

Course Title: Detention Decisions

Trainer(s): Deborah [REDACTED]

Trainer Qualifications: STC Certified

Date Prepared: 02/06/2014

Prepared By: Ruby [REDACTED]

Length of Training: 6 hours

**Recommended Maximum
Number of Trainees:** 30

Classroom Set-up: Small groups

Trainer Materials: PowerPoint, Laptop, Large print posters, handouts, class roster

Testing: Practical application

Performance Objectives by the Board of State and Community Corrections:

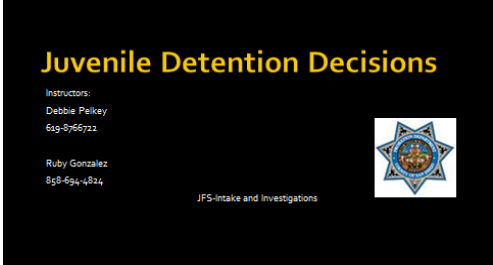
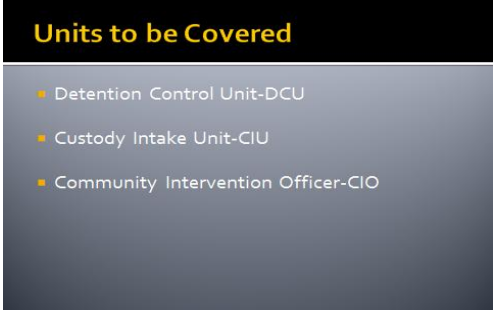
At the conclusion of training, the trainee will be able to:

- 1) Students will be able to define the roles of law enforcement and probation when a minor is taken into custody.
- 2) Students will be able to identify when a juvenile must be advised of his/her constitutional rights.
- 3) Given a sample case description, student will be able to classify the case as a violation of WIC section 300, 601, or 602.
- 4) Student will be able to define a status offense.
- 5) Student will be able to explain the procedure for handling a status offense case.
- 6) Student will be able to identify key factors relating to the decision to release the minor, and to whom the minor should be released.
- 7) Given a sample police report on a juvenile taken into custody under WIC Section 602, the student will be able to generate a list of appropriate questions or points of information to with the juvenile, his/her parents, etc.
- 8) Given a list of juvenile offenses, student will be able to describe detention options and the information required to make a detention decision.
- 9) Student will be able to identify what options are available as an alternative to custody.
- 10) Student will be able to demonstrate the proper use of an assessment tool to making detention decisions, including when it is appropriate to override an assessment score.

- 11) Give a scenario, the student will be able to determine whether to detain or release a minor.
- 12) Given a simulated scenario, student will be able to generate a report documenting and supporting their decision for filing a petition or handling informally.
- 13) Student will be able to identify the statutory responsibility to notify the victim and parent of the minor's custody status and next court hearing.
- 14) Student will be able to identify the liability for failing to comply with medical clearance procedures.
- 15) Given a sample case file, student will be able to identify the time frame in which a detention hearing must be held.

Overview

Time Begin	Time End	Subject of Topic
0800	0820	Welcome and Trainer Introductions Administrative Needs Ground Rules Overview of Performance Objectives Expectations
0820	0900	Penal Codes/Statue/Case Law
0900	0910	Detention Control Unit Forms
0910	0940	Detention Control Unit Process Questions to ask minors (handout) Detain/Release Decisions
0940	1020	Detention Risk Assessment Instrument (handout)
1020	1030	Custody Intake Unit Forms
1030	1045	Filing petition Notice of hearing Privileges and rights of minor
1045	1100	Petition Filing and Detention Hearing Deadlines (handout)
1100	1130	Review case file Key Issues in the case (handout) Questions to ask parents/guardians (handout)
11:30	12:30	LUNCH BREAK
1230	1330	Detention Report (handout)
1330	1400	Community Intervention Officer Referrals
1400	1430	Community Intervention Options (handout) Diversion Contract Informal Contract File a Petition
1430	1500	Questions/Review

