

Compliance Chart for Juvenile Detention Centers¹

Type of Juvenile	Regulations	Core requirement violated if held beyond stated limits
All Juveniles	Under current OJJDP policy and proposed regulation, Arkansas must assure that no juvenile offender under public authority shall enter, for any amount of time , into a secure setting or secure section of any jail, lockup or correctional facility as a disposition of an offense or as a means of modifying their behavior (e.g. Shock Incarceration, Scared Straight or Shape Up).	Sight and Sound Separation
Non-Offender (abused, neglected, civil mental health hold)	May not be held securely for any period of time.	Deinstitutionalization of Status Offenders
Out of State Runaway	If held pursuant to the Interstate Compact for Youth is not a violation for any period of time. Must be verified that holding is pursuant to the Compact.	Deinstitutionalization of Status Offenders
Accused Status Offender (runaway, underage drinker, truant, minor in possession of alcohol or tobacco)	May be held for up to 24 hours, excluding weekends and legal holidays PRIOR to an initial court appearance and for 24 hours, excluding weekends and legal holidays, IMMEDIATELY following an initial court appearance. Detention center must be able to verify court dates and times.	Deinstitutionalization of Status Offenders
Federal Ward (juvenile under the jurisdiction of the federal court or an illegal alien)	May be held for up to 24 hours, excluding weekends and legal holidays PRIOR to an initial court appearance and for 24 hours, excluding weekends and legal holidays, IMMEDIATELY following an initial court appearance. Detention center must be able to verify court dates and times.	Deinstitutionalization of Status Offenders
Adjudicated status offender accused of violating a Valid Court Order and juveniles sentenced for Contempt of Court based on a status offense	Juvenile must have a probable cause hearing within 24 hours of being placed in detention, excluding weekends and legal holidays. Juvenile must have a violation hearing within 72 hours of being placed in detention and the VCO process must be followed. If written report states that the juvenile should be sentenced to juvenile detention there is no time limit, beyond statute statutes, on holding after the violation hearing. The detention center must be able to verify court dates and times.	Deinstitutionalization of Status Offenders
Juvenile in Possession of a Handgun (treated as a delinquent)	No federal restrictions on holding. State limits of sentenced detention time must be adhered to.	None
Accused Delinquent (accused and/or arrested for committing a crime that would be criminal if committed by an adult)	No federal restrictions on holding. State time lines for detention hearings and other court actions must be adhered to.	None
Adjudicated Delinquent (found by the court to have committed a crime)	No federal restrictions on holding. State time lines for sentencing must be adhered to.	None
Juvenile waived, transferred or direct filed in adult criminal court	No federal restrictions on holding. The judge, district attorney and defense attorney must agree to the holding of the juvenile in a juvenile detention center rather than an adult jail.	None

¹OJJDP Monitoring for Compliance, Juvenile Facilities < <http://ojjdp.ncjrs.gov/compliance/section3.pdf>>