

**CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION,
DIVISION OF JUVENILE JUSTICE DISCHARGES AND REENTRY**

- AUTHORITY:** California Rules of Court Rules 5.790 (Orders of the Court) and 5.805 (California Department of Corrections and Rehabilitation, Division of Juvenile Justice, Commitments)
Government Code (GC) Sections GC 12803, GC 12838, GC 12838.1
Penal Code (PC) Sections 290.04 to 290.06 PC inclusive of 290.008(c)
Welfare and Institutions Code (WIC) Sections 207.1, 207.2, 208.5, 209, 210.2, 607, 707.1, 707.2, 730, 731, 731.1, 732, 733, 734, 736, 736.5, 737, 912, 1700-1860, and 1955.2
- RESCINDS:** Procedure Manual Item 2-5-006, dated 12/04/18 (Major Revision)
- FORMS:**
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|---|----------------|
| Claim for Transportation of Prisoners, Patients, and Juvenile Offenders | (AUD 202-7/73) |
| DJJ Order of Discharge | (DJJ 1.307) |
| Request for Hearing CDCR-DJJ Parole Disposition Hearing | (Court Form) |
| Order to Produce for Hearing in Juvenile Court | (Court Form) |
- PURPOSE:** To outline the process for responding to and processing California Department of Corrections and Rehabilitation (CDCR)-Division of Juvenile Justice (DJJ) discharge and reentry cases for Orange County wards that were previously committed to DJJ.

I. GENERAL INFORMATION

On October 2, 2020, Senate Bill (SB) 823 (Juvenile Justice Realignment) was published. One component of this bill went into effect July 1, 2021, prohibiting the commitment of wards to DJJ and requires that all wards committed to the division prior to that date remain within the custody of DJJ, until the ward is discharged, released, or transferred.

II. PROCEDURE

DJJ Discharge and Return to Probation

- A. Three (3) months prior to the parole hearing, DJJ will send a comprehensive packet to Probation that includes all programming, performance, and progress about the youth. This report is the foundation for the DJJ Re-Entry Report written by the Juvenile Admin Unit DJJ Deputy Probation Officer (DPO).
- B. Following the parole board hearing, DJJ will notify Probation if parole is granted or denied. If parole is granted, the Juvenile Admin Unit Supervising Probation Officer(SPO)/DJJ DPO will immediately prepare two (2) copies of the *Request for Hearing CDCR-DJJ Parole Disposition Hearing* form and the *Order to Produce for Hearing in Juvenile Court* form and email them to the [REDACTED] court clerk [REDACTED] to obtain the judge's signature. One copy

will be left with the court clerk and the other will be retained by the Juvenile Admin Unit DJJ DPO to submit to DJJ to process.

Note: Parole cannot be denied as all wards must be offered a parole board date ninety (90) to one-hundred-twenty (120) days prior to the maximum days confinement time available or when the ward reaches the age of twenty-five (25).

- C. The court clerk will also calendar a date for the Re-Entry Hearing. NOTE: This hearing MUST occur within ten (10) days of parole discharge.
- D. Once the orders have been signed and the Re-Entry Hearing calendared, the Juvenile Admin Unit Supervising Probation Officer (SPO)/DJJ DPO will scan/fax to the documents to [REDACTED] & [REDACTED] [REDACTED] to process.
- E. The assigned DJJ DPO will prepare the DJJ Re-Entry Report and forward to Court five (5) working days prior to hearing.
- F. Prior to preparing the report, the DJJ DPO will email the Youth Development Court (YDC) DPO a copy of the DJJ report, as well as request a home call be conducted as soon as possible. The DJJ packet includes the address where the ward will be residing upon their return to Orange County [REDACTED]. This information about the completed home call must be included in the report. Additionally, the report should include the YDC DPO's input regarding any specific terms and conditions of probation that should be requested and reporting instructions upon release (e.g., "report to DPO (name) @ 301 The City Drive, Orange, CA at [time] on [date]) that should be included in the report. The YDC DPO shall then set a date for a YDC Court day.
- G. At the DJJ Re-Entry Hearing, the court will terminate DJJ jurisdiction. A copy of this Minute Order must be scanned/faxed to DJJ immediately in order for DJJ to release their hold on the ward.
- H. At the DJJ Re-Entry Hearing, the Court will either continue wardship and the case will be transferred to YDC Court or the case will be terminated. If wardship is continued, the DJJ DPO will complete a Juvenile Admin Transfer Chrono and transfer the case to the YDC DPO.

REFERENCES:

Procedures:	2-2-010	Adult Criminal Court Commitment to the Division of Juvenile Justice
	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: