific technical assistance and training.</p> <p>The BSCC developed training aids specific to the core requirements.</p> <p>The BSCC is considering the cost and process of updating and revising its 40-minute training video that outlines federal and state requirements relative to minors in detention. The training video is accompanied by a workbook designed to aid the detention facility staff.</p> <p>BSCC staff provides pre-inspection briefings to law enforcement agencies and probation departments; all information relevant to the upcoming inspection is provided, including detailed information on core requirements and essential data.</p> |

| | |
|---|--|
| <p>The internal changes in BSCC staff creates gaps of knowledge with respect to compliance monitoring in certain facilities</p> | <p>The BSCC has provided general and tailored training to FSO staff, focusing on the applicability of core requirements at different facilities.</p> <p>To further streamline the compliance monitoring process and foster consistent inspections, BSCC has developed a detailed internal policy and procedures manual for FSO staff.</p> <p>The policy and procedures manual has the most up-to-date guidance and standards from OJJDP.</p> |
| <p>The FFY 18 data shows increased DSO violations in juvenile halls and camps and increased Jail Removal violations of status offenders and nonoffenders in lockups.</p> | <p>The BSCC will conduct targeted outreach, education, and technical assistance on DSO in juvenile halls and Jail Removal as applied to status offenders and non-offenders.</p> |

SACJJDP RECOMMENDATIONS

The SACJJDP recommends that the Governor and Legislature continue to support the BSCC's approach to compliance monitoring, including strategies to overcome the barriers mentioned above. The SACJJDP bases its recommendation on the decreasing violation rates and the continuous training and technical assistance BSCC provides to the field.

The SACJJDP also recommends that BSCC update the 3-Year Plan for the application of the federal Title II Formula Grants program, highlighting California's effort and commitment to maintaining compliance with the core requirements.

ATTACHMENTS:

A: OJJDP California Compliance Data Collection FFY 2018

B: Summary of California Violations of JJDPA Since 2003



OJJDP Compliance Monitoring Report Form, FY 2018

(October 1, 2017 - September 30, 2018)

STATE/TERRITORY NAME: CALIFORNIA

Section I: STATE PROFILE

1. STATE JUVENILE POPULATION DATA

Directions - Use the blue drop-down box to answer question 1a. For questions 1b and 1c, use the "population data" tab to look up the population totals for your state and enter the number into the appropriate box.

| | | |
|-----|---|-----------|
| 1a) | Age at which original juvenile court jurisdiction ends (upper age at which a person is still classified as a juvenile). | 17 |
| 1b) | Total population, at and below the age at which original juvenile court jurisdiction ends. | 9,060,136 |
| 1c) | Total population under the age of 18: | 9,060,136 |

2. FEDERAL DEFINITIONS

Directions - Use the blue drop-down box to answer question 2a.

| | | |
|-----|--|-----|
| 2a) | During the State's monitoring effort, were Federal definitions (under the Juvenile Justice and Delinquency Prevention Act or its implementing regulations) used? | Yes |
|-----|--|-----|

3. FACILITY SUB-TYPE - SECURE DETENTION or CORRECTION FACILITIES

Directions - Use the yellow cells to report data on the facilities that meet the definition of a **secure detention facility** or **secure correctional facility** (i.e. those facilities where a **DSO** violation may occur). The green cells will automatically populate.

| Facility sub-type | Number of secure detention or correctional facilities | Number of facilities that reported data | Percent of facilities that reported data | Number that received onsite inspections | Percent that received an onsite inspection |
|---|---|---|--|---|--|
| 3a) Juvenile Detention Facilities | 55 | 55 | 100.0% | 28 | 50.9% |
| 3b) Juvenile Correctional Facilities | 57 | 53 | 93.0% | 15 | 26.3% |
| 3c) Adult Jails | 121 | 121 | 100.0% | 79 | 65.3% |
| 3d) Adult Lockups | 516 | 516 | 100.0% | 314 | 60.9% |
| 3e) Prisons | 35 | | | 0 | 0.0% |
| 3f) Other secure residential facilities use for the placement of individuals accused or adjudicated/convicted of a criminal offense | 0 | | | 0 | #DIV/0! |
| 3g) Total (note: this sum excludes prisons and other secure residential facilities) | 749 | 745 | 99.47% | 436 | 58.2% |

4. FACILITY SUB-TYPE - INSTITUTIONS

Directions - In the table below, use the yellow cells to report data on **institutions** (i.e. secure facilities used by law enforcement or juvenile/criminal justice authorities to detain or confine individuals). Institutions are those facilities where a **separation** violation may occur. The green cells will automatically populate.

