



Robert A. Ficano
County Executive



Juvenile Services Division

JUVENILE JUSTICE SERVICES HANDBOOK

SUBJECT: Detention Services

PAGE: 1 of 12

ITEM: 500.6

DATE: 01/04/2010

I. Policy

- A. The county operated Juvenile Detention Facility has primary responsibility for secure detention services for juveniles residing within Wayne County. Detention admissions to WCJDF must be approved by the Court's Intake Unit. Continued detention will be subject to a preliminary hearing within 24 hours and Court Order that authorizes detention. The purpose of detention is to safely, securely and humanely hold juveniles while they await completion of court proceedings (adjudication and disposition). Once these proceedings are completed the juvenile must be released to the next required placement (i.e. return home or residential treatment placement). Juveniles must not linger in detention after completion of legal proceedings.
- B. The CMO shall insure the availability of short-term detention resources for **juveniles when the need for detention exceeds operating capacity at the WCJDF**. In those instances juveniles will be placed in privately operated detention facilities. Detention generally means short-term secure residential services or home detention. The level of detention shall be consistent with the juveniles risk to public safety, the severity of an adjudicated offense(s), and level of confinement specified in the Court's detention order.
 1. In Wayne County detention may also mean in-home care detention (in conjunction with electronic monitoring). In-home detention must be approved by the Court as a condition of release from secure detention.
 2. The Detention Alternative policy for non-adjudicated juveniles in pre-trial status is defined in Item 407.2 and is not addressed in this Item.
- C. CMOs are required to contract for private agency detention services. The CMO must insure that detention alternative services are accessible on a timely basis, whenever WCJDF meets or exceeds its operating capacity.
 1. WC-CAFS must approve all private detention providers.

JUVENILE JUSTICE SERVICES HANDBOOK

SUBJECT: Detention Services	PAGE: 2 of 12
ITEM: 500.6	DATE: 01/04/2010

- D. The JAC is responsible for detention population management. When the operating capacity at WCJDF is reached the JAC will identify juveniles for transfer to private detention facilities.
- E. Detention placement can only be used as permitted by State and Federal law and Court Order.
- F. A committed juvenile, who is detained at the Wayne County Juvenile Detention Facility on the date of Court disposition, shall be removed within 21 calendar days of that date.
- G. The CMO or JAC shall not petition for the placement of a status offender in a locked detention facility for longer than 24 hours, unless the juvenile has been charged of violating a valid Court order.
- H. Juveniles who are defined as At-Risk are not eligible for secure residential detention services
- I. The CMO case manager must initiate in-person contact with a newly assigned juvenile in residential detention within three calendar days of admission or case assignment to the CMO. Thereafter, there must be weekly contact (i.e. telephone/in-person), as long as the juvenile remains in detention.
- J. Juveniles under the jurisdiction of the Third Circuit Court Criminal Division or Third Circuit Court Family Division (Designated Case), who are 17+ years of age, will not be housed in the WCJDF or in private contracted detention facilities. Refer to WCJDF Policy # 21.20 for procedures.

II. Definitions

- A. Electronic Monitoring is a tethering technology that allows a juvenile to be tracked while on In-Home detention. The technology involves a home base unit that is installed in the juvenile's home. The base unit is linked, via telephone line and/or satellite, to the tethering monitoring company.
- B. In-Home Detention is supervision provided to an arrested juvenile or youth returned to their own home, pending a formal adjudication hearing and/or placement. A contract is signed by the youth arrested, the parents and the Court, outlining conditions that must be followed during this time. Surveillance takes the form of daily contacts with the youth, the parents, the school, employers, etc., to insure that contract conditions are met. All juveniles receiving this service are required to have a preliminary hearing and/or a Court order

JUVENILE JUSTICE SERVICES HANDBOOK

SUBJECT: Detention Services	PAGE: 3 of 12
ITEM: 500.6	DATE: 01/04/2010

authorizing home detention. Electronic monitoring may be used to enhance this service. CMOs shall insure that direct case management services are provided to juveniles assigned to in-home detention.

