

ADDENDUM – INITIAL STATEMENT OF REASONS

DJJ 19-001 Citizens and Nationals of a Foreign Country

After publication of the Initial Statement of Reasons (ISOR), the Division became aware that amendments to the ISOR were necessary for corrective and clarity purposes. The Division is proposing to correct and clarify the following language as stated in the ISOR.

Page 3. Specific Purpose and Rational for Each Regulation Proposed for Amendment, Adoption, or Repeal, Section 4621.1(a):

This existing subsection prohibits the Division from detaining youth pursuant to a United States Immigration and Customs Enforcement detainer. Based upon the public comments received, and since this provision is not specific to only those youth covered under this section, retaining this language may result in confusion about the discharge standard that applies to youth. This existing subsection is repealed as the same standard applies to all youth committed to or housed in the Division and therefore is not necessary.

Page 3. Specific Purpose and Rational for Each Regulation Proposed for Amendment, Adoption, or Repeal, Section 4621.1(b):

The ISOR justified including this subsection to “add a mandate and timeframe in which all citizens or nationals of a foreign country under the jurisdiction of the Division shall be advised of their right to contact their consulate.” After discussion of public comments received, it was determined that modification of this text was necessary for clarity. Currently, staff do not determine a youth’s immigration and citizenship status. Requiring this advisement to be provided to all Division youth eliminates the erroneous perception of staff determining a youth’s immigration and citizenship status.