

**JUVENILE COMMITMENTS TO THE
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION,
DIVISION OF JUVENILE JUSTICE**

- AUTHORITY:** Welfare and Institutions Code (WIC) Sections 707.2, 731, 731.1, 732, 733, 734, 736, 737, and 1700-1860
Penal Code (PC) Sections 290.04 to 290.06 PC inclusive of 290.008(c)
Rules 5.790 (Orders of the Court) and 5.805 (California Department of Corrections and Rehabilitation, Division of Juvenile Justice, Commitments) of the California Rules of Court
- RESCINDS:** Procedure Manual Item 2-5-006, dated 01/13/16
- FORMS:**
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| Claim for Transportation of Prisoners, Patients, and Juvenile Offenders | (AUD 202-7/73) |
| Authorization for Medical Care | (F057-7004.7) |
| DJJ Delivery Notice | (DJJ 1.202) |
| Ward Delivery Receipt | (DJJ 1.501) |
| DJJ Referral Document | (DJJ 1.411) |
| Mental Health Assessment | (DJJ 1.205) |
| DJJ Order of Discharge | (DJJ 1.307) |
- PURPOSE:** To outline the appropriate procedures for referral to the California Department of Corrections and Rehabilitation (CDCR)-Division of Juvenile Justice (DJJ) and processing of cases committed to DJJ.

I. GENERAL INFORMATION

The law provides specific guidelines under which a youth may be referred to DJJ. The youth will be committed to DJJ for a specified period of time or may be referred for a ninety (90) day diagnostic study.

II. PROCEDURE

A. Cases Eligible for DJJ Commitment

1. Any youth **between the ages of eleven (11) to seventeen (17) years** of age at the time of the offense who has been or is adjudged a ward of the Court pursuant to WIC 602, and the most recent offense alleged in any petition and admitted or found to be true as described in WIC 707(b) or is a sex offense described in PC 290.008 (c).
2. Adults may be referred to DJJ through the Adult Court System. Please refer to Procedure Manual Item (PMI) 2-2-010 (Adult Criminal Court Commitment to the Division of Juvenile Justice).

B. Cases Inappropriate and Ineligible for DJJ Commitment

1. Any ward suffering from any contagious infection or any other disease that would probably endanger the health or lives of other inmates is prohibited from a commitment to DJJ.
2. Cases when the last sustained petition does not allege a WIC 707 (b) offense or is not a sex offense included in PC 290.008 (c).

C. DJJ Staffing

1. When completing a court report when consideration for a DJJ commitment is being considered, contact the DJJ Screener **Officer of the Day (916-683-7475)** and provide the following information:
 - a. The counts alleged in the petition(s)
 - b. Brief overview of the offense
 - c. Educational history to include any special education status
 - d. Score on JSORRAT when it involves a sexual offender
 - e. Age of the youth
 - f. Prior offense history
 - g. History of drug and alcohol abuse
 - h. Any medical or psychological information
 - i. Gang affiliation or association
2. Obtain staffing evaluation from the **DJJ** Screener and include the following in the narrative:
 - a. Was **the youth** deemed suitable for DJJ commitment by the screener
 - b. Offense category
 - c. Custodial period prior to parole consideration
 - d. Educational **services** available to the youth
 - e. General treatment case plan available to the youth

D. Recommendations

1. It is necessary to address the suitability of a youth for commitment to DJJ prior to making a recommendation for said commitment. In order to emphasize that appropriate consideration has been given to the youth's suitability, the following format, beginning with the usual, "It is respectfully recommended that the Court sustain the allegation of the petition(s)...," should be used when submitting a DJJ recommendation to the court:

a. New Case

"Further, that pursuant to Section 734 WIC, the Court find that the youth's mental and physical conditions and qualifications render it probable (he/she) will benefit from the reformatory, educational, disciplinary, or other treatment resources provided by the California Division of Juvenile Justice. Further, that for the welfare of the youth, custody be taken from the (parent/ mother/father/guardian) and (he/she) be committed to the California Division of Juvenile Justice and detained at the Orange County Juvenile Hall pending delivery to the California Division of Juvenile Justice; said youth's physical confinement is not to exceed the maximum period of imprisonment which could be imposed upon an adult convicted of the offense which brings the youth under the jurisdiction of the Juvenile Court. Further, that pursuant to Section 737(b) WIC, the matter be calendared for review on (date - 14 days)."

