**Section 720.150 Juvenile Detention**

a) Statutory Provisions

Sections 5-3 and 5-7 of the Juvenile Court Act of 1987 [705 ILCS 405/5-3 and 5-7] state:

1) *"Delinquent minor" means any minor who prior to his* *or her* *17th birthday has violated or attempted to violate, regardless of where the act occurred, any federal or state law or municipal ordinance.*

2) *"Detention" means the temporary care of a minor alleged or adjudicated as a person described in subsection (a)(1) of this Section who requires secure custody for his or her own or the community's protection in a facility designed to physically restrict his or her movements, pending disposition by the court for placement or commitment. Design features which physically restrict movement include, but are not limited to, locked rooms and the secure handcuffing of a minor to a rail or other stationary object.*

3) *"Juvenile Detention Home" means a public facility with specially trained staff that conforms to the county juvenile detention standards* (20 Ill. Adm. Code 702).

4) *No minor shall be detained in a* *municipal lockup for more than six hours.*

A) *The period of detention is deemed to have begun once the minor has been placed in a locked room or cell or handcuffed to a stationary object in a building housing a* *municipal lockup. Time spent transporting a minor is not considered to be time in detention or secure custody.*

B) *Any minor so confined shall be under periodic supervision and shall not be permitted to come into or remain in contact with adults in custody in the building.*

C) *Upon placement in secure custody in a jail or lockup, the minor shall be informed of the purpose of the detention, the time it is expected to last and the fact that it cannot exceed six hours.*

D) *A log shall be kept that shows the offense which is the basis for the detention, the reasons and circumstances for the decision to detain and the length of time the minor was in detention.*

E) *Violation of the 6-hour time limit on detention in a* *municipal lockup shall not, in and of itself, render inadmissible evidence obtained as a result of the violation of this 6-hour time limit.*

F) *No minor under 16 years of age may be confined in a jail or place ordinarily used for the confinement of prisoners in a police station. Minors under 17 years of age shall be kept separate from confined adults and may not at any time be kept in the same cell, room,* *or yard with adults confined pursuant to criminal law.*

b) Minimum Standards

1) All standards in the preceding Sections of this Part apply equally to minors except when prohibited by law or by the standards in this Part.

2) Confined minors shall be kept separate by sight and sound from confined adults. There shall be no contact between confined adults and confined juveniles in cells and detention rooms. This does not prohibit inadvertent or occasional contact in non-residential areas, such as entrances, corridors, elevators, and booking areas.

3) A parent, legal guardian, or person with whom the minor resides shall be notified of the minor's detention if the law enforcement officer has been unable to do so.

4) Records of all minors under 17 years of age must be maintained separate from the records of adult arrests. Names of juveniles shall not be recorded in the same ledgers, jail registrars, monthly population reports or other records that are subject to public review.

5) Records shall not be open to public inspection nor shall the contents be disclosed to the public, except by order of the court or when the institution of criminal proceedings has been permitted or the person has been convicted of a crime and is the subject of pre-sentence investigation or proceedings on an application for probation or as otherwise permitted by law.

6) Juveniles shall, under the following conditions, be provided with supervision by a person of the same sex:

A) When following established procedures which require physical contact or examination such as body searches.

B) During periods of personal hygiene activities and care such as showers, toileting, and related activities.

7) Subsection (b)(6) of this Section does not prohibit the use of necessary force by a staff member of a sex other than that of a detainee.

8) A periodic visual check of juveniles confined shall be made by personal observation, not including observation by a monitoring device. Periodic is defined to be a minimum of at least once every 15 minutes.

9) Juveniles shall be detained in a detention area or detention room.

10) Juveniles shall be provided with meals when they are detained during the facility's normal meal periods.

11) Any evidence of child abuse shall be reported to the Illinois Department of Children and Family Services in accordance with 89 Ill. Adm. Code 300.

(Source: Amended at 22 Ill. Reg. 19227, effective November 1, 1998)