

## Release Procedures

### 941.1 PURPOSE AND SCOPE

The purpose is to establish and implement written policy and procedures for the release of youth from custody. This policy applies to all juvenile facility staff.

#### 941.1.1 DEFINITIONS

Definitions related to this policy include:

**Interstate Compact for Juveniles (ICJ)** – The compacting states to this Interstate Compact recognize that each state is responsible for the proper supervision or return of juveniles, delinquents, and status offenders who are on probation or parole and who have absconded, escaped, or run away from supervision and control and in so doing have endangered their own safety and the safety of others. The compacting states also recognize that each state is responsible for the safe return of juveniles who have run away from home and in doing so have left their state of residence. The compacting states also recognize that Congress, by enacting the Crime Control Act (4 U.S.C. Sec. 112), has authorized and encouraged compacts for cooperative efforts and mutual assistance in the prevention of crime. Refer to Section 1400 of the Welfare and Institutions Code (WIC).

### 941.2 AUTHORITY AND REFERENCES

- Board of State and Community Corrections Title 15, Article 5, § 1351;
- Crime Control Act 4 U.S.C. § 112;
- Juvenile Facility Services Policies: Admittance Procedures; Personal Property; Transfer of Health Care Summary and Records; Mental Health Services and Transfer to a Treatment Facility; Lineups; Duty Officer (DO); Transportation-Outside of the County or State; & Medi-Cal Information, Eligibility, and Enrollment;
- School Threat Assessment and Response (STAR)
- Welfare and Institutions Code §§ 209, 210, 300, 602, 628, 628.1, 885 & 1400.

### 941.3 POLICY

Staff shall take appropriate measures to ensure all releases from juvenile facilities have legal authorization, youth are released to the appropriate party, and youth are released with all personal clothing and valuables. Temporary release and furloughs shall be authorized when deemed appropriate and in compliance with the order of the court.

### 941.4 RELEASE ELIGIBILITY

The detention control officer (DCO) shall ensure only youth who have been authorized by the court shall be released from a juvenile detention facility.

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### **941.5 SUPERVISING PROBATION OFFICER (SPO) RESPONSIBILITIES**

Only a supervising probation officer (SPO) or facility manager may approve a release. Refer to Juvenile Facility Services Policy; Duty Officer (DO). SPOs who are assigned to duty officer (DO) are primarily responsible for each youth released during their assigned shift. The SPO shall ensure proper authorization has been made for the release of youth, prior to permitting the release. When a youth is recommended for release by the DCO, the DO shall review the police reports and probable cause statements, and verify the release is appropriate. The DO shall also ensure that there are no active warrants in the Juvenile and Adult Management System (JAMS). The release form shall be signed by the SPO and placed in the youth's facility file.

### **941.6 DETENTION CONTROL OFFICER (DCO) RESPONSIBILITIES**

The DCO shall obtain authorization and signature from the DO/SPO prior to each release.

The DCO shall verify proper authorization has been obtained to effect the release of each youth. Authorization can be found on the minute order in Judicial Access, and under legal history in the JAMS.

Youth may be released only to the party specified on the court order, or in the absence of a court order, to the parent(s)/legal guardian(s) or responsible relative as specified in Section 628 of the Welfare and Institutions Code (WIC).

Non-delinquent runaway youth may be released to his/her legal guardian or custodial agency within the first twenty-four hours (excluding weekends and holidays) of admittance without applying the Interstate Compact for Juveniles (ICJ). Refer to Juvenile Facility Services Policy: Transportation-Outside of the County or State.

Absent a court order, the DCO shall verify the parent(s)/legal guardian(s) has legal custody of the youth according to Judicial Access, prior to release.

The DCO shall ensure all of the youth's personal clothing and valuables are released and the youth signs the appropriate property release forms. Refer to Juvenile Facility Services Policy: Personal Property.

The DCO shall ensure that each youth is provided with Medi-Cal brochures/pamphlets prior to release. Youth and their parent(s)/legal guardians(s) shall acknowledge they received Medi-Cal brochures/pamphlets by checking the box on the Admittance/Release Slip in the JAMS. Refer to Juvenile Facility Services Policy: Medi-Cal Information, Eligibility, and Enrollment.

The DCO shall advise on-site health care and mental health staff of pending releases. On-site health care staff, or in the absence of on-site health care staff, the DCO shall forward any medical information, device(s) and/or medication to the parties to whom the youth is released. Refer to Juvenile Facility Services Policies: Transfer of Health Care Summary and Records, and Mental Health Services and Transfer to a Treatment Facility.

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Proper photo identification of parties to whom the youth is released shall be verified by the DCO prior to the release of the youth. The accepting parties shall sign the Juvenile Release Slip acknowledging the release.

The DCO shall note the date and time of each release and document this information in the JAMS, on the DCO Log, the Admittance/Release Roster and the Juvenile Release Slip.

The DCO shall notify the DO and the control center staff of the date and time of each youth's release, immediately following the release, to ensure accurate population accounting.

The juvenile facility releasing the youth shall notify the parent(s)/legal guardian(s) of releases to placement, another county, another state, county jail, prison or Division of Juvenile Justice (DJJ).

School staff shall be notified in a timely manner of each youth released.