| Facility Sub-Type - Institution | | Number of institutions | Number that received onsite inspections | Percent that received onsite inspections |
|---------------------------------|---|------------------------|---|--|
| 4a) | Juvenile Detention Facilities | 55 | 28 | 50.9% |
| 4b) | Juvenile Correctional Facilities | 57 | 15 | 26.3% |
| 4c) | Adult Jails | 121 | 79 | 65.3% |
| 4d) | Adult Lockups | 516 | 314 | 60.9% |
| 4e) | Prisons | 35 | 0 | 0.0% |
| 4f) | Court holding facilities | 113 | 81 | 71.7% |
| 4g) | Other secure residential facilities use for the placement of individuals accused or adjudicated/convicted of a criminal offense | 0 | 0 | #DIV/0! |
| 4h) | Total | 897 | 517 | 57.6% |

5. FACILITY SUB-TYPE - ADULT JAIL or LOCKUP

Directions - In the table below, use the yellow cells to report numbers on the facilities that meet the definition of a **jail or lockup for adults** (i.e. those facilities where a **jail removal** violation may occur). The green cells will automatically populate.

| Facility Sub-Type | | Number that meet the definition of an adult jail or lockup | Number that reported data | Percent that reported data | Number that received onsite inspections | Percent that received onsite inspections |
|-------------------|---------------|--|---------------------------|----------------------------|---|--|
| 5a) | Adult Jails | 121 | 121 | 100.0% | 79 | 65.3% |
| 5b) | Adult Lockups | 516 | 516 | 100.0% | 314 | 60.9% |
| 5c) | Total | 637 | 637 | 100.0% | 393 | 61.7% |

6. FACILITY SUB-TYPE - COLLOCATED

Directions - In the table below, use the yellow cells to report numbers on secure juvenile detention or juvenile correctional facilities that are **collocated** with an adult jail or adult lockup. (Note: This is a **duplicated** count and may include secure juvenile detention and/or correctional facilities tallied in questions 3-5 above).

| Facility Sub-Type | | Number of <u>collocated</u> juvenile facilities in adult jail or lockup | Number that received onsite inspections | Percent that received onsite inspections |
|-------------------|---|---|---|--|
| 6a) | Secure Juvenile Detention or Correctional Facilities that are Collocated with an Adult Jail or Lockup | 5 | 5 | 100.0% |

7. SUMMARY OF FACILITIES REQUIRED TO REPORT COMPLIANCE DATA - 85% RULE

| | | |
|-----|--|-------|
| 7a) | Cumulative percent of facilities reporting data that are required to report compliance data (85% rule) | 99.5% |
|-----|--|-------|

STATE/TERRITORY NAME:

Section II: DEINSTITUTIONALIZATION OF STATUS OFFENDERS (DSO)

Directions - Use the yellow cells to fill in the requested numbers. The green cells will automatically populate.

STATUS OFFENDERS AND NON-OFFENDERS PLACED IN SECURE DETENTION OR CORRECTIONAL FACILITIES

| | | |
|----|--|-------|
| 1) | Number of accused status offenders who were <u>placed</u> in secure detention or secure correctional facilities (both juvenile and adult facility types). <i>Include status offender Valid Court Order violators (where applicable) and out of state runaways. Do not include juveniles held in violation of the Youth Handgun Safety Act or similar state law.</i> | 59 |
| 2) | Number of adjudicated status offenders who were <u>placed</u> in secure detention or secure correctional facilities (both juvenile and adult facility types). <i>Include status offender Valid Court Order violators (where applicable) and out of state runaways. Do not include juveniles held in violation of the Youth Handgun Safety Act or similar state law.</i> | 8 |
| 3) | Number of accused and adjudicated status offenders who were <u>placed</u> in secure juvenile detention or secure juvenile correctional facilities who were charged with or committed a violation of a valid court order. <i>(Note: This is a statutory exception to the total number of instances of non-compliance with DSO.)</i> | 0 |
| 4) | Number of accused and adjudicated status offenders who were <u>placed</u> in secure juvenile detention or secure juvenile correctional facilities in accordance with the Interstate Compact on Juveniles as enacted by the State. <i>(Note: This is a statutory exception to the total number of instances of non-compliance with DSO.)</i> | 13 |
| 5) | Calculated total number of status offenders <u>placed</u> in secure detention or secure correctional facilities that do not meet one of the statutory exceptions and therefore result in instances of non-compliance with DSO. | 54.00 |
| 6) | Number of non-offenders who are aliens or who were alleged to be dependent, neglected, or abused, who were <u>placed</u> in secure detention or secure correctional facilities. | 2 |
| 7) | Calculated total number of DSO violations. | 56.00 |