Time/PP Slide/ Trainers Note/Method	Trainer' Script/Activity/Topic
<p>0800-0820</p> <p>Lecture & PP#1-2</p>  <p>PP#2</p> 	<p>Welcome Trainer's Intros-Share backgrounds</p> <p>PP#1 Course Overview The purpose of this course is to provide officers with the detention and release process once a minor enters Juvenile Hall.</p> <p>This course will address penal codes, statute, and case law that authorize the release or detention of a minor. You will learn about intake referral case processing procedures. This course will also explain the difference community intervention options.</p> <p>Administrative Needs The class will start at 8:00 am and end at 3:00 pm.</p> <p>There will be plenty of breaks throughout the day. Lunch will be an hour Restrooms location.</p> <p>Ground Rules To create a classroom that is conducive to learning the following be mindful of the following rules: <ul style="list-style-type: none"> Be on time, start on time Turn off cell phones No sidebar conversations Respect each other The purpose of this training is to provide a safe environment where everyone can learn and practice skills.</p> <p>Review Performance Objectives PP#2</p> <ol style="list-style-type: none"> 1. Define the roles of law enforcement and probation when a minor is taken into custody. 2. Identify when a juvenile must be advised of his/her constitutional rights. 3. Classify the case as a violation of WIC section 300, 601, or 602. 4. Define a status offense. 5. Explain the procedure for handling a status offense case. 6. Identify key factors relating to the decision to release the minor, and to whom the minor should be

released.

7. Generate a list of appropriate questions or points of information to with the juvenile, his/her parents, etc.
8. Describe detention options and the information required to make a detention decision.
9. Identify what options are available as an alternative to custody.
10. Demonstrate the proper use of an assessment tool to making detention decisions, including when it is appropriate to override an assessment score.
11. Determine whether to detain or release a minor.
12. Generate a report documenting and supporting their decision for filing a petition or handling informally.
13. Identify the statutory responsibility to notify the victim and parent of the minor's custody status and next court hearing.
14. Identify the liability for failing to comply with medical clearance procedures.
15. Identify the time frame in which a detention hearing must be held.

Course Expectations

The expectations for the trainees are:

1. Trainees will participate in training exercises.
2. Trainees will screen cases and make appropriate detention/release decisions.
3. Trainees will develop a complete detention report, which will be reviewed by the trainers.

0820-0900
Lecture & PP#3-15

PP#3

A Peace Officer Without a Warrant May Take a Minor into Temporary Custody: (W&I 625)

- Who is under the age of 18 and who is found in any street or public place suffering from sickness or injury which requires medical treatment.
- NOT** a minor who is under the age of 18 who is a local runaway.

PP#4

Temporary Custody: alternative dispositions (W&I 626)

- An officer who takes a minor into temporary custody under the provisions of W&I 625 may do any of the following:
 - Release the minor
 - Deliver or refer to a public or private agency
 - Cite the minor
 - Detain the minor

PP#5

W&I 627.5 Advice as to Constitutional Rights

- In any case where the minor is taken before the probation officer pursuant to W&I 626 and alleged minor as a person described Section 601 or 602, the probation officer shall immediately advise the minor and his parent or guardian that anything the minor says can be used against him/her and he/she has the right to remain silent, right to have counsel present during any interrogation and right to have counsel appointed if unable to afford counsel.

PP#6

What is a status offender? W&I 601

- Must be under the age of 18
- Habitually and persistently refuses to obey his parents/legal guardian
- Violated any ordinance of any city or county of this state establishing curfew solely on age.
- Truant from school.
- Runaway

Obj. #1: Students will be able to define the roles of law enforcement and probation when a minor is taken into custody.

PP#3-5

Trainer will describe the following Welfare and Institution Codes to the class:

W&I 625: A peace officer without a warrant may take a minor into temporary custody.

W&I 626: Temporary Custody: alternative dispositions

Obj. #2: Students will be able to identify when a juvenile must be advised of his/her constitutional rights.

PP#6

Trainer will describe the following Welfare and Institution Code to the class:

W&I 627.5: Advice of constitutional rights.