- D. The Juvenile Detention Facility (JDF) is the secure detention facility operated by Wayne County for the detention of juvenile offenders.
- E. Calumet Center, Todd Phillips and Vista Maria are privately operated, secure detention facilities, under contract with the CMOs.
- F. Committed juvenile refers to cases placed with CAFS for care and supervision per the MOU with DHS. The acceptance date is the date of disposition from the Court.
- G. Secure residential detention means a self-contained facility and the perimeter is locked against egress.
- H. Respite refers to a time-limited, temporary transfer of a juvenile from a community-based living arrangement to an open, non-secure shelter program when issues arise with the caretaker and/or living environment.

III. Procedure

A. Detention Population Management

- 1. WCJDF will record all detention admissions and releases on JAIS in real time as they occur.
- 2. The JAC will record all detention admissions and releases to private detention facilities on JAIS in real time as they occur.
- 3. JAIS will produce and email an automated daily detention population report by 7:00 A.M. each day.
- 4. The JAC will use the automated detention report to monitor the population at WCJDF. The JAC will also contact WCJDF each morning to confirm agreement between the population reported on JAIS and the facility's manual population count.
- 5. When the population at WCJDF reaches its approved operating capacity, the JAC will coordinate with WCJDF staff to identify juveniles for transfer to the private detention alternative facilities.

JUVENILE JUSTICE SERVICES HANDBOOK

SUBJECT: Detention Services	PAGE: 4 of 12
ITEM: 500.6	DATE: 01/04/2010

6. The JAC will keep the responsible CMO informed as to the juvenile's detention location.

B. Private Agency Detention Alternative Resources

1. Care Management Organizations (CMO) are responsible for contracting for residential detention resources for juveniles that cannot remain at the WCJDF. WC-CAFS will identify the needed capacity for private detention resources and CMOs are expected to contract with private providers in order to meet the capacity defined by CAFS.
2. CMOs are responsible for moving juveniles out of secure detention placement. Newly committed juveniles must be moved from WCJDF to a longitudinal treatment placement within 21 days of disposition.
3. CMOs are responsible for compensating private detention providers on a per diem basis.

C. In-Home Detention for Juveniles (without a legal status) in Pre-Trial Status

1. For juveniles without a legal status in detention, the DAU staff will meet with the juvenile and parent/guardian to complete the enrollment process for Electronic Monitoring.
2. DAU will make three attempts to meet with the juvenile and parent/guardian to complete the enrollment process. If unsuccessful, the CMO will be notified in writing (via fax or e-mail) of the barriers.
3. The DAU faxes the Court Order and a copy of the Background Clearance Form (if they are in receipt of a completed form) to the Court JAC for CMO assignment. The DAU also notes the status of the enrollment process.
4. The CMO is responsible for completing the enrollment when the DAU is unable to complete the process. See Policy Item 407.2 for further details.

D. Juveniles Residing at Home Upon Commitment to CAFS

1. Juveniles in commitment status are assigned to WC-CAFS for out-of-home placement. In some limited instances the Court releases the

JUVENILE JUSTICE SERVICES HANDBOOK

SUBJECT: Detention Services	PAGE: 5 of 12
ITEM: 500.6	DATE: 01/04/2010

juvenile home to await residential placement. Any committed juvenile residing at home, pending implementation of an initial placement, must be placed on in-home detention by the CMO, as follows:

- a. Within one day of release from WCJDF, the CMO will initiate in-home detention services (see Item 407.2). The Warrant Enforcement Bureau must still complete all required clearances required for the tether program. In the event that a dangerous individual or situation is identified in the juvenile's home, the Jurist must be immediately notified.
- b. In-home detention must continue until the juvenile's initial treatment placement is implemented.
 - i. The initial treatment CMT should be implemented within 21 calendar days of case acceptance by the JAC.

E. Detention of Committed Juveniles Apprehended on Writ and/or New Offense

1. This procedure applies to juveniles committed to CAFS for care and supervision. WEB or local law enforcement will convey juveniles in a CMO network (i.e., post-acceptance) who are apprehended for a new offense and/or a writ of apprehension to the WCJDF. The juvenile will remain at WCJDF or a detention alternative facility until all legal proceedings are completed.
2. Within 21 days of completion of all legal proceedings, the CMO will move the juvenile from detention to a new treatment placement.