b. Active Case

"Further, that pursuant to Section 734 WIC, the Court find that the youth's mental and physical conditions and qualifications render it probable (he/she) will benefit from the reformatory, educational, disciplinary, or other treatment resources provided by the California Division of Juvenile Justice. Further, that said youth has been tried on probation in the custody of the (parents/mother/father/guardian) and (he/she) be committed to the California Division of Juvenile Justice and detained at the Orange County Juvenile Hall pending delivery to the California Division of Juvenile Justice; said youth's physical confinement is not to exceed the maximum period of imprisonment which could be imposed upon an adult convicted of the offense which continues the youth under the jurisdiction of the Juvenile Court. Further, that pursuant to Section 737(b) WIC, the matter be calendared for review on (date - 14 days)."

E. Restitution

1. When the youth is committed to DJJ, order restitution to be paid directly to a victim for an economic loss.
2. The following format is to be used when restitution is being recommended:

Per WIC 730.6

- a. The youth pay \$_____ restitution to victim (name of victim) to be collected by the Division of Juvenile Justice as provided by law.
- b. The youth pay all restitution previously ordered by the Court, to be collected by the Division of Juvenile Justice as provided by law.
- c. The youth pay \$_____ restitution to victim (name) and pay all restitution/fine(s) previously ordered by the Court, to be collected by the Division of Juvenile Justice.

3. **The Accounting Unit will set up and refer the Restitution Investigation any case where the court orders the youth to pay restitution or for probation to provide financial information to DJJ.**
4. **Once the restitution investigation is completed and determined, a Restitution Order will be submitted to the court.**
5. The **Juvenile** Administrative Unit deputy probation officer (DPO), with the assistance of the Collections **Unit**, shall prepare **DJJ restitution letters and a document that contains restitution information (victim's name, address, and email, as well as the amount of restitution) that will be provided to the DPO to send to DJJ** as follows:
 - a. Two **(2)** copies of victim's name and address (in a separate document and envelope marked "Confidential") pursuant to WIC 1764.2 for victim notification purposes.
 - b. Two **(2)** copies of name of victims (in a separate document and envelope marked "Confidential") with specific amount of restitution listed.

If the amount of restitution has not been determined at time of the disposition, **copies of restitution letters sent to the victim(s) should be enclosed in the left front section of the file.** The **Juvenile** Administrative **Unit** DPO will follow-up on the above. **Additionally, the Collections Unit will include information when restitution is pending determination. All letters are kept in OnBase and available via Documents on-line.**

F. Psychotropic Medication

Mandatory when the youth is prescribed psychotropic medication, include with recommendation:

"Further, should it be determined the youth has been prescribed and is currently taking psychotropic medication(s), that the medication(s) continue for sixty (60) days or until changed by medical personnel at the facility."

G. Medical Problems

If the youth has a medical problem, secure or prepare two (2) copies of a current medical history and attach these to the inside of the case folder prior to the court hearing.

H. Aftercourt

1. The Court Officer will:

As soon as possible, subsequent to court hearing, the juvenile court officer shall deliver or send the juvenile file through normal routing procedure to Intake, Juvenile Log, Juvenile Stats, and Juvenile Aftercourt.

