

DATE:	MAY 23, 2022
NUMBER:	Q.9
SUBJECT:	MINORS AND JUVENILE INCARCERATED PERSONS IN DETENTION FACILITIES
RELATED SECTIONS:	

PURPOSE

To comply with state law and California Board of State and Community Corrections, Title 15, Division 1, Chapter 1, Subchapter 4, Article 8 (Minors in Adult Facilities Excerpt) prohibitions against minors in an adult detention facility, and to comply with the provisions of Welfare & Institutions Code (W&I) section 208.5(a).

POLICY

Minors shall not be booked into a Sheriff's detention facility. For the purpose of this section, minors are defined as an individual under the age of 18. If an incarcerated person booked into a detention facility is suspected of being a minor, staff shall follow the procedures herein.

Minors brought to a jail facility for administrative booking shall be kept separated from detention facility incarcerated persons at all times, then immediately transported to Juvenile Hall or other appropriate location.

Adults who are arrested on a juvenile court warrant may be booked into a Sheriff's detention facility consistent with the requirements of this section.

PROCEDURE

I. SUSPECTED MINOR IN CUSTODY

- A. Whenever information is received that an incarcerated person at a Sheriff's detention facility is suspected of being a minor, the watch commander shall be immediately notified. The watch commander shall:
 - 1. Place the suspected minor into administrative separation. While being held in administrative separation, all suspected minors shall be afforded all rights and privileges otherwise provided, including those listed in the Title 15, as well as those listed under W&I section 207.1.
 - 2. Assign sworn staff the responsibility of conducting a preliminary investigation to determine whether the person is/is not a minor. The details of this investigation shall be documented on an Incarcerated person Status Report (J-19) form or other appropriate report format.
- B. When a person is booked into a detention facility as an adult and, prior to arraignment, is determined to be a minor, the following procedures shall be followed:
 - 1. Separate the minor from and restrict communication with adult incarcerated persons.

2. Call the arresting agency and request they return to the facility and transport the minor to Juvenile Hall.
 3. Process the booking for release; indicating the minor is “en route to Juvenile Hall.”
 4. When the arresting officer arrives, return all property and money to the minor and have them sign for it.
 5. Have the arresting officer assuming custody of the minor sign the “Release Approval Report” under “Agency Released to.”
 6. Close out the booking and release the officer and minor from the facility.
- C. If, after arraignment and after the investigation is concluded the person is reasonably believed to be a minor, keep the minor in administrative separation until all necessary arrangements have been completed to certify the minor and the “adult” case to the Juvenile Court.
1. Inform the facility Detentions Processing Supervisor (DPS) who will arrange to notify the appropriate criminal court in a timely manner. After the criminal court has certified the suspected minor’s case(s) to the Juvenile Court, the facility DPS shall notify the Juvenile Hall DPS of the certification.
 2. Arrange for Sheriff’s transportation personnel to transport the minor to Juvenile Hall Intake.
 3. Return all property and money to the minor and have the minor sign for it. The arrest will then be closed.

II. MINORS BROUGHT TO JAIL FACILITY FOR ADMINISTRATIVE BOOKING

- A. Whenever minors are certified by the court to be tried as adults per W&I section 707 and transportation to a Sheriff’s detention facility is required solely for administrative booking purposes, they shall be processed as follows:
1. Minors will be accepted in the facility’s receiving area and will be kept separated from detention facility incarcerated persons at all times.
 2. Staff will complete the booking process, including fingerprinting and photographing.
 3. Staff will annotate in the “Notes” section of the Jail Information Management System (JIMS) that the minor shall be housed at Juvenile Hall.
 4. Once processed, the minor will be taken to the transporting deputy for transport to Juvenile Hall. Copies of all court documentation directing future court appearances shall be sent with the minor.

III. TEMPORARY PRESENCE IN A DETENTION FACILITY FOR TESTING

- A. Procedures for receiving minors into a detention facility, for the purpose of conducting chemical testing (i.e. blood test, urine test, or breath test), or for booking as adults (livescan and photos) are as follows:
1. The minor shall be kept separated from detention facility incarcerated persons and the necessary testing conducted in a timely manner.
 2. The arresting/transporting officer shall remain in the immediate vicinity of the minor.
 3. Upon completion of the testing, the arresting/transporting officer shall immediately escort the minor from the detention facility.

IV. ACCEPTANCE OF ADULTS ON JUVENILE WARRANTS

- A. The Sheriff will not book into a detention facility an adult brought into custody on a juvenile warrant who is under the age of 25 years old, unless they meet one of the following criteria:
1. The arrest paperwork includes a court order directing the arrested to be housed in an adult facility; or
 2. The booking includes additional arrests not originating from the Juvenile Court that meet the booking acceptance criteria.
- B. Prior to issuing a booking number for an arrested person on a juvenile warrant, the Detentions Processing Technician (DPT) will review the Booking Intake/Personal Property (J-15) form to determine the arrested person's date of birth.
1. If the individual is determined to be age 25 or over, they will be accepted into Sheriff's custody per the normal booking process.
 2. If it is established the arrested person is under age 25 and the above criteria are not met, the arresting officer will be redirected to Juvenile Hall.