F. Progressive Sanction for Violation of Conditions of Placement with CAFS

1. Secure detention placement, due to a committed youth's violation of a home-based or post-care treatment plan, may be provided under specific conditions. Placement in secure detention, as a progressive sanction, shall not exceed three calendar days. Referrals for detention must be initiated by a CMO and processed to the JAC. Referral for a progressive sanction must adhere to the following:

The CMO must:

JUVENILE JUSTICE SERVICES HANDBOOK

SUBJECT: Detention Services	PAGE: 6 of 12
ITEM: 500.6	DATE: 01/04/2010

- a. Complete and sign a JC-01 (complaint, see Exhibit 500.6-A). The complaint must describe the juvenile's actions that led to the sanction.
- b. Complete the Detention Referral form (see Exhibit 500.6-B).
- c. Forward the JC-01, Detention Referral Form, and a copy of the Court Order (JC-25 or JC-57) to the JAC.
 - i. If an incident occurs when the JAC is closed, fax the above documents and telephone the JAC to confirm movement on the next business day.

The JAC must:

- d. Telephone the Court Intake 24-Hour Desk at (313) 967-2127 to request authorization to admit. If authorization is granted, Fax JC-01, Detention Referral Form, and a copy of the Court Order to the Court Intake 24-Hour Desk at (313) 967-2141.
- e. Contact the CMO to confirm authorization to admit, during normal business hours.
- f. Fax the ACAFS Detention Admission/Preliminary Hearing Request form (see Exhibit 500.6-C) to the Court Intake Unit.

CMO must:

- g. Fax the Detention Referral (see Exhibit 500.6-B) form and Court Order to WEB at (313) 297-5240.
 - h. Call WEB at (313) 297-5230 to confirm receipt of materials and arrange for apprehension.
2. In order to access secure detention, as a progressive sanction, the Order of Probation (JC-14), Order of Disposition (JC-25), or Supplemental Order (JC-57) must contain authorization for immediate detention for violation of any condition of release.
 3. Secure detention may only be used for probation and committed juveniles enrolled in a community-based CMT.
 4. Detention, as a progressive sanction for up to three days, does not constitute a CMT change. However, the JAC must provide prior authorization. (JDF will require the rate band change for their population data and control.)

JUVENILE JUSTICE SERVICES HANDBOOK

SUBJECT: Detention Services	PAGE: 7 of 12
ITEM: 500.6	DATE: 01/04/2010

- a. WEB or local police must be contacted by the CMO, to arrange transportation.
 - b. In the event that the youth has absconded at the time WEB attempts apprehension, WEB will telephone the CMO case manager (or on-call designee) to report and confirm the juvenile's unavailability.
5. A juvenile placed in secure detention as a progressive sanction must not be continued in detention beyond three days. When the immediate plan is to process a petition for escalation to a higher security level, the use of a progressive sanction does not apply.
 - a. At the initial preliminary hearing, the jurist will continue the matter for 72 hours.
 - b. Refer to Exhibit 500.6-D for detailed court procedure for 72-hour detention, related to progressive sanctions.
6. Admission to the WCJDF as a resource for a progressive sanction may be denied when the facility is at or near to the authorized capacity.
7. Juveniles who present a serious violation of the conditions of release (non-offense) during other than normal business hours should be managed as follows:
 - a. The responsible police agency for the jurisdiction must be contacted;
 - b. The CMO must provide the police with a copy of the Court Order and highlight the provision which authorizes detention for a violation of the conditions of release (i.e. see Conditions of Placement Agreement);
 - c. The police must agree to take the juvenile into custody on the basis of the Court Order and transport the juvenile to the WCJDF;
 - d. The police should contact Court Intake for authorization to admit to WCJDF.

G. Respite

1. Respite is not considered detention. Non-secure respite may be used for up to 14 calendar days, as permitted by Court Order or informed consent. Transfer of a juvenile from community based to out-of-home care in excess of 14 days constitutes a change in security level and the procedures in Items 401.12 and 600.12 must be followed. The reasons

JUVENILE JUSTICE SERVICES HANDBOOK

SUBJECT: Detention Services	PAGE: 8 of 12
ITEM: 500.6	DATE: 01/04/2010

for using respite are different from and should not be confused with progressive sanctions.

