South Dakota Juvenile Holding Matrix

Updated 04/30/2008	Abuse & Neglect	Juvenile Court: Accused CHINS	Juvenile Court: Adjudicated CHINS	Juvenile Court: Accused CHINS Probation Violator	Juvenile Court: Adjudicated CHINS Probation Violator	Juvenile Court: Apparent or Alleged Delinquent	Juvenile Court: Adjudicated Delinquent	Criminal Court: Misdemeanor: Charged	Criminal Court: Misdemeanor: Convicted	Criminal Court: Felony
Nonsecure Juvenile Facilities	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions
Secure Juvenile Facilities **Regional Detention Center** **Collocated Facility (DOC Approved)** Beadle County Detention Center Brown County Detention Center Codington County Detention Center Day County Detention Center Roberts County Detention Center Walworth County Detention Center **Secure Correctional** **Time-Out Rooms/Detention Cells**	Secure Holding Prohibited	Secure hold limited to 24 hours prior to and 24 hours after an **INTIAL** court appearance (excluding weekends and holidays).	Secure Holding Prohibited	Juvenile must be interviewed by an appropriate agency within 24 hours of placement in secure custody. The court must receive an assessment from the public agency and the juvenile must have a cause hearing within 48 hours of placement in secure custody. Documentation must be kept on file.	No Holding Restrictions **IF** the violation was due to a delinquent act **OR** there is documentation showing showing due process was followed. Documentation must be kept on file.	No Holding Restrictions	No Holding Restrictions	Class 2: May be held for up to 7 days. Class 1: May be held for up to 30 days.	May be held securely until the age of 18; must be sight and sound separated from juvenile delinquents within 6 months of reaching the age of 18.	May be held securely until the age of 18; must be sight and sound separated from juvenile delinquents within 6 months of reaching the age of 18.
Adult Jail **Non-approved Collocated Facility (Not Approved by DOC)** **Adult Section of an Approved Collocated Facility** **48-Hour Jail (Approved by OJJDP)***	Secure Holding Prohibited	Secure Holding Prohibited	Secure Holding Prohibited	Secure Holding Prohibited	Secure Holding Prohibited	Secure hold limited to 6 hours for purposes of identification, processing, interrogation, transfer, release to parents, or 6 hours prior to and 6 hours after court appearance if the child is separated from adult prisoners. *48 Hour Jails - Secure hold limited to 48 hours for juveniles awaiting an **initial court appearance**, if the child is separated from adult prisoners.	Secure hold limited 6 hours after a court appearance for the purpose of arranging transport or release. **NO JUVENILES MAY BE HELD FOR THE PURPOSE OF DISPOSITION/ SERVING SENTENCE.**	Secure hold limited to 6 hours for purposes of identification, processing, interrogation, transfer, release to parents, or 6 hours prior to and 6 hours after court appearance.	Secure Holding Prohibited	No Holding Restrictions
Police Departments/Sheriff's Office *office, lobby, or multipurpose room where juvenile is: not physically secured to a stationary object, nonresidential area, and under continuous supervision*	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions
Lockup/Other Locked Area *cell whether or not the cell door is locked, detoxification tank whether or not the cell door is locked, room within secure perimeter, within a secure booking area when a nonsecure booking area is available, handcuffed to sationary object, etc. even if cell door is open*	Secure Holding Prohibited	Secure Holding Prohibited	Secure Holding Prohibited	Secure Holding Prohibited	Secure Holding Prohibited	Secure hold limited to 6 hours for purposes of identification, processing, interrogation, transfer, release to parents, or 6 hours prior to and 6 hours after court appearance if the child is separated from adult prisoners.	Secure hold limited 6 hours after a court appearance for the purpose of arranging transport or release. NO JUVENILES MAY BE HELD FOR THE PURPOSE OF DISPOSITION/ SERVING SENTENCE.	Secure hold limited 6 hours prior to and 6 hours after court.	Secure Holding Prohibited	No Holding Restrictions
Prison	Secure Holding Prohibited	Secure Holding Prohibited	Secure Holding Prohibited	Secure Holding Prohibited	Secure Holding Prohibited	No Holding Restrictions if separated from adult offenders.	No Holding Restrictions if separated from adult offenders.	No Holding Restrictions	No Holding Restrictions	No Holding Restrictions
Mental Health Facility	There are no restrictions on holding any juvenile in a secure mental health facility if the juvenile is held there for the purpose of a mental health civil commitment.									