DSO Summary

| | | |
|-----|--|-------|
| 8) | Calculated total number of DSO violations adjusting for non-reporting facilities. | 56.30 |
| 9) | Rate of non-compliance with DSO per 100,000 juvenile population. | 0.62 |
| 10) | Rate of non-compliance with DSO per 100,000 juvenile population, adjusting for non-reporting facilities. | 0.62 |

STATE/TERRITORY NAME:

CALIFORNIA

Section III: SEPARATION

Directions - Use the drop-down box to answer question 1a. In the yellow boxes below, enter the requested number. The green cells will automatically populate.

1. POLICY IMPACTING SEPARATION

| | | |
|-----|--|-----|
| 1a) | Does the state have a policy in effect that requires individuals who work with both juveniles and adult inmates to have been trained and certified to work with juveniles? | YES |
|-----|--|-----|

2. SIGHT and SOUND SEPARATION in SECURE JUVENILE DETENTION or CORRECTIONAL FACILITIES

| | | |
|-----|--|---|
| 2a) | Number of juveniles alleged to be or found to be delinquent detained or confined in secure juvenile detention and secure juvenile correctional facilities who were not sight and sound separated from adult inmates, including inmate trustees. | 0 |
| 2b) | Number of juvenile status offenders and juvenile non-offenders who were aliens or alleged to be dependent, neglected, abused, detained or confined in secure juvenile detention and secure juvenile correctional facilities who were not sight and sound separated from adult inmates, including inmate trustees. | 0 |
| 2c) | Total number of juveniles alleged to be or found to be delinquent, juvenile status offenders, and juvenile non-offenders who are aliens or alleged to be dependent, neglected, abused, detained or confined in secure juvenile detention and secure juvenile correctional facilities who were not sight and sound separated from adult inmates, including inmate trustees. | 0 |

3. SIGHT and SOUND SEPARATION in ADULT JAILS, ADULT LOCKUPS, or PRISONS

| | | |
|-----|---|---|
| 3a) | Number of juveniles alleged to be or found to be delinquent, detained or confined in jails or lockups for adults or adult prisons who were not sight and sound separated from adult inmates. | 0 |
| 3b) | Number of juvenile status offenders and juvenile non-offenders who are aliens or alleged to be dependent, neglected, or abused, detained or confined in jails or lockups for adults or adult prisons, without sight and sound separation from adult inmates. | 0 |
| 3c) | TOTAL number of juveniles alleged to be or found to be delinquent, juvenile status offenders, and juvenile non-offenders who are aliens or alleged to be dependent, neglected, or abused, who were detained or confined in jails or lockups for adults or adult prisons without sight and sound separation. | 0 |

4. SIGHT and SOUND SEPARATION in COURT HOLDING FACILITIES

| | | |
|-----|--|---|
| 4a) | Number of juveniles alleged to be or found to be delinquent, detained or confined in court holding facilities who were not sight and sound separated from adult inmates. | 0 |
| 4b) | Number of juvenile status offenders and juvenile non-offenders who are aliens or alleged to be dependent, neglected, or abused detained or confined in court holding facilities who were not sight and sound separated from adult inmates. | 0 |
| 4c) | TOTAL number of juveniles alleged to be or found to be delinquent, juvenile status offenders, and juvenile non-offenders who are aliens or alleged to be dependent, neglected, or abused detained or confined in court holding facilities who were not sight and sound separated from adult inmates. | 0 |

5. SIGHT and SOUND SEPARATION SUMMARY

| | | |
|-----|---|---|
| 5a) | TOTAL number of juveniles alleged to be or found to be delinquent, juvenile status offenders, and juvenile non-offenders who are aliens or alleged to be dependent, neglected, or abused, not sight and sound separated from adult inmates in Secure Juvenile Detention Facilities, Secure Juvenile Correctional Facilities, Adult Jails, Adult Lockups, Prisons, and Court Holding Facilities. | 0 |
| 5b) | RATE of non-compliance with separation per 100,000 juveniles at and below the age at which original juvenile court jurisdiction ends. | 0 |

STATE/TERRITORY NAME: CALIFORNIA

Section IV: JAIL REMOVAL

Directions - Use the drop-down box to answer question 1a. In the yellow boxes below, enter the requested number. The green cells will automatically populate.

