

SURVEY OF STATUS OFFENDERS DETAINED PURSUANT TO THE JJRA of 2018 VALID COURT ORDER (VCO) EXCEPTION

INSTRUCTIONS:

Please list all status offenders found to have violated a Valid Court Order (VCO) and held subject to the federal VCO Exception. *Youth accused of, or adjudicated for, a criminal-type act do not need to be listed.* If your facility did not admit any youth pursuant to the VCO Exception for the month, check the box in the upper left corner of the survey.

- **Youth ID (Number or Initials):** Identify each youth by the unique number you assign at the time of admission or their initials. This should be the same ID method that is used to identify a youth's record within your facility.
- **Age:** List the age of the youth at the time of secure detention.
- **Race:** List the youth's race. Indicators for Race: (W) for White, (B) for Black or African American, (H) for Hispanic or Latino, (I) for American Indian, (A) for Asian, (HP) for Native Hawaiian or Other Pacific Islander, (O) for Other.
- **Gender:** Indicate the gender of the youth.
- **Previously Adjudicated Status Offender (Y or N):** Was the youth formally adjudicated as a status offender during the current term of probation? If yes, did the youth receive adequate and fair warning of the consequences of violation of the order at the time it was given? The warning must be provided to the youth and to the youth's attorney and/or legal guardian in writing and be reflected in the court record and proceedings. If no, the VCO Exception is not allowable and a violation may be recorded.
- **Offense:** List the status offense for which the youth is accused. Status offenses* are defined under 211.031.1(2) RSMo. Victims of child abuse and neglect and youth accused of technical violators **MAY NOT** be held in secure detention centers pursuant to 210.125.5 RSMo. *Note that, by federal definition, a status offender cannot be upgraded to a delinquent offender by traditional contempt power, failure to appear, or for probation violation.
- **Date/Time of Detention Entrance:** List the date and time the youth entered the secure facility. Do not report any youth held over from the prior month if they were previously reported.
- **Date/Time of In-Person Interview:** List the date and time the youth was interviewed in person by an authorized representative of the court. *The interview must be conducted by an appropriately trained professional who is licensed or certified by the State of Missouri in the mental health, behavioral health, or substance abuse fields.*
- **Date/Time the Assessment was submitted for Probable Cause Hearing:** List the date and time the written assessment was provided to the court for the Probable Cause hearing. *The assessment must include, at a minimum, an interview and review of available records and other pertinent information by an appropriately trained professional who is licensed or certified by the applicable State in the mental health, behavioral health, or substance abuse fields; and which is designed to identify significant mental health, behavioral health, or substance abuse treatment needs to be addressed during a youth's confinement.*
- **Date/Time of the 24 hour Probable Cause Hearing:** List the date and time of the Probable Cause Hearing. For status offenders accused of violating a Valid Court Order this hearing **MUST** occur within 24 hours of being placed in detention pursuant to 211.063.1 RSMo. The 24 probable cause hearing hour time limit excludes weekends and legal holidays. A youth may be released from secure detention within 24 hours of admission or within 24 hours after their probable cause hearing without implicating the VCO Exception. These time limits are excluding weekends and holidays.
- **Date/Time of Violation Hearing:** List the date and time of the Violation Hearing. If the youth remains in secure detention after the probable cause hearing a violation hearing must occur within 72 hours. If the youth was released prior to the violation hearing this box may be left blank.
- **Date/Time of Release:** List the date and time the youth was released from your facility. The JJRA requires limits the placement of status offenders held pursuant to a VCO Exception to a **MAXIMUM** of 7 days or the length of time authorized by the court, whichever is shorter.
- **Release Plan (Y or N):** Note whether a plan was provided for the status offender's release from the facility. It should include how the needs identified in the assessment will be addressed, to whom the youth will be released, and when the youth will be released, not to exceed 7 days from when the youth entered the detention. A copy of the plan must be retained by the JJC.
- **Detaining Jurisdiction (if different):** For out of circuit holds list the circuit #, county, or agency ordering the detention.
- **Violation (Y or N):** Was this placement in violation of the VCO Exception requirements set forth under the JJRA of 2018? Contact the Juvenile Justice Compliance Monitor for any questions regarding the use of the VCO Exception.