



CHAIRMAN'S MEMORANDUM

NO. 30-98

December 7, 1998

TO: SHERIFFS, JAIL ADMINISTRATORS, COMMISSIONERS OF CORRECTION, AND CHIEFS OF POLICE

RE: The Commission's Juvenile Monitoring Functions

Recently several jail administrators and police department officials have asked why the Commission is involved in juvenile monitoring at their facilities. The following information should help clarify the Commission's functions regarding juvenile monitoring.

The Juvenile Justice and Delinquency Prevention Act, 42 U.S.C. sections 5601-5785, is a federal statute that, in pertinent part, prohibits the incarceration of juveniles in adult jails and lockups, except in very limited circumstances. The Act also requires that each state provide for a system of monitoring jails and detention facilities to insure compliance with the provisions of the Act. The Commission, through a contract with the Division of Criminal Justice Services, is responsible for establishing and carrying out this monitoring system.

Although the Commission's minimum standards do not specifically address juvenile monitoring, the provisions of the Act apply to all police departments, Sheriff's departments, and local correctional facilities. Thus, the Commission is obligated to visit local correctional facilities and police lockups in order to monitor compliance with the provisions of the Act. In the course of such monitoring, the Commission is also obligated to make recommendations regarding the development and implementation of adequate policies and procedures designed to help the department comply with the provisions of the Act.

Sheriffs and police chiefs are notified in advance when Commission staff will be conducting juvenile monitoring functions at their departments. An exit interview is held at the conclusion of the visit and department officials are briefed on significant findings, violations, and/or recommendations to achieve compliance. A written report is also sent to the department. Commission staff routinely perform such juvenile monitoring functions in conjunction with regularly scheduled evaluations or visits to facilities. For example, the Commission is currently conducting Cycle 4 minimum standard evaluations in county jails. When Commission staff go to a jail to conduct the minimum standard evaluation, they may also perform juvenile monitoring functions pursuant to the Juvenile Justice and Delinquency Prevention Act, if this visit coincides with the biennial juvenile justice monitoring cycle.

In order to clarify the Commission's juvenile monitoring functions further, I have directed Commission staff to develop language for inclusion in our minimum standards that will address facilities' obligations under the Juvenile Justice and Delinquency Prevention Act. In the meantime, please contact me directly if you have any questions regarding the Commission's juvenile monitoring functions or the Juvenile Justice and Delinquency Prevention Act.

Alan J. Croce, Chairman/Commissioner