Basic Course Workbook Series

Student Materials

Learning Domain 11
Juvenile Law and Procedure
Version 6.7

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Juvenile Law and Procedure
Version 6.7

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THE ACADEMY TRAINING MISSION

The primary mission of basic training is to prepare students mentally, morally, and physically to advance into a field training program, assume the responsibilities, and execute the duties of a peace officer in society.

FOREWORD

The California Commission on Peace Officer Standards and Training sincerely appreciates the efforts of the many curriculum consultants, academy instructors, directors and coordinators who contributed to the development of this workbook. We must also thank the California law enforcement agency executives who allowed their personnel to participate in the development of these training materials.

This student workbook is part of the POST Basic Course Training System. The workbook component of this system provides a self-study document for every learning domain in the Basic Course. Each workbook is intended to be a supplement to, not a substitute for, classroom instruction. The objective of the system is to improve academy student learning and information retention and ultimately contribute to you becoming a peace officer committed to safety, and to the communities you will serve.

The content of each workbook is organized into sequenced learning modules to meet requirements as prescribed both by California law and the POST Training and Testing Specifications for the Basic Course.

It is our hope that the collective wisdom and experience of all who contributed to this workbook will help you, the student, to successfully complete the Basic Course and to enjoy a safe and rewarding career as a peace officer.

MANUEL ALVAREZ, Jr.
Executive Director

LD 11: Juvenile Law and Procedure

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Preface

Introduction

Student workbooks

The student workbooks are part of the POST Basic Course Instructional System. This system is designed to provide students with a self-study document to be used in preparation for classroom training.

Basic Course training requirement

Completion of the Regular Basic Course is required, prior to exercising peace officer powers, as recognized in the California Penal Code and where the POST-required standard is the POST Regular Basic Course.

Student workbook elements

The following elements are included in each workbook:

- chapter contents, including a synopsis,
- supplementary material, and
- a glossary of common terms used in this workbook.

How to Use the Student Workbook

Introduction

This workbook provides an introduction to the training requirements for this Learning Domain. You may use the workbook in several ways: for initial learning prior to classroom attendance, for test preparation, and for remedial training.

Workbook format

To use the workbook most effectively, follow the steps listed below.

Step	Action
1	Begin by reading the: Preface and How to Use the Workbook, which provide an overview of how the workbook fits into the POST Instructional System and how it should be used.
2	Refer to the Chapter Synopsis section at the end of each chapter to review the key points that support the chapter objectives.
3	Read the text.
4	Complete the workbook learning activities at the end of each chapter. These activities reinforce the material taught in the chapter.
5	Refer to the Glossary section for a definition of important terms. The terms appear throughout the text and are bolded and underlined the first time they appear (e.g., **term**).

Chapter 1

Safety and Protection of Juveniles and Their Rights

Overview

Learning need

Peace officers must recognize their roles and responsibilities regarding the protection of rights of juveniles under California law.

Learning objectives

The chart below identifies the student learning objectives for this chapter.

After completing study of this chapter, the student will be able to:	Objective ID
• recognize a peace officer's responsibility for the safety of a juvenile and the general public.	11.01.5
• recognize the conditions when admonishment of a juvenile's rights is or is not required.	11.01.7
• recognize the conditions when a peace officer must obtain a waiver of a juvenile's rights.	11.01.8

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In this chapter

This chapter focuses on the juvenile court system. Refer to the following chart for specific topics.

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Officer Responsibilities

Introduction

A peace officer is required by California law to protect the rights of a juvenile when that juvenile is remanded, cited, arrested, released, placed into temporary custody, or delivered to a probation officer.

Purpose of juvenile law

The purpose of juvenile law is to serve the best interests of the minor while providing protection and safety to the public.

This is accomplished by:

- imposing a sense of responsibility on minors for their actions,
- removing minors from the custody of their parents only when necessary for the minors' welfare or for the safety of the public,
- providing guidance consistent with the rehabilitative efforts of juvenile court law, and
- protecting the public from criminal conduct.