Obj. #3: Given a sample case description, student will be able to classify the case as a violation of WIC section 300, 601, or 602.

PP#6-10

Trainer will describe the following Welfare and Institution Code to the class:

W&I 601: Status Offender

W&I 602: Delinquent Offender

W&I 300: Dependent Child

PP#7

What is a W&I 602 offender?

- Must be **under the age of 18 years**.
- **Violates any law** of the state or of the United States defining crime other than an ordinance establishing curfew based solely on age.

PP#8

What is a Dependent Child W&I 300?

- **Under the age of 18**
- Suffered substantial risk that a child will suffer serious physical harm non accidentally.
- **Suffered or substantial risk a child will suffer serious harm as a result of failure or inability of his/her parents to adequately supervise or protect the child.**

PP#9

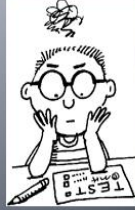
What is a Dependent Child W&I 300?

- Suffers from serious emotional damage or risk.
- Subjected to acts of cruelty.
- Parents lack the ability to adequately supervise or protect the child including willful negligence.
- Minor has been freed for adoption by either relinquishment/termination of parental rights.

PP#11

Quiz

- What is a W&I 601?
- What is a W&I 602?
- What is a W&I 300?



Obj. #4: Student will be able to define a status offense

PP#11

Group activity: As a class they will define each of the Welfare and Institution Codes presented.

PP#12

Quiz

- A minor is a runaway from another state and living on the streets. His mother is deceased and his father's whereabouts are not known. Minor was arrested and booked into Juvenile Hall as a runaway.
- The minor may be classified as a W&I.....?



Obj. #5: Student will be able to explain the procedure for handling a status offense case.

PP#12-13

Group activity: Select an officer to read the scenario to the class. Then select a different officer identify the W&I code and explain their reasoning for such W&I classification.

PP#13

Quiz

- Minor is arrested for petty theft and booked into Juvenile Hall. The minor is therefore classified as a W&I.....?
- A minor is arrested for truancy, The minor is classified as a W&I.....?
- A minor is arrested for PC211, Robbery..W&I?



PP# 14

W&I 241.1-Dual Status Children

- Whenever a minor appears to come within the description of both Section 300, Section 601, or Section 602.
- County Probation Department and Child Welfare services determine which status best serve the interests of the minor and the protection of society.



PP#15

W&I 241.1-Dual Status Children

- The recommendations of both departments shall be presented to the Juvenile Court and the Court will determine which status is appropriate for the minor.

0900-0910

Lecture, PP#16 & Handouts

PP#16

DCU

Detention Control
Unit

PP#14-15

Trainer will describe the following Welfare and Institution Code to the class:
W&I 241.1: Dual Status Children

PP#16

Trainer will present forms used by the Detention Control Unit. (handouts)

0910-0940
Lecture, PP#17-27

PP#17

Detention Control Unit(DCU)

- Document all referrals into Juvenile Hall.
- Collect all required documentation-Declaration of Probable Cause, Arrest /Crime Report /Affidavit/Warrant Order/Juvenile Detention Order etc.



PP#18

Detention Control Unit-DCU

- Review all documentation and ensure it is routed to the proper office/agency.
- Assess the record check as provided by the Booking Clerk.
- Advise the minor of constitutional rights pursuant to W&I 627.5
- Complete the Juvenile Hall Risk Screening criteria.

PP#19

Detention Control Unit-DCU

- Determine the appropriate Detention Decision. (Minors under the age of 12 - Judge must approve)
- If an active ward, notify the minor's assigned Probation Officer.
- Complete the Unit Classification Form
- If applicable, complete forms for Suicide Watch status, Single Room, Confinement (UC)

PP#20

Obj. #6: Student will be able to identify key factors relating to the decision to release the minor, and to whom the minor should be released.

Obj. #7: Given a sample police report on a juvenile taken into custody under WIC Section 602, the student will be able to generate a list of appropriate questions or points of information to with the juvenile, his/her parents, etc.

