



## 165<sup>th</sup> International Senior Seminar

### Panel on Juvenile Justice and the United Nations Standards and Norms January 30, 2017

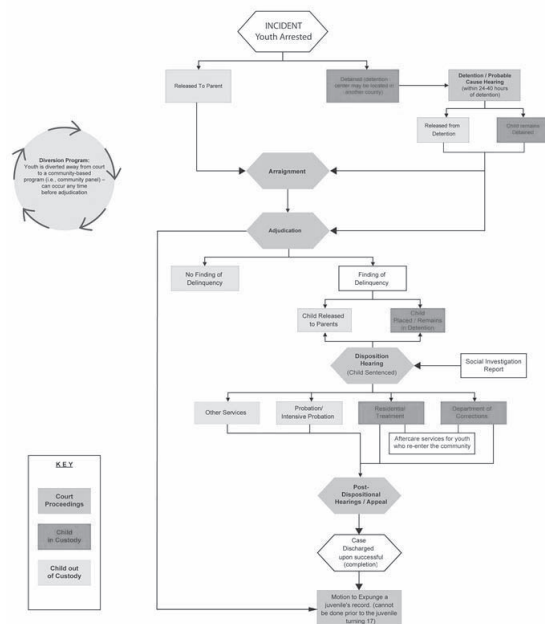
#### How the United States Tries to Comply

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## The Good and the Bad

- The Bad
  - Most justice professionals and legislators in the United States know little or nothing about the:
    - United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules)
    - United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines)
    - United Nations Rules for the Protection of Juveniles Deprived of their Liberty
    - Guidelines for Action on Children in the Criminal Justice System
    - Convention on the Rights of the Child (CRC)
- The Not So Bad
  - The United States has several sets of standards and laws that address just about every aspect of juvenile justice
    - For the most part they are detailed, measurable and monitored

# United States Juvenile Justice Flow Chart



<https://www.ojjdp.gov>

## Child Protection

- child abuse/exploitation
- Internet
- missing children
- safety/well-being

## Core Resources

- federal/state resources
- OJJDP resources

## Corrections/Detention

- aftercare/reentry
- alternatives to incarceration
- confinement
- intake/assessment
- personnel
- probation

## Courts

- case management
- defense
- prosecution
- sentencing/sanctions
- waiver/transfer
- youth/specialty courts

## Gender/Race/Ethnicity

- American Indian/Alaska Native
- disproportionate minority contact
- gender
- minorities

## Law Enforcement

- arrests
- community policing
- investigations

## Offending by Juveniles

- drug offenses
- gangs
- hate crimes
- offenses by young juveniles
- property offenses
- serious/habitual/chronic offending
- sex offenses
- status offenses
- violent offenses

## Prevention

- community/family involvement
- conflict resolution
- family strengthening/parenting
- mentoring
- risk and protective factors
- youth involvement

## Schools

- bullying
- dropout/expulsion
- school involvement
- school safety
- truancy

## Health

- assessment
- disabilities
- drugs
- mental health
- physical health
- underage drinking

## Statistics

- aftercare/reentry
- corrections/detention
- courts
- juvenile victims
- law enforcement
- offending by juveniles
- population
- probation

## Victims

- exposure to violence
- juvenile victims
- victims of family violence
- victims of offenses by juveniles



**AMERICAN CORRECTIONAL  
ASSOCIATION COMMISSION ON  
ACCREDITATION**



- The Commission on Accreditation for Corrections (CAC) is the official accrediting body of the American Correctional Association. Created in 1974, the Commission is the official arbiter of accreditation status for all facilities and agencies. 1,400 Facilities Accredited.
- Standards
  - Standards for Juvenile Probation & Aftercare
  - Performance Based Standards for Juvenile Correctional Facilities
  - Standards for Juvenile Day Treatment
  - Standards for Juvenile Detention Facilities
  - Standards for Small Juvenile Detention Facilities
  - Standards for Juvenile Boot Camp Programs
  - Standards for Juvenile Community Residential Facilities

