

BAIL RELEASES

- AUTHORITY:** Section 707.1 Welfare and Institutions Code
Orange County Superior Court Uniform Bail Schedule
Administrative Directive
- RESCINDS:** Procedure Manual Item 3-2-036, Dated 09/28/15
- FORMS:** Order for Release Attached
Bail Receipt from Court of Jurisdiction Attached
Release Authorization (F057-6226)
- PURPOSE:** To establish a criteria and procedure for youth who have posted bail, have been charged with a 707 WIC offense and have been found unfit for Juvenile Court.

I. GENERAL INFORMATION

- A. Youth charged with a 707 WIC offense that have been found unfit for Juvenile Court proceedings (707.1 WIC) may be eligible to be released on bail. These youth are generally housed in a maximum security Unit (Unit T, **Unit C** or Unit A) at Orange County Juvenile Hall.
- B. The Juvenile Court is required, at the time the youth is found unfit, to set a bail amount or deny bail. Within three days of the fitness hearing, the District Attorney must file the complaint in Adult Court. The youth is then arraigned and the adult court again establishes a bail amount. The Court may deny, reduce, or raise the bail amount according to the Orange County Superior Court Uniform Bail Schedule rules of application.
- C. Bail releases will typically be initiated by a phone call from the parent or bail bondsman requesting directions as to how to go about affecting the release.
- D. For the youth to be released, the bail must be posted at the court where the youth is appearing.
- E. Under no circumstances will Juvenile Hall accept cash or process financial transactions for bail releases.

II. PROCEDURES

- A. Court Ordered Release on Bail
 - 1. The Court, upon accepting the bail, will issue paperwork either in the form of an Order for Release indicating that the bail has been posted and that the youth is to be released. The paperwork will be transported or faxed to Juvenile Hall by the Sheriff's deputies bringing the youth back from Court. At times, the parent may arrive with the bail receipt before the order from

the court. The release must not occur until an Order for Release and Bail Release Receipt is obtained by Juvenile Hall.

2. Juvenile Hall

a. The Juvenile Hall Booking Clerk will:

- 1) Review all Court Orders of youth returning to Juvenile Hall from Court.
- 2) If a youth has been ordered released from custody, review the Order for Release and bail receipt and compare the case number on the paperwork with the case number on the adult court paperwork in the youth's file, making certain both numbers match.
- 3) Check the Integrated Case Management System (ICMS) to make certain the youth should not be detained on other Court matters. It is entirely possible a youth may make bail, but at the same time remain detained on another adult or juvenile matter.
- 4) Notify the Administrator-In-Charge (AIC) or Duty Officer.
- 5) After verifying the youth's release status through ICMS and the Duty Officer or AIC, complete a Release Authorization form for signature. Notify the Control desk and Intake Release Center (IRC) of the pending release.
- 6) The youth will then be released per PMI 3-2-018.

b. The Administrator-In-Charge or Duty Officer will:

- 1) Review the applicable Court paperwork and the institutional file to confirm that the youth has been arraigned in Adult Court and that a bail amount has been set.
- 2) Review the Order for Release and bail receipt and compare the case number on the paperwork with the case number on the Adult Court paperwork in the youth's institutional file, making certain both numbers match.
- 3) Review the youth's institutional file and ICMS to make certain that the youth should not be detained on other Court matters.
- 4) The Duty Officer will inform the Administrator-In-Charge (AIC) or administration staff of pending bail releases.

3. The Remand/**Adult Court** Clerk (or Duty Officer after hours) will:

a. Review the applicable court paperwork and institutional file to confirm that the youth has been arraigned in adult court and that a

bail amount has been set. Bail releases will occur during the hours of 8 AM to 8 PM.

- b. Review the Order for Release and bail release receipt and compare the case number on the paperwork with the case number on the adult court paperwork in the youth's institutional file, making certain both numbers match.
- c. Check ICMS to make certain the youth should not be detained on any other court matters, including I.C.E. detainers.
- d. Notify the AIC or Duty Officer.
- e. After verifying the youth's release status through ICMS and the Administrator or Duty Officer, notify Juvenile Hall Booking staff of the pending release.
- f. The youth will then be released per PMI 3-2-018.

B. Bail Posted at the Court of Jurisdiction

1. Juvenile Hall, upon receiving a request for bail will:
 - a. Contact the Remand/**Adult Court Clerk** () or Juvenile Hall Duty Officer via telephone () and confirm that the youth is indeed eligible for release on bail.
 - b. Upon accepting bail, issue a bail receipt indicating that the bail has been posted via court order.
 - c. Fax a copy of the bail receipt and current court order to Juvenile Hall ().
2. The Remand/**Adult Court Clerk** () or Duty Officer () after hours will:
 - a. Review the applicable court paperwork and institutional file to confirm that the youth has been arraigned in adult court and that a bail amount has been set.
 - b. Compare the case number on the paperwork with the case number on the adult court paperwork in the youth's institutional file, making certain both numbers match.
 - c. Review the bail receipt and verify that the appropriate bail has in fact been posted.
 - d. Check ICMS to make certain the youth should not be detained on other Court matters.
 - e. Notify the AIC or Duty Officer.

- f. After verifying the youth's release status through ICMS and the AIC or Duty Officer, notify Juvenile Hall Booking staff of the pending release.
- g. Give a copy of the bail receipt and current court order to the Juvenile Hall Booking Clerk.
- h. The youth will then be released per PMI 3-2-018.

REFERENCES:

Procedures:	3-1-018	Custody/Medical Transportation
	3-2-018	Releases
Policy:	D-6	Transportation of Probationers and Custody Transportation

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APPROVED BY: