

Detention Recommendations

- Legislative Action
 1. Prohibit use of detention for any misdemeanor offense, except misdemeanor handgun violations contained in the criminal and public safety articles.
 2. In making a detention decision, the court, in addition to the other statutory factors, shall consider the findings of a validated risk assessment.
 - a. If the youth is continued in detention, DJS shall develop a community-release plan within 10 days and submit the plan to the court and parties; and,
 - b. Detention status shall be reviewed by the Court every 14 days.

- Department of Juvenile Services Action
 1. DJS and MDH shall report annually on the utilization of the Facility for Children and the length of stay in detention waiting for a placement in the Facility for Children when ordered for a competency evaluation and/or attainment services.
 2. DJS shall publish data related to the risk assessment tool, specifically overrides, in the year Data Resource Guide.
 3. Create definition and limitations on “community detention.” Require DJS to develop forms of community detention that do not include total house arrest. Require DJS to maintain a robust continuum of community-based alternatives to detention in every jurisdiction.
 4. Require DJS to provide access to mental health services for all young people, not only acute/crisis intervention. Mandate detention facilities have mental health professionals on site 24/7.
 5. Require DJS to provide a quality, evidence-based programming for detained youth, at least 3 hours on school-days and 6 hours on non-school days. This should include a requirement for structured activities be planned for every weekend, including activities that engage family members every other weekend.
 6. Limit the use of electronic surveillance and community detention for children on probation.
 7. Require DJS to provide access to mental health services for all young people in detention, not only acute/crisis intervention. Mandate detention facilities have mental health professionals on site 24/7.
 8. Mandate DJS increase the number of shelter beds available, especially for young women. Require DJS to report out how many nights children spend in detention after being ordered to shelter care.
 9. Establish minimum standards for detention center staff training and require functioning security camera systems in all areas of DJS facilities.
 10. Establish minimum standards for family engagement at all DJS run facilities including requirements for daily contact with family.
 11. Require and define standards for defense counsel to access young people at every juvenile jail.
 12. Adopt a cognitive behavioral therapy curriculum and restorative justice training for staff at detention centers.