

**SAN JOAQUIN COUNTY PROBATION DEPARTMENT  
JUVENILE DETENTION POLICY AND PROCEDURE MANUAL**

TO: ALL STAFF BULLETIN #: D-102

APPROVED BY: STEPHANIE L JAMES  
CHIEF PROBATION OFFICER REPLACES: 3/22/2016

ISSUE DATE: 1/28/2019

**SUBJECT: RELATIONSHIPS**

**POLICY**

The Probation Department works in close partnership with many entities.

**PROCEDURES**

A. Relationships

1. Juvenile Justice Delinquency Prevention Commission
  - a. Authority: Section 225 of the Welfare & Institutions Code
  - b. Definition: Commissions are a means by which the public can have input into the juvenile justice system. The commission can explain to the general public what the juvenile justice system is, what it does, and what its strengths are.
  - c. Function: The duty of the Commission is to inquire into the administrations of the Juvenile Court Law in the county of the commission.
  - d. The Commission must have access to all public institutions authorized under the Juvenile Court Law and inspect them at least once per year. The Commission may hold hearings and the Juvenile Court judge may subpoena witnesses and evidence for those hearings.
  - e. The Commission must inspect any jail or lockup used to confine a minor for more than 24 hours during the preceding year. The Commission must report its findings, in writing, to the Juvenile Court and to the Board of Corrections (229 W&IC).
  - f. The Commission may recommend changes of any provision of the Juvenile Court Law its investigation reveals as needed to administrators and publish its recommendations (213 W&IC).

## 2. Juvenile Court

- a. Authority: Welfare and Institutions Code.
- b. Definition: The Juvenile Court is a civil, not criminal, court. Youth under age 18 must be referred to Juvenile Court. If the juvenile is under 18 years of age at the time of the offense, the Juvenile Court must accept the case unless the youth is determined to be unfit for juvenile court and tried in Adult court under the requirements of the law.
- c. The basic philosophy of Juvenile Court is to protect dependent children and rehabilitate, rather than punish youth who get into trouble. The concern is with care and treatment, not penalties.
- d. Function: The function of the Juvenile Court is to decide whether a child is in need of protection and should be adjudged a dependent child of the Court, or whether a youth is incorrigible or delinquent and should be adjudged a ward of the Court for the welfare of the youth and the good of society. Included in the jurisdiction of the Juvenile Court is any person under the age of 18 who comes within any of the following categories:
  - i. 300 W&IC - A person from an unfit home who is in need of proper and effective parental care or control or who is not provided with the basic food, clothing, and shelter, or whose home is an unfit place for him/her by reason of neglect, cruelty, or depravity of the person or persons in whose custody he/she is, or who is physically dangerous to the public because of a physical or mental deficiency, abnormality, or disorder, may be adjudged to be a dependent child of the Court.
  - ii. 601 W&IC - A person who persistently refuses to obey reasonable and proper orders and directions of a parent, guardian, or school authority, or who is persistently truant from school, may be adjudged to be a ward of the Court.
  - iii. 602 W&IC - A person who is under the age of 18 years when he or she violates any law of this state or of the United States or any ordinance of any city or county of this state defining crime other than an ordinance establishing a curfew based solely on age, is within the jurisdiction of the Juvenile Court, which may adjudge the person to be a Ward of the Court.

## 3. Juvenile Probation Department

- a. Definition: The purpose of probation is to help the offender comply with or enforce the orders of the Court. Probation is also a process of helping the individual accept and live with the limitations required by society by developing his/her potential.
- b. Function: There are three distinct levels of probation:

- i. INTAKE: Refers to the preliminary steps taken to determine whether the youth comes under the jurisdiction of the Court and requires a Court hearing.
  - ii. INVESTIGATION: Secures background data on the youth to help the Court understand the case and decide what should be done. The report usually contains recommendations for the needs of the youth.
  - iii. SUPERVISION: Provides ongoing contact with the youth to insure the orders of the Court are followed.
- 4. San Joaquin County Behavioral Health Services
  - a. Authority: Title 15
  - b. Definition: San Joaquin County Behavioral Health Services provides assessments, case management and psychiatric medication support to youth detained in the San Joaquin County Probation Department's juvenile detention facilities.
- 5. San Joaquin County Correctional Health Services
  - a. Authority: Title 15
  - b. Definition: San Joaquin County Correctional Health Services provides appropriate, unimpeded, and competent health care services to youth detained in the San Joaquin County Probation Department's juvenile detention facilities. This will include health appraisal and assessment, on-site clinic care, acute care, and dispensing of medication.
- 6. San Joaquin County Office of Education
  - a. Authority: Title 15 and Section 48645 of the California Education Code
  - b. Definition: The San Joaquin County Office of Education provides a quality educational program that includes instructional strategies designed to respond to the different learning styles and abilities of youth detained in the San Joaquin County Probation Department's juvenile detention facilities.
- 7. San Joaquin County Public Health Department
  - a. Authority: Title 15 and Section 101045 of the California Health and Safety Code
  - b. Definition: The San Joaquin County Public Health Department inspects the health and sanitary conditions San Joaquin County Probation Department's juvenile detention facilities at least annually.