

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 15-11**

Guidelines for the Placement of Respondents in the At Risk Room

WHEREAS, the law in the District of Columbia requires the separation of detained children at risk from other children to ensure their safety;

WHEREAS, D.C. Code § 16-2310.01, which has been in effect since 1986, defines a child at risk as one under the age of 13, or any child 13 years of age or older who, because of his or her size or physical stature, is determined to be especially physically or psychologically vulnerable to attacks by other children;

WHEREAS, pursuant to D.C. Code § 16-2310.01, the Department of Human Services, through the Department of Youth Rehabilitation Services (DYRS), delivers children not considered at risk to the custody of the United States Marshals Service (USMS);

WHEREAS, the Mayor did not issue rules to implement the provisions of D.C. Code § 16-2310.01 within 90 days of August 13, 1986, as required by D.C. Code § 16-2311.01;

WHEREAS, DYRS and the USMS have been using a questionnaire to identify children at risk, which is not a rule, policy or guideline;

WHEREAS, the questionnaire that DYRS and the USMS use for identifying children at risk results in children at risk being housed in the same space as children who are not considered to be at risk;

WHEREAS, the purpose of D.C. Code § 16-2310.01 is to separate children at risk from other children; and

WHEREAS, the Superior Court is concerned that placing children at risk in the same space as children who are not at risk compromises their safety and endangers them, contrary to the stated purpose of the law in the District of Columbia.

NOW, THEREFORE, it is by the Court,

ORDERED, that children at risk who are detained will be physically separated at all times, except during transportation, from children or other detainees 13 years of age or older, from any child under the age of thirteen who has been detained on the ground that there is probable cause to believe the child has committed a crime of violence, or in any manner deemed to ensure the safety of the child. It is further,

ORDERED, that children at risk are children under the age of thirteen, children age thirteen and older who, because of their size or physical stature, are especially physically or psychologically vulnerable to attacks by other children. It is further,