H. CMO Initiated Petition for Residential Detention

1. A CMO may petition the Court during normal business hours for residential detention when a juvenile's behavior:
 - a. Represents harm or threatened harm to others or self;
 - b. Establishes a pattern, which is out of program control, and which has been unresponsive to other interventions;
 - c. Establishes a pattern of truancy;
 - d. Has not appropriately responded to progressive sanctions;
2. The petition (JC-04), along with the Detention Referral form, must be submitted to JAC for processing to the Court.
 - a. When a juvenile is released from a mental health facility, demonstrates a continuing medical necessity for care, and a new treatment placement remains pending, the CMO will complete and submit a Complaint (JC-01) to the Court.
 - i. The description space on the JC-01 must include the following language: "juvenile is returning from *name of hospital* and is in need of a detention bed."
3. The juvenile will remain in the authorized CMT pending a hearing on the petition (unless the juvenile is transferred to WCJDF, Calumet or CMO contract detention provider).
4. In the event that a juvenile's behavior deteriorates and a clear danger is present, the CMO should contact WEB or local law enforcement.
5. The JAC may be contacted to ascertain if detention space is available. If the Court's Intake Unit authorizes emergency admission, the CMO must complete and FAX a petition to the JAC immediately.
 - a. The JAC must complete and submit a CAFS Detention Admission/Preliminary Hearing Request form (Exhibit 500.6-C), along with the petition, to Court Intake.

JUVENILE JUSTICE SERVICES HANDBOOK

SUBJECT: Detention Services	PAGE: 9 of 12
ITEM: 500.6	DATE: 01/04/2010

6. Placement in a detention resource, within a CMO network, constitutes a change to a juvenile's CMT. When the Court authorizes detention, a CMT change must be recorded on JAIS by the JAC.

I. Documentation and Case Materials for Detention Placement

1. Within two calendar days of admission to a detention facility, a referral packet must be provided, as follows:
 - a. The JAC for new commitment cases
 - b. The CMO for all post-commitment cases
 - c. The CMO Case Manager for probation cases placed in secure detention or respite.
2. The referral packet should include:
 - a. Intake Record for Accepted Juveniles;
 - b. Pre-Sentence Report (Adult Court Only);
 - c. Placement with CAFS Acceptance Notice;
 - d. Court Order (Police Reports/Petitions);
 - f. Physical Exam (Most Current);
 - g. Social History (If Done), or Most Recent Update;
 - h. Delinquent Youth Classification and Assignment Report, for Accepted Cases (When completed);
 - i. Psychological Reports (If Done);
 - j. CAFS Detention Admission Letter (Post Acceptance Cases Only);
 - k. Ready for Trial (MJC 920) for Security Level Change, if applicable;
 - l. JAC Referral Notice (Probation Cases Only);
 - m. Consent to Routine and Emergency Treatment;
 - n. Substance Abuse and Drug Screen;
 - o. Substance Abuse Assessment Report (ADAD).

J. Furloughs

Temporary furloughs from detention may be approved as follows:

1. Leaves for Specialized Services: Leaves may be granted when it is absolutely necessary for a juvenile to receive services not available at the Detention Center (i.e., medical care, etc.). The resident must be escorted by staff, supervised at all times and returned immediately upon receipt of necessary services. The Center Director or his/her designee must approve all such leaves, with concurrence of the CMO.

JUVENILE JUSTICE SERVICES HANDBOOK

SUBJECT: Detention Services	PAGE: 10 of 12
ITEM: 500.6	DATE: 01/04/2010

2. Pre-Placement Interviews and Trial Visits (Overnight): Leaves may be granted for youth to participate in interviews and overnight visits related to an agency's intake/screening policy. These arrangements are the responsibility of the CMO. Pre-Placement trial visits should be consistent with a youth's initial security level and/or the recommended security level in the Court order. Detention staff is not required to escort youth in these situations. While the youth remains on the center's census, the CMO and agency screening the youth assume custodial responsibility during such temporary leaves.
3. Personal Leaves: When a resident must leave the facility to visit a critically ill relative, to attend a family funeral or for other special personal considerations, such arrangements are made and approved by the CMO case manager. The resident should be escorted by center staff, supervised at all times and returned to the facility immediately upon completion of the event.

