



JUVENILE HOLDING GUIDELINES



Sight and Sound Separation Requirement

Accused or adjudicated delinquent offenders, status offenders, and non-offenders cannot have contact with adult inmates, including inmate trustees. **One violation can put the entire state out of compliance!**

Deinstitutionalization of Status Offenders (DSO) Requirement

Status offenders, non-offenders, and civil-type offenders shall not be detained or confined in secure detention or correctional facilities.

Status offenses include: Beyond Parental Control, Runaway, and Truancy. Minor in Possession of Alcohol/Tobacco is also included.

Status offenders may be handcuffed to themselves or a **non-stationary** object, however, they must be held in a non-secure area with free egress from the building.

Removal of Juveniles from Adult Jails and Lockups (Jail Removal) Requirement

Juveniles accused of delinquent (non-status) offenses may be detained in a jail or lockup "for a period not to exceed **6 hours*** for processing or release, or while awaiting transfer to a juvenile facility, and only if such juveniles do not have contact with adult inmates."

*The total of any confinement of a juvenile in law enforcement custody cannot exceed six (6) hours. Once the juvenile has been placed in a secure custody status and the 6-hour period has begun, the facility cannot temporarily take the juvenile out of a secure custody status and begin the 6-hour time period again. For example, if a juvenile was placed in a secure custody status for 4 hours, then was taken to a non-secure interview room for 1 hour, then was returned to a secure custody status for 2 hours, the total time to report for the jail removal provision is 7 hours and would be a violation of the 6-hour limit. Drive time to and/or from the facility does not count towards the 6 hour timeframe.

Note: Records must be kept of every juvenile who is detained in an adult jail or lockup. These records must indicate if the juvenile was held securely or non-securely. Beginning and ending times of secure holds must also be included. Sample log sheets are available online at: www.dps.mo.gov/dir/programs/jj/compliance.asp

Custody of Status vs. Delinquent Offenders

Status Offender

- ✓ Do not use a holding cell (even if the door is left unsecured). Status offenders must have a path of free egress from the building.
- ✓ Do not cuff to a stationary object. Status offenders must have a path of free egress from the building.
- ✓ Do not place in a locked room or area within a secure perimeter. Status offenders must have a path of free egress from the building.
- ✓ May cuff to a non-stationary object (ex: office chair, table, themselves).
- ✓ Do not allow sight or verbal contact with adult inmates or **trustees**.
- ✓ Keep a custody log (See Note).
- ✓ Continuous visual supervision must be maintained.

Delinquent Offender

- ✓ May be placed in a holding cell or locked room. *Limited to **6 hours** for the purposes of processing or release or transfer to a juvenile facility.
- ✓ May be cuffed to a stationary object. *Limited to **6 hours** for the purposes of processing or release or transfer to a juvenile facility.
- ✓ May be placed in a locked room or area. *Limited to **6 hours** for the purposes of processing or release or transfer to a juvenile facility.
- ✓ May cuff to a non-stationary object (ex: office chair, table, themselves.)
- ✓ Do not allow sight or verbal contact with adult inmates or **trustees**.
- ✓ Keep a custody log (See Note).
- ✓ Continuous visual supervision must be maintained.