## ACA Standard and Accreditation

- Standards are evidenced-based
  - Standards are developed and field tested and continuously updated
  - Auditors are trained and tested
    - Most have an extensive background
  - Facility must show documentation to prove standards are complied with
    - Most facilities have a standards or accreditation manager or facilitator
  - Auditors visit facility, tour, review documentation, visit with staff and inmates
  - Auditor reports are reviewed and accreditation can only be awarded after the facility goes before a review panel
  - Accreditation lasts 3 years and the renewal process includes a full inspection
- Courts, legislatures, media and NGOs follow the accreditation process and use standards to judge the facilities and treatment of offenders
- Applicable standards of health, safety, educational and professional organizations must also be complied with

**Sexual Harassment**

**1-CTA-1C-14** Written policy, procedure, and practice prohibit sexual harassment.

**Comment:**

The agency administrator should have as his or her objective the creation of a workplace that is free from all forms of discrimination, including sexual harassment. Agency policy must clearly indicate that sexual harassment, either explicit or implicit, is strictly prohibited. All employees and agents of the agency, including volunteers, contractors, and vendors, must be advised that they are subject to disciplinary action, including dismissal, termination of contracts, and/or services, if found guilty of sexual harassment charges brought by employees, inmates, juveniles, or residents.

SELF-EVALUATION Agency Personnel	STANDARDS COMPLIANCE AUDIT Visiting Committee
<b>Staff Signature(s):</b>   <input type="checkbox"/> Compliance (List documentation) <input type="checkbox"/> Noncompliance (See plan of action) <input type="checkbox"/> Not Applicable (Justification attached) <input type="checkbox"/> Plan of Action Waiver Requested (Justification attached)  <b>Prepare one of the following, as appropriate:</b> 1) List documentation to support compliance. 2) Explain nonapplicability of standard. 3) Explain plan of action waiver request.	<b>Auditor Signature(s):</b>   <input type="checkbox"/> Compliance <input type="checkbox"/> POA acceptable <input type="checkbox"/> Noncompliance <input type="checkbox"/> POA unacceptable <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver acceptable <input type="checkbox"/> <input type="checkbox"/> Waiver unacceptable  <b>List deficiencies if standard is in noncompliance; include the square footage number deficiency, if appropriate.</b>

# Making the U.N. Standards Measurable

Mandela Rules Work Sheet			
Before using, familiarize yourself with your nation's Constitution, relevant prison laws and procedures, Code of Ethics, and Department Mission Statement. Those documents take precedence over these Rules. If you see major differences, report them to your supervisors. International Corrections and Prisons Association (ICPA) Staff Training and Development Committee: GaryHill@icpaservices.com			
Standard	Comply	Documentation	Notes
	Yes	No	
<b>I. Rules of General Application</b>			
<b>Basic Principles</b>			
<b>Rule 1</b>			
All prisoners shall be treated with the respect due to their inherent dignity and value as human beings. No prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman or degrading treatment or punishment, for which no circumstances whatsoever may be invoked as a justification. The safety and security of prisoners, staff, service providers and visitors shall be ensured at all times.			
<b>Rule 2</b>			
1. The present rules shall be applied impartially. There shall be no discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or any other status. The religious beliefs and moral precepts of prisoners shall be respected. 2. In order for the principle of non-discrimination to be put into practice, prison administrations shall take account of the individual needs of prisoners, in particular the most vulnerable categories in prison settings. Measures to protect and promote the rights of prisoners with special needs are required and shall not be regarded as discriminatory.			
<b>Rule 3</b>			
Imprisonment and other measures that result in cutting off persons from the outside world are effective by the very fact of isolating them from persons the right of self-determination by depriving them of their liberty. Therefore the prison system shall not, except as incidental to justifiable separation or the maintenance of discipline, aggravate the suffering inherent in such a situation.			
<b>Rule 4</b>			
1. The purposes of a sentence of imprisonment or similar measures deprivative of a person's liberty are primarily to protect society against crime and to reduce recidivism. Those purposes can be achieved only if the period of imprisonment is used to ensure, so far as possible, the reintegration of such persons into society upon release so that they can lead a law-abiding and self-supporting life.			

## Questions – Comments

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