1. POLICY IMPACTING JAIL REMOVAL

| | | |
|----|--|-----|
| 1) | Is there a state policy in effect requiring individuals who work with both adult inmates and juveniles to be trained and certified to work with juveniles? | YES |
|----|--|-----|

2. FACILITIES IN WHICH JUVENILES WERE DETAINED OR CONFINED

| | | |
|-----|--|---|
| 2a) | Number of Adult Jails and Adult Lockups in which juveniles were detained or confined that meet rural exception criteria (pursuant to Section 223(a)(13)(B)(ii)(I) of the JJDP Act) and for which approval has been granted by OJJDP. | 0 |
|-----|--|---|

3. JUVENILES DETAINED WITHIN SIGHT OR SOUND CONTACT OF ADULT INMATES

| | | |
|-----|--|---|
| 3a) | Number of juveniles accused of delinquent offenses detained or confined in Adult Jails or Adult Lockups 6 hours or less for processing or release, awaiting transfer to a juvenile facility, or prior to/following a court appearance, but who had contact with adult inmates (pursuant to Section 223(a)(13)(A) of the JJDP Act). | 0 |
|-----|--|---|

4. JUVENILES ACCUSED OF DELINQUENT OFFENSES OR ADJUDICATED DELINQUENT

| | | |
|-----|--|----|
| 4a) | Number of juveniles accused of delinquent offenses detained or confined in Adult Jails and Adult Lockups in excess of 6 hours, and not pursuant to a valid use of the rural, travel conditions or safety exceptions, as detailed in Section 223(a)(13)(B) of the JJDP Act. | 58 |
| 4b) | Number of juveniles accused of delinquent offenses detained or confined in Adult Jails and Adult Lockups, for 6 hours or less for purposes other than processing or release, while awaiting transfer to a juvenile facility, or periods during which such juveniles are making court appearances (pursuant to Section 223(a)(13)(A) of the JJDP Act). | 0 |
| 4c) | Number of juveniles accused of delinquent offenses who were detained or confined in excess of 6 hours but less than 48 hours (not including weekends and legal holidays) awaiting an initial court appearance in an Adult Jail or Adult Lockup approved by OJJDP for use of the rural exception, provided that during this time there was no contact with adult inmates (pursuant to Section 223(a)(13)(B)(ii)(I) of the JJDP Act) (Note: This is a statutory exception to the total number of instances of non-compliance with jail removal.) | 0 |
| 4d) | Number of juveniles accused of delinquent offenses who were detained or confined in excess of 48 hours but less than 96 hours (not including weekends and legal holidays) awaiting an initial court appearance in an Adult Jail or Adult Lockup due to conditions of distance to be traveled or the lack of highway, road, or transportation, provided that during this time there was no contact with adult inmates (pursuant to Section 223(a)(13)(B)(ii)(II) of the JJDP Act) (Note: This is a statutory exception to the total number of instances of non-compliance with jail removal.) | 0 |
| 4e) | Number of juveniles accused of delinquent offenses awaiting an initial court appearance in an Adult Jail or Adult Lockup where conditions of safety existed (e.g., severe adverse, life-threatening weather conditions that do not allow for reasonably safe travel) and who were detained or confined for in excess of 6 hours but not more than 24 hours after the time that such conditions allowed for reasonably safe travel, provided that during this time there was no contact with adult inmates (pursuant to Section 223(a)(13)(B)(ii)(III) of the JJDP Act) (Note: This is a statutory exception to the total number of instances of non-compliance with jail removal.) | 0 |
| 4f) | Number of juveniles adjudicated of delinquent offenses who were detained or confined in Adult Jails and Adult Lockups for any length of time. | 0 |

5. JUVENILE STATUS AND NONOFFENDERS

| | | |
|-----|--|----|
| 5a) | Number of accused or adjudicated status offenders detained or confined for any length of time in Adult Jails or Adult Lockups. | 24 |
| 5b) | Number of juvenile non-offenders detained or confined for any length of time in Adult Jails or Adult Lockups. | 21 |