#### **941.7 REQUIRED RELEASE PAPERWORK**

The following paperwork shall be completed and reviewed for all releasable youth during the release process:

- (a) Admit/release:
  - 1. Admittance/Release Slip; and
  - 2. Property slips (cash/jewelry/contraband).
- (b) District Attorney (DA) declines to file charges on a youth:
  - 1. Copy of Intake Release Request (attachment) from the in-custody intake officer;
  - 2. Juvenile Release Slip; and
  - 3. Property slips (cash/jewelry/contraband).
- (c) Custody commitment time or court-ordered release:
  - 1. Copy of youth's minute order/court feedback sheet authorizing the release and the party to whom the youth shall be released;
  - 2. Juvenile Release Slip;
  - 3. Resident Survey; and
  - 4. Property slips (cash/jewelry/contraband).
- (d) Release to Department of Public Social Services (DPSS), placement, another county, another state, county jail, prison or DJJ:
  - 1. Copy of youth's minute order/other pertinent documentation authorizing the release and the agency to which the youth shall be released;
  - 2. Juvenile Release Slip;
  - 3. Resident Survey; and
  - 4. Property slips (cash/jewelry/contraband).
- (e) Release on Home Supervision:

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1. Juvenile Release Slip;
  2. Home Supervision Agreement;
  3. Home Supervision Program Schedule of Activities form;
  4. Resident Survey; and
  5. Property slips (cash/jewelry/contraband).
- (f) School Threat Assessment and Response (STAR) release:
1. Copy of youth's minute order/court feedback sheet authorizing the release and the party to whom the youth shall be released;
  2. STAR Release Packet (refer to STAR Protocol);
  3. Juvenile Release Slip;
  4. Resident Survey; and
  5. Property slips (cash/jewelry/contraband).
- (g) Temporary release/furlough:
1. Copy of youth's minute order authorizing the temporary release and the party/agency to whom the youth shall be released;
  2. Furlough Agreement Form (treatment facilities); and
  3. Juvenile Release Slip.
- (h) Interstate Commission for Juveniles (ICJ):
1. Copy of youth's minute order/court feedback sheet authorizing the release and the party to whom the youth shall be released;
  2. Appropriate ICJ paperwork (refer to Juvenile Facility Services Policy: Transportation-Outside of the County or State);
  3. Juvenile Release Slip;
  4. Resident Survey; and
  5. Property slips (cash/jewelry/contraband).

#### **941.8 DISTRICT ATTORNEY (DA) DECLINES TO FILE CHARGES**

If the DA declines to file charges on a youth, the in-custody intake officer from the field probation office with jurisdiction shall fax an Intake Release Request (attachment) to the detention control office at the juvenile facility where the youth is being housed and notify the DO of the facility via telephone. The DO shall advise the DCO that the youth is eligible for release. The DO shall ensure the youth does not have any other pending cases or warrants prior to authorizing the release.

#### **941.9 OWN RECOGNIZANCE (OR) YOUTH**

Youth who are at least 18 years old and/or court-ordered releasable on their Own Recognizance (OR) and have appropriate transportation may be released. OR youth who do not have

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appropriate transportation shall be released after 8:00 a.m. on the day of their release. All OR youth released without transportation shall be provided the following:

- (a) Breakfast;
- (b) A bus pass and directions to the bus stop;
- (c) A list of resources (i.e. shelter, food banks, unemployment, etc.); and
- (d) If still on probation, the youth shall be provided with their DPO's name, business address and telephone number, and shall be advised to report to their DPO the same business day (if a weekday) or the first business day after release (if released on a weekend).

### **941.10 AFTER-HOURS RELEASE OF YOUTH**

Releases between the hours of 10:00 p.m. and 8:00 a.m. should be avoided; however, the DO has discretion to authorize an after-hours release if he/she determines it is warranted given the totality of the circumstances.

Youth who have custody commitment time shall be released after 8:00 a.m. on the date of release. If a newly admitted youth is found to be releasable, they shall be released as soon as possible.

### **941.11 TEMPORARY RELEASE**

#### **941.11.1 DETENTION FACILITIES**

Absent a court order, temporary releases shall not be authorized. A specific court order authorizing a temporary release shall include the following:

- (a) Purpose of the temporary release;
- (b) Party authorized to accept custody of youth; and
- (c) The duration of the temporary release.

Youth shall wear juvenile facility clothing during the temporary release. Exceptions shall be approved by the SPO.

Authorized agencies shall assume full responsibility for youth temporarily released to their custody. If youth require medical attention or escape while in their custody, the authorized agency shall assume responsibility.

#### **941.11.2 TREATMENT FACILITIES**

Youth in treatment facilities can be released on furlough as authorized by a court order. Furloughs shall be approved by a facility manager or designee. Furloughs shall only be authorized as a therapeutic component of the treatment program, for the purpose of medical or dental treatment, and for emergencies.

A Furlough Agreement Form shall be signed by the youth, the youth's parent(s)/legal guardian(s), and the authorizing facility manager or designee, prior to the youth being released on furlough.

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Date(s) revised: 07/18/2016

Created: 03/01/2000

Attachments:

1. [Intake Release Request](#)

# RIVERSIDE COUNTY PROBATION DEPARTMENT

Serving Courts • Protecting Our Community • Changing Lives



MARK A. HAKE  
CHIEF PROBATION OFFICER

## INTAKE RELEASE REQUEST

**To:**

- Riverside Juvenile Hall-Fax #:** (951) 358-4341
- Southwest Juvenile Hall-Fax #:** (951) 600-6766
- Indio Juvenile Hall-Fax #:** (760) 863-7615

**From:**

- Juvenile Services Division**
- Southwest Services Division**
- Desert Services Division**

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**Youth's Name:** \_\_\_\_\_ **CID#:** \_\_\_\_\_

**Release to:** \_\_\_\_\_

The District Attorney has declined to file charges on the above named youth. We are requesting that the youth be released as soon as possible. Thank you.

**Comments:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Duty Officer Notified:** \_\_\_\_\_

**Parent/Legal Guardian Notified:** \_\_\_\_\_

**In-Custody Intake Officer (PRINT):** \_\_\_\_\_

**(SIGN):** \_\_\_\_\_ **Date:** \_\_\_\_\_