

Juveniles Charged as Adults Decision Tree Section 223(a)(11)(B)

A juvenile charged as an adult shall not be held in an adult jail or lockup nor shall they have sight or sound contact with adults, *unless* . . .
 — 223(a)(11)(B)(i)(I-II)

. . . the court finds after a hearing and in writing that it is in the **best interests of justice** to do so.

In making that decision, the Court shall consider:

- the **age** of the juvenile
- the **physical and mental maturity** of the juvenile
- the **present mental state** of the juvenile, including whether the juvenile represents a risk of harm to themselves



- the juvenile’s **prior delinquent acts**
- the ability of the available juvenile and adult facilities to **meet the needs** of the juvenile and protect public safety and other detained youth
- any other **relevant factor**

— 223(a)(11)(B)(ii)(I-VII)

IF the Court determines it is in the interest of justice to hold the juvenile in an adult facility, then:
 — 223(a)(11)(B)(iii)

The Court shall hold a review hearing at least every 30 days (45 for rural jurisdictions)
 — 223(a)(11)(B)(iii)(I)

and

The juvenile **shall not be held in an adult facility** or in sight or sound contact more than 180 days *unless* . . .
 — 223(a)(11)(B)(iii)(II)

The Court **finds good cause**, in writing.

or

The juvenile expressly **waives the request**.