

The Basic Rules of the JJDP Act for Residential Treatment Facilities and Juvenile Detention Facilities

1. CHINS (children in need of services) may never be securely detained in a residential treatment facility or juvenile detention facility.
2. The following status offenders may never be securely detained in a residential treatment facility or juvenile detention facility: curfew violators, incorrigibles, and minor possessors, consumers, and transporters of alcohol.
3. Status offenders who are runaways can be securely detained in a residential treatment facility or juvenile detention facility for 24 hours before and 24 hours after their first court appearance. (The 24 hour time limit excludes weekends and legal holidays.)
4. Status offenders who are runaways or truants, who violate a valid court order for a repeat offense (thus runaway-runaway or truant-truant) may be securely detained in a residential treatment facility or juvenile detention facility for 24 hours (excluding weekends and legal holidays) before their modification of disposition hearing and then after the hearing, as part of their modified disposition, where the court finds that the conditions of a valid court order exception have been met.
5. Crime-delinquents may be securely detained in a residential treatment facility or juvenile detention facility in accordance with state law.
6. Juveniles in secure detention must be sight and sound separated from adult inmates.