

**RELEASE OF JUVENILE RECORD INFORMATION TO ORANGE COUNTY
SCHOOL DISTRICTS, POLICE AGENCIES, AND DISTRICT ATTORNEY**

- AUTHORITY:** Juvenile Court Administrative Order No. 12/003-903 Exchange of Information Miscellaneous Orders of the Juvenile Court of Orange County 671.4, 672.4 and 681.3 dated 12/21/01, signed by Robert B. Hutson, Presiding Judge of the Juvenile Court
Sections 827 and 828 of the Welfare and Institutions Code
Section 40977 of the California Education Code
- RESCINDS:** Procedure Manual Item 1-1-110, dated 02/11/13
- FORMS:** Notification of Offense (Attachment)
- PURPOSE:** To provide guidelines within which the entitled agencies may share information regarding minors.

I. GENERAL INFORMATION

- A. The court orders of 12/21/01 provided the impetus for this **Procedure Manual Item (PMI)**, citing rights and mandates regarding safe, secure and peaceful campuses; Comprehensive Alcohol and Drug Prevention and Education Programs (CADPE); coordinated intervention of schools and law enforcement where students are involved in drug or alcohol abuse or in gang-related activities; and court authority to authorize the disclosure of juvenile offender and juvenile pupil information.
- B. The court orders also noted the entitled agencies had concerns about confidentiality hampering the communication between agencies and were not able to work effectively to coordinate rehabilitation, to solve and prosecute crimes, and to evaluate and place minors who commit drug and alcohol crimes or are involved in gang-related activities.
- C. In view of the concerns expressed above, the Court issued orders which enabled release of information and effective communication between the entitled agencies.

II. PROCEDURE

- A. The court orders of 12/21/01 state within Orange County, school districts, police agencies, the District Attorney and the Probation Department may release information to each other regarding any minor when reasonable belief exists that:
1. The minor is involved in or at risk of becoming involved in alcohol or drug abuse.
 2. The minor is a gang member or at significant risk of becoming a gang member.
- B. The statutory mandate for notification to schools, section 827(b)(2) WIC states that information regarding "... a minor enrolled in a public school who has been found to have committed any felony or misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, sex offense as listed in section 290 of

the Penal Code, assault or battery, larceny, vandalism, or graffiti, shall be provided by the Court, within seven days, to the superintendent of the school district of attendance. Written notice shall include only the offense found to have been committed by the minor and the disposition of the minor's case. This notice shall be expeditiously transmitted by the district superintendent to the principal at school of attendance. The principal shall expeditiously disseminate information to those counselors directly supervising or reporting on the behavior or progress of the minor. In addition, the principal shall disseminate information to any teacher or administrator directly supervising or reporting on the behavior or progress of the minor of whom the principal believes needs the information to work with pupil in an appropriate fashion”

- C. The parental notification requirements of Section 49077 of the California Education Code are not applicable to oral communications made pursuant to these orders or to written communication if there is a reasonable possibility notification would thwart the purpose for which information is exchanged.
- D. Deputy Probation Officer (DPO) discretion is to be used in establishing the reasonable belief referred to in the court orders. Be prepared to substantiate your basis for sharing the information should you be challenged. Note in the Integrated Case Management System (ICMS) all contacts that result in sharing of information and the basis for sharing.
- E. Review and process requests for release of case file information using the guidelines such as those provided in **PMI** 1-1-101 (Access to and Release of Criminal Offender Record Information [CORI]), remembering to also complete the Criminal Offender Record Information Chrono (F057-8600).

REFERENCES:

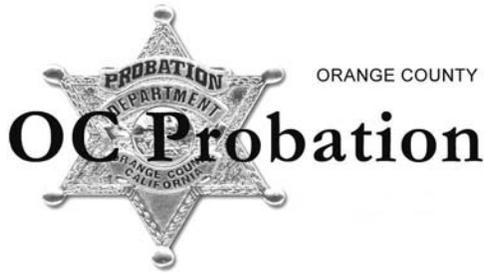
Procedures:	1-1-101	Access to and Release of Criminal Offender Record Information (CORI)
	1-1-108	Release of Juvenile Record Information to Victims
	1-1-116	Release of Juvenile Record Information-Police Reports
	2-5-008	Local and Out-of-Town Inquiries (OTI)-Juvenile
	2-5-011	Military Recruiter, Department of Defense and Job Corps Juvenile Record Checks and Character Reference
Policies:	A-1	Policy, Procedure and the Law
	B-1	Case Confidentiality-Client's Right to Privacy
	B-2	Inter- and Intra-Agency Confidentiality

Attachment

P. Suzuki-Johnson

APPROVED BY: Todd Graham
Division Director

May 23, 2014
Date



STEVEN J. SENTMAN
CHIEF PROBATION OFFICER

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1055 N MAIN 5TH FLOOR
SANTA ANA CA 92701

MAILING ADDRESS:
P.O. BOX 10260
SANTA ANA, CA 92711-0260

RE: _____
DL#: _____
DOB: _____
SCHOOL: _____

Subject: NOTIFICATION OF OFFENSE

Per Section 827(b) of the Welfare and Institutions Code, you are hereby advised that the above-named minor has been found by the Juvenile Court to have committed the following offense(s):

Section 827(b)(2) states in part: Any information received by a teacher, counselor, or administrator under this subdivision shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher, counselor, or administrator. An intentional violation of the confidentiality provisions of the section is a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500).

Very truly yours,

Deputy Probation Officer
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ANY INFORMATION RECEIVED FROM THE COURT SHALL BE DESTROYED BY SCHOOL AUTHORITIES 12 MONTHS AFTER ITS RECEIPT FROM THE COURT OR 12 MONTHS AFTER THE MINOR RETURNS TO PUBLIC SCHOOL, WHICHEVER OCCURS LAST. UNLAWFUL DISSEMINATION OF THIS INFORMATION IS **A MISDEMEANOR.**