Obj. #8: Given a list of juvenile offenses, student will be able to describe detention options and the information required to make a detention decision.

Obj. #9: Student will be able to identify what options are available as an alternative to custody.

PP#17-27

Instructor will review with the class the documents necessary to book a minor into Juvenile Hall. In addition, explain the process to the minor goes through as the booking process.

Instructor will define the following Welfare and Institution Codes:

W&I 627: Right to make a phone call

W&I 628: Investigation, release of a minor

W&I 628.1: Home Supervision

Home Supervision W&I 628.1

- Minor **MUST** Agree to follow specific conditions associated with Home Supervision:
 - Follow established curfew.
 - School attendance. (No truancies)
 - Appear in Court as required.
 - No contact with victim or co-participants.
 - Use of telephone is not for social use.

PP#21

Detention Control Unit-DCU

- When applicable, refer minor for psychological assessment with Juvenile Hall Clinic.
- Maintain and update the "Hot Sheet" for AWOL.
- Collect urine samples.
- Notify the Social Worker on active W&I 300 cases.

PP#22

Detention Control Unit-DCU

- Fingerprint and photograph minors admitted into Juvenile Hall.
- Confirm the minor's age, telephone number, and address as noted on the Arrest Report.
- Advise the minor of his/her legal rights to make a phone call pursuant to W&I 627.
- Check to ensure arresting agency has notified the minor's parents.

PP#23

Detention Control Unit-DCU

- The minor has the right to make a phone call to W&I 627:
 - His/her parents
 - His/her employer
 - His/her attorney
 - **NOT** to his/her Probation Officer.



PP#24

Investigation; release of minor (W&I 628)

- The Probation Officer is to investigate the circumstances of the minor and the facts surrounding his/her detention for release purposes.

PP#25 (handout)

Quiz - Questions to ask minors

- In formulating your decision to detain or release a minor from Juvenile Hall, list on a separate piece of paper questions you believe would be relevant to ask a minor to support your decision.
- Make sure to write your name at the top of the paper and submit it to the instructor.



Activity: Individually list questions you believe would be relevant to ask a minor to support your decision for releasing or detaining a minor.

The class will then report out one of their questions. Trainer will lead a discussion of why such question is relevant.

PP#25

DETAIN/RELEASE OPTIONS

- **Promise to Appear**-PTA-Minor and parents MUST sign a written agreement to appear to his/her Probation Officer or in Court.
- **Counsel and Close**-Release to parents/guardian
- **Home Supervision/ESP**-Minor signs an agreement to abide by the conditions imposed. (W&I 628.1)

PP#27

Minors NOT Eligible for Release

- Outstanding Warrant or Juvenile Detention Order (JDO)
- W&I 750 Transfer
- Certified from Adult Court-Direct File
- Runaway - (24 hours)
- Out of State Warrants - (5 Business Days)
- Federal Detainees - INS Holds

0940-1020

Lecture, PP#28-31, Activity
PP#28(handout)

Exercise-Detention Risk Assessment Instrument (DRAI)

- Students will be able to demonstrate the proper use of an assessment tool in making detention decisions.



Obj. #10: Student will be able to demonstrate the proper use of an assessment tool to making detention decisions, including when it is appropriate to override an assessment score.

PP#28

The trainer will explain and review the DRAI with the class and give examples of different cases. The student will then be provided with different scenarios which they will have to use the DRAI to make a detention decision.

PP#29

Quiz-DRAI

- Minor arrested for PC 211-Robbery
- Earning excellent grades with no truancies or behavioral problems
- Follows the rules at home and is a wonderful son.
- No runaway history, gangs, alcohol, or drugs.
- First referral

- Score is: ?

PP#30

Quiz-DRAI

- Minor arrested for PC496, Receiving Stolen Property.
- No history of drugs or alcohol.
- First referral.
- No truancies. Regular school attendance.
- Is pending transfer pursuant to W&I 750.
- Parents willing to ensure the minor reports to all Court appearances.
- Score: ?