6. JAIL REMOVAL SUMMARY

| | | |
|-----|--|---------|
| 6a) | Total instances of non-compliance with the Jail removal requirement as a result of juveniles detained or confined in Adult Jails and Adult Lockups. | 103 |
| 6b) | Total instances in which the state used the rural, travel conditions, or conditions of safety exceptions to detain or confine juveniles in Adult Jails and Adult Lockups in excess of 6 hours. | 0 |
| 6c) | Total instances of non-compliance with the Jail removal requirement as a result of juveniles detained or confined in Adult Jails and Adult Lockups adjusting for non-reporting facilities. | 103 |
| 6d) | Rate of non-compliance with jail removal per 100,000 juvenile population at and below the age at which original juvenile court jurisdiction ends. | 1.13685 |
| 6e) | Rate of non-compliance with jail removal per 100,000 juvenile population at and below the age at which original juvenile court jurisdiction ends, adjusting for non-reporting facilities. | 1.13685 |

POPULATION DATA FOR SECTION I - STATE PROFILE, QUESTION 1.

corresponds with the state's upper age at which original juvenile court jurisdiction ends. All respondents will report the population total shown in the third table (shaded green) in the "State profile" tab, question 1c.

Table 1. States by total population age 15 and under (ages 0-15)

| | |
|--------------------------|-----------|
| Alabama | 964895 |
| Alaska | 165232 |
| Arizona | 1445195 |
| Arkansas | 624836 |
| California | 8025519 |
| Colorado | 1119439 |
| Connecticut | 648530 |
| Delaware | 180817 |
| District of Columbia | 113806 |
| Florida | 3707696 |
| Georgia | 2219330 |
| Hawaii | 274392 |
| Idaho | 393125 |
| Illinois | 2555463 |
| Indiana | 1388295 |
| Iowa | 648699 |
| Kansas | 632194 |
| Kentucky | 894159 |
| Louisiana | 984035 |
| Maine | 221145 |
| Maryland | 1191652 |
| Massachusetts | 1201738 |
| Michigan | 1910519 |
| Minnesota | 1153393 |
| Mississippi | 629898 |
| Missouri | 1223222 |
| Montana | 203541 |
| Nebraska | 424065 |
| Nevada | 608451 |
| New Hampshire | 226089 |
| New Jersey | 1742912 |
| New Mexico | 431784 |
| New York | 3672060 |
| North Carolina | 2032110 |
| North Dakota | 158492 |
| Ohio | 2294880 |
| Oklahoma | 852981 |
| Oregon | 773330 |
| Pennsylvania | 2344830 |
| Rhode Island | 181977 |
| South Carolina | 977015 |
| South Dakota | 192509 |
| Tennessee | 1332617 |
| Texas | 6542724 |
| Utah | 826505 |
| Vermont | 102318 |
| Virginia | 1655358 |
| Washington | 1462787 |
| West Virginia | 326314 |
| Wisconsin | 1131326 |
| Wyoming | 121913 |
| American Samoa | 35,789 |
| Guam | 121,672 |
| Northern Mariana Islands | 38,387 |
| Puerto Rico | 2,792,242 |
| US Virgin Islands | 85,305 |

Table 2. States by total population age 16 and under (ages 0-16)

| | |
|--------------------------|-----------|
| Alabama | 1029823 |
| Alaska | 174955 |
| Arizona | 1538604 |
| Arkansas | 664835 |
| California | 8537908 |
| Colorado | 1190567 |
| Connecticut | 695461 |
| Delaware | 192481 |
| District of Columbia | 119104 |
| Florida | 3951779 |
| Georgia | 2365840 |
| Hawaii | 290122 |
| Idaho | 418456 |
| Illinois | 2724853 |
| Indiana | 1480025 |
| Iowa | 689847 |
| Kansas | 672052 |
| Kentucky | 951519 |
| Louisiana | 1045524 |
| Maine | 236643 |
| Maryland | 1268892 |
| Massachusetts | 1284582 |
| Michigan | 2042343 |
| Minnesota | 1225755 |
| Mississippi | 671263 |
| Missouri | 1302568 |
| Montana | 216278 |
| Nebraska | 449787 |
| Nevada | 646945 |
| New Hampshire | 242273 |
| New Jersey | 1859550 |
| New Mexico | 459737 |
| New York | 3909926 |
| North Carolina | 2167137 |
| North Dakota | 167128 |
| Ohio | 2448513 |
| Oklahoma | 905635 |
| Oregon | 822892 |
| Pennsylvania | 2502548 |
| Rhode Island | 194480 |
| South Carolina | 1040097 |
| South Dakota | 203561 |
| Tennessee | 1419331 |
| Texas | 6953356 |
| Utah | 876488 |
| Vermont | 109398 |
| Virginia | 1761537 |
| Washington | 1553446 |
| West Virginia | 347643 |
| Wisconsin | 1206254 |
| Wyoming | 129062 |
| American Samoa | 34,768 |
| Guam | 118,890 |
| Northern Mariana Islands | 37,463 |
| Puerto Rico | 2,752,841 |
| US Virgin Islands | 84,023 |