K. Excessive Length of Stay in Residential Detention

A CMO is required to document, in the case record, the reason(s) why a juvenile is retained in residential detention beyond allowable timeframes (>21 days) and action steps to eliminate barriers to implementation of the juvenile's POC.

1. CMOs are expected to have adequate and sufficient resources in order to implement a juvenile's POC without undue delay (see Items 600.1, 600.6, 600.9, and 700.1).
2. For juveniles held in residential detention, a critical element of progress review concerns the planning and preparation of a juvenile for long-term placement or community treatment intervention. Placement referrals and actual placement interviews must be documented in the case record.

In recording activities pertaining to implementation of the POC or UPOC, the CMO must document the following:

- a. Discussions with the juvenile about the reasons for ongoing treatment intervention;
- b. Assessment of the juvenile's readiness to accept ongoing treatment;
- c. Contact with the juvenile's family regarding treatment planning and progress toward implementation;

JUVENILE JUSTICE SERVICES HANDBOOK

SUBJECT: Detention Services	PAGE: 11 of 12
ITEM: 500.6	DATE: 01/04/2010

- d. Contacts with providers to ascertain the status of a referral (i.e., interview date, position on the waiting list, etc.);
- e. Barriers or factors contributing to excessive residence when a juvenile remains in residential detention beyond 30 calendar days.

Given the mission and purpose for the use of detention, implementation activities to initiate the POC as soon as possible are paramount.

- 3. The JAC will notify WC-CAFS whenever any juvenile resides at a detention facility in excess of 45 calendar days. WC-CAFS will direct that the CMO leadership conduct a formal administrative review of the case. This review must address the reasons for the extended stay. On occasion, some juveniles require placement in excess of the established 30-day limit. Such exceptions must be fully explained and documented in writing in the case record.

L. Resident Discharge (Detention Alternative Facility)

- 1. Prior to release of a juvenile, the Detention Alternative staff ensures that all facility obligations to the juvenile have been met and assists the juvenile in developing a positive sense of closure to her/his experience. The assigned CMO Case Manager is responsible for authorizing the release of juveniles committed to CAFS from a detention alternative facility.
- 2. The Detention Alternative staff will verify release date with the assigned CMO Case Manager, confirm transportation arrangements, and assess the necessity of continuing any services to the juvenile. **Note:** It is the CMO Case Manager's responsibility to make actual transportation arrangements for release.
- 3. The CMO Case Manager must complete a release authorization form (see exhibit 500.6-E) and return it to the Detention Alternative staff before actual release. This form will be placed in the juvenile's case file.
- 4. The Court JAC will complete the J-30 and obtain a Court Supervisory Signature. The form is then faxed to WCJDF or the detention alternative facility.
- 5. Parents or guardians of the juvenile are to be notified by telephone of the juvenile's release either prior to the release or as soon after the release as

JUVENILE JUSTICE SERVICES HANDBOOK

SUBJECT: Detention Services	PAGE: 12 of 12
ITEM: 500.6	DATE: 01/04/2010

possible by the Detention Alternative staff (when released to another placement).

6. The juvenile can only be released to a responsible adult.

M. Release from WCJDF

1. The Youth Release Authorization form is to be completed, by the CMO when requesting the release of an accepted or committed juvenile from detention, see Exhibit 500.6-E.
2. If it is determined by JAC staff that the juvenile will be housed in a detention site other than JDF, the JDF Management Services staff will make the proper entry on the AS 400 392 screen, indicating at which detention facility the youth is housed.
3. In the case where the release is for a juvenile housed at the WCJDF, and the juvenile is to go home or to placement, the JAC will immediately obtain the signature on the J-30 from the Court and fax the signed J-30 to JDF to facilitate the release from the JDF.
 - a. The JAC will inform the CMO that the Court has signed the JC-30 and that the WCJDF is in receipt of the same.
4. Juveniles in secure detention can only be released to the Case Manager or an adult authorized by the Case manager.

IV. Exhibits

500.6-A	Complaint (JC-01)
500.6-B	Detention Referral Form
500.6-C	CAFS Detention Admission/Preliminary Hearing Request Form
500.6-D	Procedure for Progressive Sanction/72 Hr Detention
500.6-E	Youth Release Authorization

V. Reference None