



U.S. Department of Justice

Office of Justice Programs

*Office of Juvenile Justice and Delinquency Prevention*

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*Office of the Administrator*

*Washington, D.C. 20531*

Jennifer L. Porter  
Director  
441 4th Street, NW Suite 727N,  
Washington DC, 20001

Dear Director Porter:

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has completed its review and analysis of the District of Columbia's federal fiscal year (FY) 2023 Title II Formula Grant application, Compliance and Racial and Ethnic Disparities (R/ED) Plans, and its compliance data and supporting documentation covering the federal fiscal year 2022 reporting period. OJJDP conducted the review to determine (1) whether the District of Columbia has described an effective system of monitoring, pursuant to section 223(a)(14) of the Juvenile Justice and Delinquency Prevention Act ("the Act") (34 U.S.C. § 11133(a)(14)), and (2) the extent of the District of Columbia's compliance with the four requirements pursuant to section 223(a)(11)(A), (12), (13), and (15) of the Act (34 U.S.C. § 11133(a)(11)(A), (12), (13), and (15)). Section 223(a)(11)(B) of the Act provides that states must collect data on juveniles charged as adults who are held in adult facilities. To enable OJJDP to establish the standard for compliance with the section 223(a)(11)(B) requirement, states were required to submit baseline data for FY 2022 (covering the period December 21, 2021 to September 30, 2022) with the state's FY 2023 application for a Title II Formula Grants Program award.<sup>1</sup>

Based on our review and analysis, OJJDP has determined that the District of Columbia has provided for an effective system of monitoring, as described in the state plan. This is not a determination that the District of Columbia, in fact, has an effective system of monitoring, which can be determined only through an onsite audit, but indicates that the state has described an effective system of monitoring, pursuant to section 223(a)(14) of the Act (34 U.S.C. § 11133(a)(14)), to include a description of how the state intends to submit compliance data for at least 85% of facilities in the State required to report data. (*See* 28 C.F.R. § 31.303(f)(5)).

Based on our review and analysis of the federal fiscal year 2022 Compliance Monitoring Report and the 2023 R/ED Plan, OJJDP has determined:

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<sup>1</sup> FY 2022 and FY 2023 data will be used to establish a baseline rate for determinations of compliance with section 223(a)(11)(B) in FY 2025.

- The District of Columbia is in compliance with section 223(a)(11)(A) of the Act (the “deinstitutionalization of status offenders” or “DSO” requirement) (34 U.S.C. § 11133(a)(11)(A)).
- The District of Columbia is in compliance with section 223(a)(12) of the Act (the “separation” requirement) (34 U.S.C. § 11133(a)(12)).
- The District of Columbia is in compliance with section 223(a)(13) of the Act (the “jail removal” requirement) (34 U.S.C. § 11133(a)(13)).
- The District of Columbia is in compliance with section 223(a)(15) of the Act (the “racial and ethnic disparities” or “R/ED” requirement) (34 U.S.C. § 11133(a)(15)).

Pursuant to section 223(c) of the Act (34 U.S.C. § 11133(c)), each eligible state receives 20 percent of its total fiscal year allocation and an additional 20 percent each for compliance with sections 223(a)(11)(A), (12), (13) and (15). OJJDP has determined that the District of Columbia is eligible to receive 100 percent of the fiscal year 2023 allocation related to participation in the Title II Formula Grants Program and compliance with sections 223(a)(11)(A), (12), (13), and (15) of the Act (34 U.S.C. § 11133(a)(11)(A), (12), (13), and (15)). The enclosure summarizes the basis for the final compliance determination for the DSO, separation, jail removal, and R/ED requirements.

We are available to help the District of Columbia achieve and maintain compliance with all of the requirements of the Title II Formula Grants Program. If you have any questions, please contact your OJJDP State and Tribal Relations Assistance Division Program Manager, Diamond Lewis at 202-598-7799 or [Diamond.Lewis@usdoj.gov](mailto:Diamond.Lewis@usdoj.gov).

Sincerely,

Elizabeth Ryan  
OJJDP Administrator

cc: Laura Furr  
State Advisory Group Chairperson

Melissa Milchman  
Juvenile Justice Specialist

Toni A. Lemons  
R/ED Coordinator, Compliance Monitoring Coordinator

Enclosure

**STATUS OF COMPLIANCE**  
Juvenile Justice and Delinquency Prevention Act, as amended

**Section 223(a)(11)(A)**

Pursuant to the requirements of Section 223(a)(11) of the Act (34 U.S.C. § 11133(a)(11)) (the “deinstitutionalization of status offenders” or “DSO” requirement), OJJDP has determined that the District of Columbia has an institutionalization rate of 0.00 status offenders and nonoffenders held per 100,000 persons under the age of 18. This is consistent with the established standard of a rate not in excess of 3.81 per 100,000 persons under the age of 18. Based on federal fiscal year 2022 data that the District of Columbia has provided, OJJDP has determined that the District of Columbia is in compliance with the DSO requirement, which requires that states not place (with certain exceptions) status offenders and nonoffenders in secure detention and correctional facilities.

**Section 223(a)(12)**

Pursuant to the requirements of Section 223(a)(12) of the Act (34 U.S.C. § 11133(a)(12)) (the “separation” requirement), OJJDP has determined that the District of Columbia has a rate of 0.00 juveniles per 100,000 juvenile population who were detained or confined in institutions in which they had sight or sound contact with adult inmates. This is consistent with the established standard of a rate not in excess of 1.08 per 100,000 juvenile population. Based on federal fiscal year 2022 data that the District of Columbia has provided, OJJDP has determined that the District of Columbia is in compliance with the separation requirement, which requires that states not detain or confine juveniles in any institution in which they have contact with adult inmates, and that the state has a policy in effect requiring individuals who work with both juvenile and adult inmates, including in collocated facilities, to be trained and certified to work with juveniles.

**Section 223(a)(13)**

Pursuant to the requirements of Section 223(a)(13) of the Act (34 U.S.C. § 11133(a)(13)) (the “jail removal” requirement), OJJDP has determined that the District of Columbia has a rate of 0.00 juveniles detained or confined in adult jails or lockups per 100,000 juvenile population. This is consistent with the established standard of a rate not in excess of 6.40 per 100,000 juvenile population. Based on federal fiscal year 2022 data that the District of Columbia has provided, OJJDP has determined that the District of Columbia is in compliance with the jail removal requirement, which requires that states not detain or confine (with certain exceptions) juveniles in adult jails and lockups, and that the state has a policy in effect requiring individuals who work with both juvenile and adult inmates, in collocated facilities, to be trained and certified to work with juveniles.

**Section 223(a)(15)**

OJJDP has determined that the District of Columbia is in compliance with section 223(a)(15) of the Act (34 U.S.C. § 11133(a)(15)) (the “racial and ethnic disparities” or “R/ED” requirement). The summary of activities described in its federal fiscal year 2022 state plan indicates that the District of Columbia is addressing racial and ethnic disparities within its juvenile justice system.