2. Juvenile Aftercourt will:

- a. Type the Court's order on the chronological history sheet.
- b. Prepare the formal DJJ Referral Document.
- c. Image relevant documents.
- d. Forward the following to the Juvenile Court Clerk:
 - (1) One (1) completed DJJ Referral Document.
 - (2) One (1) copy of determination of Special Education form.
 - (3) Two (2) copies of Petitions (for each offense youth received the DJJ commitment).
 - (4) Three (3) copies of current and prior **Probation** court reports (for full social history sufficient to ensure complete understanding of subject's background).
 - (5) One (1) copy of the Custody Computation Time Worksheet.
 - (6) Two (2) copies of all psychiatric or psychological reports.
 - (7) Two (2) copies of arrest report.
 - (8) Two (2) copies of the autopsy report for all murder-first degree, second degree, and voluntary manslaughter (District Attorney's responsibility).
 - (9) Two (2) copies of the Juvenile Sex Offender Recidivism Risk Assessment Tool (JSORRAT) and medical information, including medical releases.
 - (10) Envelope containing confidential victim information.
- e. If there is a Restitution Order, the **Unit Clerk will share the information with the Collections Unit. The Collections Unit will scan the Restitution Order**, Minute Order, and all related documents **to OnBase**.
- f. The juvenile file will then be forwarded to the Juvenile Administrative Unit **Supervising Probation Officer (SPO)**.

3. The Juvenile Court Clerk will:

Forward the above-listed documents, and all other forms and reports required by DJJ, including vacated Court Orders resulting from a rehearing, to the Director of DJJ.

I. Division of Responsibility

1. Assigned DPO
 - a. Completes the DJJ Disposition Report when the youth's violation occurs while under field supervision.
 - b. **Packages** all routine paperwork duties involved in the transfer of the case to the **Juvenile** Administrative Unit.
2. Juvenile Administrative Unit DPO
 - a. Subsequent to commitment, the case will be assigned to a DPO in the **Juvenile** Administrative Unit. The **Juvenile** Administrative Unit DPO will prepare all **Transportation Reviews** and will have case responsibility until **the youth completes commitment and returns to Orange County for field supervision.**
 - b. As required by WIC 1720(f), DJJ sends Probation a copy of each ward's Annual Review Reports. This copy is submitted to the Juvenile Administrative Unit DPO to review and then placed in the ward's file. The **Juvenile** Administrative Unit DPO also, as a courtesy, makes copies of the Annual Review Reports for the District Attorney and the Public Defender (if applicable) and sends them via pony mail.
 - c. **Specific** contact information for DJJ **can be located in** the Juvenile Administrative Unit DJJ Desk Manual. **This includes** contact information for the various DJJ facilities, offices, administration, and parole offices.
 - d. DJJ files are generally kept in the **MOB5** Juvenile File Room while the ward is on DJJ monitored status.
3. Transportation Officer
 - a. Upon receipt of the DJJ Delivery Notice (**Form DJJ 1.202**), the transportation officer will be responsible for transporting the youth to the appropriate facility as directed by the **DJJ** Delivery Notice (**Form DJJ 1.202**).
 - (1) Upon delivery of the youth, the Transportation Officer shall obtain a Ward Delivery Sheet (**Form DJJ 1.501**).
 - (2) (The Transportation Officer will notify the Administrative and Fiscal Division Senior Accountant II of the delivery via the Ward Delivery Sheet (**Form DJJ 1.501**).
 - (3) (The Transportation Officer will notify the **Juvenile** Administrative Unit DPO of the delivery by telephone on the day of delivery and by notation on the **DJJ** Delivery Notice (**Form 1.202**) as to the date of delivery.
 - (4) The Senior Accountant II, after receipt of the appropriate forms along with a certified copy of the commitment order,

will prepare a Claim for Transportation of Prisoners, Patients, and Juvenile Offenders (**Form AID 202-7/73**).

J. DJJ Discharge and Return to Probation

When the **Juvenile Administrative Unit DPO** receives DJJ's Order of Discharge (**Form DJJ 1.307**) on a ward, **the Special Supervision Division DJJ DPO will be notified that the case will be returned to them for supervision.**

REFERENCES:

Procedures:	2-2-010	Adult Criminal Court Commitment to the Division of Juvenile Justice
	2-4-103	DJJ Wards - Custody Intake Procedures
	2-5-002	Probation Officer's Report to the Juvenile Court
	2-5-003	Juvenile Court Report Recommendations
Policies:	E-7	Restitution
	F-2	Recommendations to the Court for Dispositions/Sentencing and Commitments for Minors

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APPROVED BY: