



CHAIRMAN'S MEMORANDUM

NO. 11-2007 October 31, 2007

TO: SHERIFFS, CHIEF ADMINISTRATIVE OFFICERS, COMMISSIONERS OF CORRECTION, NEW YORK CITY WARDENS

RE: THE COMMISSION'S ROLL IN ENSURING NEW YORK STATE MAINTAINS COMPLIANCE WITH THE JUVENILE JUSTICE DELINQUENCY PREVENTION ACT

Recently, the Commission modified the evaluation tool that staff members use at a jail when performing an evaluation of compliance with the Juvenile Justice Delinquency Prevention Act (JJDP). The Commission has also changed the process and now performs the audit on the jail and its operations, rather than monitoring the law enforcement function of the respective department, as in the past.

During the initial evaluations conducted under this new process, a pattern was noted regarding policies found to be lacking at the facility level. In accordance with JJDP, each facility shall have a written policy which includes, but need not be limited to, the following:

- 1 A plan for the detention of an individual who is not yet 16 years of age who has been approved by the Office of Children and Family Services for placement in any correctional facility;
- 2 A plan for staff to follow when information is obtained that an individual who is/was incarcerated at any correctional facility is not yet 16 years of age; and
- 3 A plan for staff to follow when a Juvenile Offender is committed to custody in accordance with section 510.15 of the Criminal Procedure Law.

Please review the attached form entitled "OJJDP EVALUATION FOR ADULT JAILS IN NEW YORK STATE" to ensure your department's policy and procedures are consistent with New York State Law and the federal Juvenile Justice Delinquency Prevention Act. This form contains the elements that your facility will be evaluated against when it is assessed by Commission staff once every two (2) years. Please review this form and modify, if needed, your plans and policies as noted in 1-3 above to assure compliance of your agency. This review will assist you knowing what Commission staff will be looking for when conducting an audit of your facility for compliance with the JJDP.

Questions and comments may be directed to Commission staff who visit your facility.

Daniel L. Stewart, Chairman

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