



SANTA CLARA COUNTY

POLICE CHIEFS' ASSOCIATION

Juvenile Detention Reform

Law Enforcement Policy for the Incarceration of Juveniles.

Revised by Santa Clara Police Chief's Association, July 2009

CALIFORNIA HIGHWAY
PATROL

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POLICE DEPARTMENT

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MONTE SERENO POLICE
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SAN JOSE
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SAN JOSE
STATE UNIVERSITY
POLICE DEPARTMENT

SANTA CLARA COUNTY
DISTRICT ATTORNEY

SANTA CLARA COUNTY
SHERIFF'S OFFICE

SANTA CLARA
POLICE DEPARTMENT

SUNNYVALE
DEPARTMENT OF
PUBLIC SAFETY

Purpose:

The purpose of this protocol shall be to provide guidance to Santa Clara County Law Enforcement agencies in making informed decisions regarding incarceration of youthful offenders.

Goal:

The goal of Santa Clara County law enforcement agencies shall be to minimize unnecessary incarceration of youthful offenders by seeking alternatives to custodial confinement.

Policy:

In determining disposition of youthful offenders, it shall be the policy of Santa Clara County Law Enforcement agencies to balance legal mandates, community safety, and the best interests of the juvenile. The alternative that is least restrictive to the juvenile is preferred. Whenever appropriate, community resources will be utilized as an alternative to incarceration.

Santa Clara County Law Enforcement agencies are committed to working with community partners to create viable alternatives to the unnecessary incarceration of juveniles.

Procedures:

1. Officers shall release juvenile offenders, including release to parents, release with a written promise to appear, release to a diversion program, or release to alternative community resources, unless one or more of the following circumstances exist:

- The juvenile is 14 years old, or older, and commits a violation specified under section 707(b) W&I.
- An outstanding arrest warrant exists for the juvenile, or a probation officer directs incarceration,
- The release of the juvenile would create a continuing threat to public safety and/or an individual,
- The crime is violent, serious, or involves a firearm.
- Any crime involving domestic violence.
- When satisfactory evidence of identity cannot be established.

- When a parent or guardian cannot be located.
- Release of the juvenile would compromise an investigation.
- The juvenile demands to be taken before a magistrate.

2. Exceptions to Section 1 shall be reviewed and approved by a supervisor and documented on the JCR and arrest report.

Community Alternatives to Incarceration

Santa Clara County Law Enforcement agencies can refer 602 offenders - not eligible to be admitted to Juvenile Hall and when parents are not available or unwilling to accept the youth - to the following resources on a 24-hour basis. The resource agencies are:

- **Alum Rock Counseling Center (ARCC)**

Area Served: San Jose, Milpitas, Campbell, Los Gatos, Saratoga, Cupertino, and unincorporated areas North, East and West of the San Jose City limits.

Contact Phone Number: (408) 294-0579

- **Bill Wilson Center**

Area Served: Santa Clara & Sunnyvale.

Contact Phone Number: (408) 243-0222

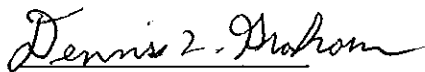
Countywide shelter services provided

- **Community Solutions**

Area Served: Morgan Hill, San Martin, Gilroy and unincorporated areas South of San Jose City limits.

Contact Phone Number: (408) 683-4118

Provide the responding case manager with a completed green copy of the JCR. Ensure the JCR contains a case number.



Chief Dennis Graham
Milpitas Police Department
Chair, Police Chiefs' Association of
Santa Clara County

Date: July 10, 2009