Table 3. States by total population age 17 and under (ages 0-17)

| | |
|--------------------------|-----------|
| Alabama | 1095473 |
| Alaska | 184928 |
| Arizona | 1633490 |
| Arkansas | 705540 |
| California | 9060136 |
| Colorado | 1261833 |
| Connecticut | 743826 |
| Delaware | 204484 |
| District of Columbia | 124492 |
| Florida | 4201983 |
| Georgia | 2514698 |
| Hawaii | 305744 |
| Idaho | 443792 |
| Illinois | 2897185 |
| Indiana | 1573409 |
| Iowa | 731947 |
| Kansas | 712538 |
| Kentucky | 1010539 |
| Louisiana | 1108403 |
| Maine | 252634 |
| Maryland | 1347506 |
| Massachusetts | 1369955 |
| Michigan | 2176649 |
| Minnesota | 1298657 |
| Mississippi | 713567 |
| Missouri | 1382971 |
| Montana | 228889 |
| Nebraska | 475733 |
| Nevada | 685463 |
| New Hampshire | 258773 |
| New Jersey | 1979018 |
| New Mexico | 488090 |
| New York | 4154497 |
| North Carolina | 2302346 |
| North Dakota | 175772 |
| Ohio | 2605235 |
| Oklahoma | 959285 |
| Oregon | 873619 |
| Pennsylvania | 2664515 |
| Rhode Island | 207332 |
| South Carolina | 1104674 |
| South Dakota | 214856 |
| Tennessee | 1507502 |
| Texas | 7366039 |
| Utah | 926699 |
| Vermont | 116825 |
| Virginia | 1869176 |
| Washington | 1645816 |
| West Virginia | 369718 |
| Wisconsin | 1282644 |
| Wyoming | 136483 |
| American Samoa | 33,772 |
| Guam | 116,188 |
| Northern Mariana Islands | 36,520 |
| Puerto Rico | 2,712,051 |
| US Virgin Islands | 82,834 |

State data source: Population counts are from yearend 2017. Data are from the Office of Juvenile Justice and Delinquency Prevention's Easy Access to Juvenile Populations: 1990-2017. Accessed January 11, 2019 from <https://www.ojjdp.gov/ojstatbb/ezapop/>.

Territory data source: Population counts are from yearend 2018. Data are from the U.S. Census Bureau International data program. Accessed January 10, 2019 from <https://www.census.gov/data-tools/demo/idb/informationGateway.php>

Definitions^[1]

Adult inmate means an individual who has reached the age of full criminal responsibility under applicable state law and has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal offense.

Collocated facilities means facilities that are located in the same building or are part of a related complex of buildings located on the same

Contact under 28 C.F.R. § 31.303(d)(1)(i) of Title 28, as in effect on December 10, 1996, means the degree of interaction allowed between juvenile offenders in secure custody and incarcerated adults. As per the aforementioned, the term contact is defined to include any physical or sustained sight and sound contact between juveniles in secure custody and incarcerated adults, including inmate trustees. Sight contact is defined as clear visual contact between incarcerated adults and juveniles within close proximity to each other. Sound contact is defined as direct oral communication between incarcerated adults and juvenile offenders.

Court holding facility means a secure facility other than an adult jail or lockup used to temporarily detain persons immediately before or after detention hearings or other court proceedings.

Criminal-type offender means a juvenile offender who has been charged who or adjudicated for conduct which would, under the law of the jurisdiction in which the offense was committed, be a crime, if committed by an adult.

Detain or confine means to hold, keep, or restrain a person such that he or she is not free to leave or that a reasonable person would believe that he is not free to leave. The exception is a juvenile that law enforcement holds solely to return him to his parent or guardian or pending his transfer to the custody of a child welfare or social service agency. In this case, the youth is not detained or confined within the meaning of this

Facility means a place, institution, building or part thereof, set of buildings, or an area whether or not enclosing a building or set of buildings that is used for the lawful custody and treatment of juveniles and may be owned and/or operated by public or private agencies.