PP#31

Quiz-DRAI

- Minor arrested for PC484, Petty Theft
- Active W&I 602 ward with 5 plus referrals.
- No runaway history.
- No history of violence.
- Follows the rules at home.
- Has used some marijuana recently.
- No truancies.

- Score is: ?

Obj.# 11: Given a scenario, the student will be able to determine whether to detain or release a minor.

PP#29-31

Activity: The class will then report out one of their decisions. Trainer will lead a discussion of the decision.

1020-1030
Lecture, PP#32, handout

PP#32(handout)

CIU

**Custody Intake
Unit**

1030-1045
Lecture, PP#33-46

PP#33

Custody Intake Officer-CIU

- Document ALL referrals in the case roster log.
- Ensure referrals include all required documentation.
- Ensure statutory timelines are followed pertaining to Juvenile Hall "Kick Out", Detention Hearings and requests for filing a petition

PP#34

**Filing petition; notice of hearing:
privileges and rights of minor**

- If the Probation Officer determines that the minor shall be retained in custody a petition should be filed with the Juvenile Court.
- Upon a hearing being set the minor and parents should be notified of date and time.
- W&I 630

PP#32

Trainer will present forms used by the Custody Intake Unit. (handouts)

Obj. #12: Given a simulated scenario, students will be able to generate a report documenting and supporting their decision for filing a petition or handling informally.

Obj. #13: Student will be able to identify the statutory responsibility to notify the victim and parent of the minor's custody status and next court hearing.

Obj. #14: Student will be able identify the liability for failing to comply with medical clearance procedures.

Obj. #15: Given a sample case file, student will be able to identify the time frame in which a detention hearing must be held.

PP#33-46

Trainer will define W&I 360 and W&I 631

1045-1100
Lecture, PP#35-38, handout

PP#35

"Kick Out Timelines" W&I 631

- Any minor taken into custody shall be released within 48 hours of arrest EXCLUDING non-judicial days UNLESS a petition has been filed.

PP#36

"Kick Out Timelines"

- The minor MUST be IMMEDIATELY released under the following circumstances:
 - When NO petition will be filed.
 - When the District Attorney's Office REJECTS the charges.
 - When the case will be handled informally.

PP#37

Quiz-Kick Out Timelines

- Using the Grid; Determine the following "Kick Out" timelines:

PP#35-38

Activity: Trainer will review and explain the Petition Filing and Detention Hearing Deadlines. Using the grid provided, students will determine the Court hearing timelines.

As a group the timelines will be discussed.

PP#38

Are there exceptions to "Kick Outs?"

- Out of state runaway when Interstate Compact proceedings have been initiated.
- Out of state warrants when Interstate Compact proceedings have been initiated.
- No one is available to pick up the minor.
What do you do now?

1100-1130

Lecture, PP#39-44, handouts

PP#39

Custody Intake Officer-CIU

- Review the case file to ensure relevant information is available.
- Review and screen cases with the District Attorney's office when necessary.
- Interview the minor when appropriate and his/her parents/guardians. PC26- Under 14
- Calendar cases for Detention Hearings.

PP#40 (handout)

Quiz - Questions to ask parents

- In formulating your decision to detain or release a minor from Juvenile Hall, list on a separate piece of paper questions you believe would be relevant to ask a parent to support your decision.
- Make sure to write your name at the top of the paper and submit it to the instructor.



PP#39

Trainer will review relevant information in a case file and identify key issues in a case. Trainer will explain the reasoning for asking the minor's parents questions.

PP#40

Activity: Students will formulate a list of questions they believe are relevant to ask a parent to support their decision for releasing or detaining a minor.

PP#41

Recommended questions to ask the minor's parents:

- Behavior at home.
- Family environment.
- Drugs and alcohol.
- Gang involvement.
- Mental health.
- Physical health - allergies?
- Runaway
- PC26 for minors 14 and under

PP#42

Recommended questions to ask the minor's parents

- Health and Human Services history.
- Safety concerns.
- Residency status.
- Pending charges.
- Warrants
- School

PP#43

**Interstate Compact - Sacramento
916-255-2781**

- Runaways
- Out of state warrants.
- Detention Hearing-Extradition
- Required Interstate Compact Forms
- Transportation issues.

