

50.4 Juvenile Operations

OPERATIONS

STANDARD 50.4 The agency's written directives concerning juvenile operations must comply with applicable laws. The directive must address the following, but not be limited to:

- A.** Detention of juveniles separate and secure from adults (New York Family Court Act section 304.1);
- B.** The questioning of juveniles only in rooms approved by the Chief Administer of the Courts (section 205.20 of the Uniform Rules for Family Courts);
- C.** The maintenance of juvenile records separate from those of adults, and;
- D.** The position(s) responsible for the collection, dissemination and retention of juvenile records.

Commentary: Given the special legal status of juveniles, written directives can assist in governing matters such as: how a juvenile enters the juvenile justice system, how to interview juveniles, issues relating to temporary detention, and diversion to the adult system and record-keeping. These procedures must be consistent with legal guidelines found in the NYS Criminal Procedure Law, Family Court Act or other legal or judicial guidelines.

Compliance Verification Strategies

Assessors may seek to verify agency compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive(s) that address juvenile operations is available for review.
2. Interview(s) with personnel responsible for juvenile operations can be conducted to verify their knowledge of and compliance with the directive(s).
3. Agency records involving juvenile operations are available for review.