Institution means a secure facility that law enforcement or a juvenile or criminal court authority uses to detain or confine juveniles or adults (1) accused of having committed a delinquent or criminal offense, (2) awaiting adjudication or trial for the delinquent or criminal offense, or (3) found to have committed the delinquent or criminal offense.

Jail or lockup for adults means a locked facility that a state, unit of local government, or any law enforcement authority uses to detain or confine adults (1) pending the filing of a charge of violating a criminal law, (2) awaiting trial on a criminal charge, or (3) convicted of violating a

Juvenile offender means an individual subject to the exercise of juvenile court jurisdiction for purposes of adjudication and treatment based on age and offense limitations as defined by state law, i.e., a criminal-type offender or a status offender.

Lawful Custody means the exercise of care, supervision, and control over a juvenile offender or nonoffender pursuant to the provisions of the law or a judicial order or decree.

Maximum age of extended juvenile court jurisdiction means the age above which a juvenile court may no longer exercise jurisdiction under

Monitoring universe means all public and private facilities in which law enforcement or criminal or juvenile court authority may detain juveniles and/or adult inmates.

Placed or placement refers to what has occurred:

1. When a juvenile charged with a status offense:
 - a. Is detained or confined in a secure correctional facility for juveniles or a secure detention facility for juveniles;
 - (1) For 24 hours or more before an initial court appearance;
 - (2) For 24 hours or more following an initial court appearance; or
 - (3) For 24 hours or more for investigative purposes or identification;
 - b. Is detained or confined in a secure correctional facility for adults or a secure detention facility for adults or with respect to any situations not described in paragraph (1) or (2) of this definition, is detained or confined pursuant to a formal custodial arrangement that a court has ordered or other entity authorized by state law to make such an arrangement; or
2. When a juvenile who is not charged with any offense, and who is an alien or alleged to be dependent, neglected, or abused, is detained or confined in a secure correctional facility for juveniles or adults or a secure detention facility for juveniles or adults.

Related complex of buildings means two or more buildings that share (1) physical features, such as walls and fences or services beyond mechanical services (heating, air conditioning, water and sewer or (2) specialized services, such as medical care, food service, laundry, maintenance, and engineering.

Residential means equipped with beds, cots, or other sleeping quarters and has the capacity to provide for overnight accommodations for juveniles or adults who are accused of committing or who have committed an offense.

Secure, as used to define a detention or correctional facility, includes residential facilities that include construction features to physically restrict the movements and activities of persons in custody, such as locked rooms and buildings, fences, or other physical structures. It does not include facilities where physical restriction of movement or activity is provided solely through facility staff.

Secure correctional facility means any public or private residential facility that (1) includes construction fixtures to physically restrict the movements and activities of juveniles or other individuals held in lawful custody in such facility and (2) is used for the placement, after adjudication and disposition, of any juvenile who has been adjudicated as having committed an offense or any other individual convicted of a

Secure detention facility means any public or private residential facility that (1) includes construction fixtures to physically restrict the movements and activities of juveniles or other individuals held in lawful custody in the facility and (2) is used for the temporary placement of any juvenile who is accused of having committed an offense or any other individual accused of having committed a criminal offense.

State means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Status offender means a juvenile offender who has been charged with or adjudicated for conduct which would not, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult.

Twenty-four hours means a consecutive 24-hour period, exclusive of any hours on Saturdays, Sundays, public holidays, or days on which the courts in a jurisdiction otherwise are closed.

Valid court order means a court order that a juvenile court judge gives to a juvenile who was brought before the court and made subject to the order and who received, before the issuance of the order, the full due process rights that the U.S. Constitution guarantees to the juvenile.

[\[1\] Definitions may be found at 34 U.S.C. § 11103 or 28 C.F.R. § 31.304.](#)

Compliance Monitoring Report Checklist

Please ensure the following compliance-related attachments are included with submission of your State's Compliance Monitoring Report, where applicable:

- A copy of this Compliance Monitoring Report and checklist.
- The name and address of any non-reporting facilities. Include an outline of the State's plan to collect future data from those non-reporting facilities.
- A copy of your State's most recently updated monitoring universe. The universe should include: each facility identified that might hold juveniles pursuant to law enforcement or juvenile court authority; each facility classified per OJJDP parameters; and the date of last inspection.
- A list of all secure juvenile detention or secure juvenile correctional facilities that are collocated with an adult jail or lockup.
- A list of any facilities approved by OJJDP for use of the Rural Exception, including the county or jurisdiction in which each is located.
- A signed copy of your state's Title II Rural Removal Exception Certification Form.
- An explanation of how the State verifies that the criteria for using the Valid Court Order exclusion has been satisfied pursuant to 34 U.S.C 11133(a)(23).
- A signed copy of your state's Compliance Monitoring Data Certification Form.