PP#41-42

Discussion: As a group the questions will be discussed.

PP#43

Trainer will explain the process for Interstate Compact.

PP#44 (handout)

Quiz – Key issues in the case

- In formulating your recommendation for the Detention Report, list on a separate piece of paper all the key issues in the case to support your decision.
- Make sure to write your name at the top of the paper and submit it to the instructor.



1230-130
Lecture, PP#45-46, handouts

PP#45 (handout)

Detention Report

PP#46 (handout)

Detention Report

- Using the information provided, write a Detention Report.
- You will have one hour to complete this assignment.
- Utilize the DRAI.
- Utilize the grid to determine kick out and when to schedule a Detention Hearing.
- Be willing to discuss your recommendation with the class.

PP#44

Activity: Students will write the key issues for the police report provided.

PP#45

Trainer will present a completed detention report to the class and review the type of information that pertains to each section.

PP#46

Activity: Students will be provided a packet containing a police report and additional information such a minor's or parents' interview. Students will then individually compose a detention report with the information that was provided.

1330-1400
Lecture, PP#47-53, handouts

PP#47

CIO

**Community
Intervention
Officer**

PP#48

W&I 654 Programs of Supervision

- After an investigation the probation officer in lieu of filing a petition with the permission of the minor and minor's parents, delineate specific programs of supervision for the minor, not to exceed six months.

PP#49

**Community Intervention Officer-
CIO**

- Referrals handled by CIO are:
- Misdemeanor offenses only, if they are 14 and older.
- First time felonies, if they are under 14.
- Collects restitution up to \$1,000.

PP#47

Trainer will present forms used by the Community Intervention Officer. (handouts)

PP#48-51

Trainer will discuss the Community Intervention options to an officer:

Diversion Contract

Informal Contract

Filing a Petition

PP#50

**Community Intervention Officer-
CIO**

- CIO's are assigned regionally throughout the county.
- Conducts Intake Interviews of the minor and their parents.
- Provides early intervention services to youth at risk and for their families.

PP#51

Community Intervention CIO

- Processes out of county referrals.
- Processes residency verifications.
- Accept/Reject courtesy supervision requests.
- Coordinates referrals to appropriate agencies.
- Represents the Probation Department at community agency meetings/public speaking.

PP#52 (handout)

Community Intervention Options

- 30 day Diversion Contract
- 6 month Informal Contract (W&I 654)
- File a Petition with the DA

PP#52-#53

Group Activity: Trainer will present a case providing the charge and the circumstances surrounding the minor. The students will discuss which type of community invention option they would use to handle the case.

PP#53

Community Intervention Options

• Exercises



1400-1430

Discussion, PP#54, handouts

PP#54

Review

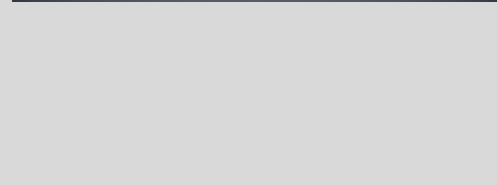
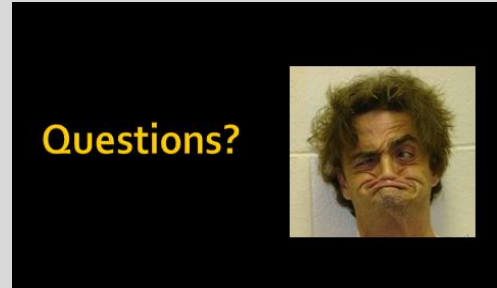
Review Sheet

PP#54

Trainer will review the review sheet highlighting the main key points in today's training.

1430-1500
Discussion PP#55

PP#55



PP#55

Trainer will use this time to provide any last minute guidance relating to detention decisions and answer question or clarify information need by the students.

