

## Compliance Monitoring Fact Sheet JJDP Act Core Requirements

In accordance with Sections 223(a)(11-14) of the JJDP Act, compliance must be maintained in each of the following four core requirement areas:

1. **Deinstitutionalization of Status Offenders (DSO)** - Status offenders, non-offenders, and civil-type offenders shall not be detained or confined in secure detention or correctional facilities. However, short-term secure custody of accused status offenders may, sometimes, be necessary. Federal regulations allow a juvenile detention facility to hold an accused status offender in a secure juvenile detention facility for up to 24 hours, exclusive of weekends and legal holidays prior to an initial court appearance, and for an additional 24 hours, exclusive of weekends and legal holidays, immediately following an initial court appearance. Status offenders who fail to appear for court hearings remain status offenders; they cannot be upgraded to delinquent status for their failure to appear.
2. **Removal of Juveniles from Adult Jails and Lockups (Jail Removal)** – No juvenile shall be detained or confined in any jail or lockup for adults. The JJDP Act provides the following exception: “juveniles who are accused of non-status offenses” may be detained in a jail or lockup “for a period not to exceed 6 hours for processing or release, while awaiting transfer to a juvenile facility, or during which period such juveniles make a court appearance, and only if such juveniles do not have contact with adult inmates.” Missouri Revised Statute Section 211.151 stipulates: “a child shall not be detained in a jail or other adult detention facility pending disposition of a case.”
3. **Sight and Sound Separation** - Accused or adjudicated delinquent offenders, status offenders, and non-offenders cannot have contact with adult inmates, including inmate trustees. Contact is defined to include any physical or sustained sight and sound contact. Sight contact is defined as clear visual contact between adult inmates and juveniles within close proximity to each other. Sound contact is defined as direct oral communication between adult inmates and juvenile offenders.
4. **Disproportionate Minority Contact (DMC)** - The JJDP Act requires states to “address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system.”

Failure by a state to maintain compliance in each of these core requirement areas results in the loss of 20% of funds for each category in which compliance is not maintained. Any remaining funds must be spent to address the noncompliance issues.

Missouri has developed a system to monitor compliance with these core requirements, including the collection of data, verification of that data, and the performance of onsite visits designed to validate Missouri's compliance efforts. The following Compliance Monitoring Schedule provides a brief overview of that system.

*Compliance Monitoring Schedule*

<b>Type of Facility</b>	<b>Monitored Annually by Site Visit</b>	<b>Monitored Biennially by Site Visit</b>	<b>Monitored Every 3 Years by Site Visit</b>	<b>Monitored Every 4 Years by Site Visit</b>	<b>Monitored at 10% Per Year by Site Visit</b>	<b>Surveyed Monthly</b>	<b>Surveyed Biannually</b>	<b>Surveyed Annually</b>
Court Holding Facilities (Courthouses)			X					X
Department of Corrections – State Adult Facilities*					X			X
Division of Youth Services – State Juvenile Facilities*					X			X
Juvenile Sites – Non-Secure	X							
Juvenile Detention Centers – Secure (19) (3 are combination secure/non-secure)	X					X		
Adult Jails/Lockups that Securely Hold Juveniles		X					X	
Adult Jails/Lockups that Do Not Hold Juveniles				X				X
Law Enforcement Agencies – No Holding Capability					X			X

*There are 2 collocated facilities in Missouri. Each is surveyed and monitored as both a juvenile detention center and a jail/lockup in accordance with type.*

*\*Memorandums of Understanding exist with these state agencies. Both are surveyed annually.*

The Missouri Department of Public Safety (DPS) administers the compliance monitoring components of the JJDP Act and provides assistance with other aspects of administering the JJDP Act, including providing technical assistance, training, and program monitoring.

Please see the OJJDP Guideline Manual at [http://www.dps.mo.gov/dir/programs/jj/documents/guidancemanual\[1\].pd](http://www.dps.mo.gov/dir/programs/jj/documents/guidancemanual[1].pd) for more information.