

Juvenile Justice and Procedures Part 3

Federal Requirements

Objectives

At the end of this portion of instruction the trainee will be able to:

- 33. Know the handling procedures for law enforcement officers when taking juveniles believed to be status offenders or law violators into custody per federal regulation
- 34. Know the four core federal requirements regarding the detention of juveniles by law enforcement officers
- 35. Know the things to remember per federal regulations regarding the custody of status and delinquent offenders

POST Objectives

Federal Handling Procedures

Handling procedures for law enforcement officers when taking juveniles believed to be status offenders or law violators into custody per federal regulation.

Key Points:

Four Core Requirements

There are four core federal requirements regarding the detention of juveniles by law enforcement officers:

- De-institutionalization of status offenders
- Sight and sound separation
- Jail removal
- Disproportionate minority confinement

Key Points:

The following must be maintained in each of four core requirement areas:

1. The de-institutionalization of status offenders
 - Provides that juvenile status offenders and non-offenders (abused or neglected children) may not be detained in a secure facility.
 - This includes any length of time that they may spend in a law enforcement facility
2. The sight and sound separation of juveniles from adult offenders
 - Provides that if juveniles are temporarily detained in a facility that is also used to house adult offenders (either accused or adjudicated), sight and sound separation must be maintained between the juveniles and adult offenders, including trustees.
3. The removal of juveniles from adult jails and lockups
 - Provides that no juvenile may be detained or confined in an adult jail or lockup, unless transferred to adult court for criminal prosecution.
 - An exception does allow for a juvenile accused of a delinquent offense (a law violation as opposed to a status offense) to be securely held for up to six hours for processing purposes.
 - Sight and sound separation must still be maintained.
4. The implementation and maintenance of efforts to reduce the disproportionate number of minority juveniles in secure confinement

Juvenile Justice and Procedures

- Demonstrates an effort to reduce the number of minority youth in secure facilities where the proportion of minority youth in confinement exceeds the proportion such groups represent in the general population.

Custody by Offender Type

Things to remember per federal regulations regarding the custody of status and delinquent offenders.

- “Custody of Status vs Delinquent Offenders”

Key Points:

“Custody of Status vs Delinquent Offenders”

(See following page)

Custody by Offender Type

Status Offender

Do not use a holding cell

Do not cuff to stationary object

Do not lock in a room

May cuff to a non-stationary object
(ex. chair, table, themselves)

Delinquent Offender

May use a holding cell or locked room for processing purposes only for up to 6 hours

May cuff to stationary object for processing purposes only for up to 6 hours

May lock in a room for processing purposes only for up to 6 hours

May cuff to a non-stationary object
(ex. chair, table, themselves)

Custody by Offender Type

Status Offender

Do not allow sight or verbal contact with adult inmates or trustees

Keep a custody log

Check frequently - recommend constant monitoring/watching

Delinquent Offender

Do not allow sight or verbal contact with adult inmates trustees

Keep a custody log

Check frequently - recommend constant monitoring/watching

Note: For example, you may chose to place the delinquent offender in a cell for three hours, in a locked from for one hour and on a cuffing ring for two hours, but the total of all confinement cannot exceed six hours.