5-02/180.15 - Diversion at the Point of Detention (Arrest)

Department members have discretion to divert various offenses to diversion in lieu of a detention or citation in order to better meet underlying needs. Diversion is encouraged at the earliest possible point of contact in a status offense, vehicle code violation, misdemeanor, or low-level felony cases, preferably before the juvenile is booked.

While it is preferable to divert the juvenile prior to booking, circumstances of the encounter might be deemed unsuitable for pre-booking diversion by the detention deputy or the juvenile detective. In those instances, consideration should be given to completing the booking process, and then allowing the juvenile to participate in the diversion program prior to submitting the case to the district attorney's office or the probation department.

In cases where diversion is suitable and approved by the watch commander, an Incident Report (SH-D-49) and a Youth Diversion Referral Form (YDR) shall be completed with a uniform report number (URN), utilizing the statistical code 827 – Juvenile Diversion (Criminal), as a secondary statistical code. The incident report shall be processed in accordance with Department policy (see section 5-02/020.05, Juvenile Forms). The incident report and the YDR form shall be retained by the station detective/juvenile detective and tracked for completion of the diversion program through the Los Angeles Regional Crime Information System (LARCIS). A copy of the YDR form shall be forwarded to the Community Based Organization (CBO) by the handling detective.

Non-criminal diversion referrals are not tracked for completion by the Department (see section 5-02/180.10, Procedures for Diversion - Non-criminal Offense/Behavior), however, they will be tracked for statistical purposes. Therefore, all non-criminal diversions must be cleared in the deputy's daily worksheet (DDWS) with statistical code 826.

Although not all offenses suitable for diversion can be listed, below are examples of eligible offenses appropriate for diversion at the point of detention or citation:

- Status offense cases (i.e. curfew, 601(a) WIC - truancy, 601(b) WIC);
- Misdemeanor cases (i.e., petty theft, 484(a)PC - trespassing 602 PC); and
- Low-level felonies (i.e., burglary 459 PC - weapons 417(a) PC, 466 PC (non - WIC 707(b) offenses)).