5-02/040.30 - Predelinquency Juvenile Arrests, Detention, and Referral

Predelinquent juveniles (601 WIC) coming to the attention of deputy personnel shall be referred to a social agency or local probation office no later than six hours after arriving at a Sheriff's station/unit.

Processing of minors arrested 601 WIC (status offense) shall be as follows:

- They shall be searched for weapons or contraband;
- They may be handcuffed in the field if there is need for security;
- They shall be advised of their rights; and
- They should be taken to a local probation office for processing as soon as possible;
    - If removal to a local probation office is impractical, they may be detained at a station/unit as follows:
        - They shall not be handcuffed or held in the booking cage or in lockup;
        - They may be kept in temporary custody at a station/unit if such custody can be maintained within a portion of the building which is apart from the adult custody area, or in a building or trailer separate from that building which houses adults in custody;
        - If custody is maintained as indicated above, the minor shall be continuously supervised to ensure he is not allowed to come or remain in contact with adults in custody;
        - They shall not be confined or locked up with 300 WIC or 602 WIC minors; and
        - They shall not under any circumstances be held longer than six hours before being released to their parents or placed in a SODA facility (Status Offender Detention Alternative) regulated by the Probation Department.

Status offenses are as follows:

Truants

Truants may be taken into temporary custody during school hours when the minor is subject to compulsory full-time education or compulsory continuation education and found away from his home and is absent from school without a valid excuse (48264 Ed.C.).

A truant who has been taken into temporary custody shall be delivered to a parent or guardian or to the school from which the minor is absent (48265 Ed.C.).

> **NOTE:** Instances of truancy shall be reported by patrol deputies on a yellow JIF (SH-CR-265) for input into JAI.

When a minor is arrested for a criminal offense pursuant to a suspected truancy, the incident report and the booking slip shall not indicate "truancy" as an additional charge.

Incorrigible Juveniles

Incorrigible juveniles shall not be arrested. The out-of-control minor is a child/parent conflict with a lengthy history of behavioral problems. Incorrigibility is not an emergency situation requiring police intervention.

Under no circumstances will alleged incorrigible juveniles be taken into custody solely on that basis. Referrals should be made directly to a locally developed community resource or to the station's/unit's intercept probation officer.

Deputies confronted with an incorrigible juvenile situation shall complete a yellow JIF (SH-CR-265) for input into JAI.

Transient Juveniles

Out-of-county or out-of-state runaways constitute transient juveniles. Following the apprehension and booking of a transient juvenile, the station/unit will contact the Probation Department to arrange placement in a SODA facility (status offender detention alternative). The station/unit shall be responsible for transportation of the minor to the SODA facility.

> **NOTE:** The police agency in the area in which the out-of-state transient juvenile resides shall be notified of the detention. An inquiry for "wants" and warrants shall be made by the handling station/unit. If the juvenile is wanted, the police agency shall be advised to proceed under the Uniform Extradition Act or the Interstate Compact on Juveniles to seek return of the juvenile. Minors with out-of-county or interstate compact warrants (1300 WIC) shall be detained in juvenile hall. If not wanted, advise the police agency to notify parents of their child's apprehension and direct the parents to contact the station/unit or SODA Resource Control at (213) 226-8533.

Report Classification - Transient Juvenile - 601 WIC - Charge - Transient.

Runaway Juveniles

Runaway juveniles (resident in L.A. County) shall be detained and released to their parents or guardians whenever possible. Diversion or an alternate solution should be sought by the investigating detective. If parents cannot be contacted or refuse to respond and detention is necessary, the station/unit will contact the Probation Department to arrange placement in a nonsecure SODA facility. The station/unit will be responsible for transportation to the SODA facility.

Report Classification - Runaway Juvenile - 601 WIC - Charge - Runaway.

Loitering/Curfew

Loitering/curfew is classified as a status offense under section 601 WIC, and is covered under County Ordinance chapter 13.56. Deputy personnel may, at their discretion, do any of the following:

- Warn/advise the minor regarding curfew laws and release minor in the field;
- Cite the minor to the appropriate Informal Juvenile and Traffic Court - allege violation of County Ordinance 13.56.010 Curfew; and/or
- Take the minor into temporary custody - Transport, book and release to parent, guardian, or responsible relative as soon as possible.

Deputies shall record the detention on a yellow Juvenile Information Form (JIF), SH-CR-192W. If a

responsible adult cannot be contacted or refuses to respond, the Probation Department shall be contacted and placement in a SODA facility will be arranged.

Under no circumstances will loitering/curfew violators be processed as dependent child cases under 300 WIC, unless the minor has no parent or guardian to accept custody or the minor is an active 300 WIC case.

Report Classification: Loitering/Curfew 13.56.010 LACO Ordinance 601 WIC - Charge - Curfew