California Violations of JJDP A Since 2003

Attachment B

| | 2018 | % change | 2017 | % change | 2016 | % change | 2015 | % change | 2014 | % change | 2013 | % change | 2012 | % change | 2011 | % change | 2010 | % Change | 2009 | % Change | 2008 | % Change | 2007 | % Change | 2006 | % Change | 2005 | % Change | 2004 | % Change | 2003 | |
|--------------------------------|------|----------|------|----------|------|----------|------|----------|------|----------|------|----------|------|----------|------|----------|--------|----------|------|----------|-------|----------|-------|----------|-------|----------|------|----------|------|----------|------|------|
| DSO JH | 30 | 88% | 16 | 7% | 15 | -6% | 16 | -60% | 40 | -7% | 43 | 13% | 38 | -22% | 49 | -39% | 80 | -20% | 75 | 11% | 90 | 70% | 53 | -47% | 100.6 | -63% | 270 | 28% | 211 | -11% | 237 | |
| DSO LOCKUPS | 24 | -11% | 27 | -27% | 37 | 0% | 37 | -31% | 54 | 20% | 45 | -48% | 87 | 43% | 61 | 177% | 22 | -12% | 25 | -38% | 40 | -13% | 46 | n/a | | | | | | | | |
| DSO TOTAL (JH + LU) | 54 | 26% | 43 | -17% | 52 | -2% | 53 | -44% | 94 | 7% | 88 | -30% | 125 | 14% | 110 | 8% | 102.00 | 2% | 100 | -23% | 130 | 31% | 99.37 | -1% | 100.6 | -63% | 270 | 28% | 211 | -11% | 237 | |
| DSO TOTAL RATE | 0.62 | 32% | 0.47 | -34% | 0.71 | 0% | 0.71 | -30% | 1.01 | 6% | 0.95 | -29% | 1.34 | 14% | 1.18 | 8% | 1.09 | 2% | 1.07 | -23% | 1.39 | 36% | 1.02 | -2% | 1.04 | -64% | 2.86 | 28% | 2.23 | -11% | 2.51 | |
| Separation | 0 | 0% | 0 | 0% | 0 | 0% | 0 | -100% | 1 | 100% | 0 | -100% | 2 | 200% | 0 | 0% | 0 | -100% | 1 | 0% | 1 | 0% | 1 | -97% | 33 | -25% | 44 | 100% | 0 | 0% | 0 | |
| Jail Removal Total (6 hr Rule) | 58 | -21% | 73 | -4% | 76 | 15% | 66 | -7% | 71 | 25% | 57 | -17% | 69 | 6% | 65 | -13% | 75 | -17% | 90 | 18% | 76.21 | -29% | 107 | -52% | 225 | 185% | 79 | 0% | 79 | -25% | 106 | |
| Jail Removal Rate | | | | | | | | | | | | | | | | | | | | | | | | | -100% | 2.33 | 177% | 0.84 | 0% | 0.84 | -25% | 1.12 |
| Jail Removal (total with SO) | 103 | 3% | 100 | -12% | 113 | 10% | 103 | -18% | 125 | 23% | 102 | -35% | 156 | 24% | 126 | 30% | 97.12 | -16% | 115 | -1% | 116 | -25% | 154.2 | | | | | | | | | |
| Jail Removal Rate | 1.14 | 3% | 1.1 | -11% | 1.24 | 12% | 1.11 | -17% | 1.34 | 22% | 1.1 | -35% | 1.68 | 24% | 1.36 | 32% | 1.03 | -16% | 1.23 | -1% | 1.24 | -22% | 1.59 | | | | | | | | | |

In 2006, we increased our lockup universe and also began to clean up status offender reporting methods and training. In 2007, we began reporting status offenders held in lockups, therefore increasing the DSO TOTAL and the JAIL REMOVAL TOTAL numbers. In 2016 the reporting period changed from a 12-month calendar year to a 12-month federal fiscal year beginning October 1st and ending September 31st.

-77% percentage change between 2003 total DSO and 2018 (page 3 of the Gov/Leg Report)

-45% percentage change between 2003 Jail Removal and 2018 (page 3 of the Gov/Leg Report)