

The JJDPDA contains four “core protections” with which states must comply as a condition of receiving federal juvenile justice funding. The core protections do not apply to youth who are prosecuted in adult court.

- **Deinstitutionalization of Status Offenders (DSO)**

Status offenses are offenses that are only crimes if committed by children, such as skipping school, running away, breaking curfew, and possession or use of alcohol. Under the JJDPDA, status offenders may not be held in secure detention or confinement. Instead, these children are to receive community-based services, such as day treatment or residential home treatment, counseling, mentoring, alternative education and job development support.

- **Jail Removal**

Juveniles may not be detained in adult jails except for limited ("de minimis") periods before release or transporting them to an appropriate juvenile placement (6 hours), in rural areas (24 hours plus weekends and holidays), or when weather and travel conditions prevent authorities from transporting them. Research indicates that children housed in adult jails are eight times as likely to commit suicide, five times as likely to be sexually assaulted, twice as likely to be assaulted by staff, and 50 percent more likely to be attacked with a weapon, than children in juvenile facilities.

- **Sight and Sound Separation**

When children are held in an adult jail under the exceptions listed above, they may not have any sight or sound contact with adult inmates. Thus, children cannot be housed with adult inmates or next to adult cells, share dining halls, recreation areas, or any other common spaces with adult inmates, or be placed in any circumstances in which they could have any visual or verbal contact with adult inmates. In reauthorizations of the JJDPDA, some law enforcement officials have often sought to change this requirement to prohibit only “regular contact” (vs. occasional or sporadic contact) with adult inmates.

- **Disproportionate Minority Contact (DMC)**

Under the DMC requirement, states must assess and address the disproportionate contact of youth of color at key decision points in the juvenile justice system. In the last reauthorization, the DMC requirement was broadened from disproportionate incarceration (confinement) of minority youth to disproportionate contact, i.e., disproportionate representation throughout the juvenile justice system. Unfortunately, the DMC requirement is vague and many states have done little to address the issue.