NOTE: Just because a minor has come under the jurisdiction of the juvenile court does not mean the minor has been convicted of a crime. The proceedings of the juvenile court cannot be deemed to be a criminal proceeding. However, *Welfare and Institutions Code Section 203* does not imply that a minor is incapable of committing a crime.

Continued on next page

Protection of the general public

The juvenile justice system is committed to serving the best interests of a minor and for providing protection and safety of the general public.

When removal of a minor is deemed necessary by a juvenile court, it is necessary to secure custody, care, and discipline as nearly as possible. The intent is to assist families in correcting problems. The juvenile court's focus remains on the well-being of the child, and protection of the public.

Minors in need of protective services will receive care, treatment, and guidance consistent with their best interest and the interest of the public.

If minors fall under the juvenile court jurisdiction as a dependent or as a consequence of delinquent conduct or behavior, they must receive care, treatment, and guidance that is consistent with their best interests, but they also must be held accountable for their behavior. This is for the safety and protection of the public as well as the best interests of the minors.

NOTE: The juvenile justice system has been traditionally "non-adversary" in form. Recently, conduct of juveniles has become more violent, and the California legislature has passed laws to combat juvenile crime. As a result, procedures have become more adversarial in nature.

Peace officer's role

A peace officer's role in the handling of juveniles is one of providing protection, guidance, and rehabilitation. A peace officer can exhibit this by:

- expressing the willingness to intervene in incidents involving dependents and status offenders,
- being alert to signs of child abuse, dependency and delinquency,

Continued on next page

Peace officer's role (continued)

- expressing willingness to assist juveniles by providing protection, guidance and referrals to an appropriate agency or service, and
- taking the alternative that is least restrictive to a juvenile's freedom of movement, provided that alternative is compatible with the best interests of the juvenile and the community. (*Welfare and Institutions Code Section 307 and 626*)

Related terms

To better understand the juvenile justice authority, peace officers need to become familiar with the following terms.

Within the State of California, **juvenile**, **minor**, and **child** are all terms that refer to any person under the age of 18.

NOTE: Alcoholic Beverage Control (ABC) law defines a minor as anyone under the age of 21.

Child care custodian means an employee who has direct contact and supervision of children including, but not limited to, public and private schools, youth centers, youth recreation programs or organizations, child day care facilities, foster homes, group homes, residential care facilities, social workers, probation officers, or parole officers. *(Penal Code Section 11165.7)*

California Department of Corrections and Rehabilitation, Division of Juvenile Justice (Formerly known as California Youth Authority) is the state agency charged with supervising and coordinating the many functions of the state associated with trouble youth, including the operation of state juvenile detention services.

Continued on next page

Related terms (continued)

Dependent is a juvenile who is destitute, from an unfit home, victim of physical, emotional, or sexual abuse, or lacks parental supervision. *(Welfare and Institutions Code Section 300)*

Diversion means the alternative handling of selected offenders away from the formal justice system to a viable delinquency prevention program. (i.e., community-based counseling programs, graffiti abatement programs, informal law enforcement programs)

Status offender is a perpetrator of noncriminal conduct unique to the status of being a minor.

Ward of the Court means a person who is under the age of 18, who has been found by the juvenile court to be habitually disobedient or truant, or who has committed a crime. *(Welfare and Institutions Code Section 725(b))*

Parental responsibility

The duty of the parent to support and maintain a minor child continues, even if the child is removed from the home and the custody of the parent. This is subject to the parent's financial situation *(Welfare and Institution Code 202(c)).*

Continued on next page

California juvenile laws

California juvenile laws provide protective services established under the *Welfare and Institution Code Sections 300, 601, and 602.*

The following chart points out the basic differences in each section as it applies to juvenile law:

Minors found to be ...	**Are referred to as ...**	***Welfare and Institutions Code Section***
• at the risk of: - physical, and or emotional abuse or neglect - in need of immediate medical care or shelter	dependent	*300*
• habitually truant, or • habitually refusing to obey reasonable order or rules of school authorities or parents,	status offenders	*601*
• participants in a criminal act.	wards	*602*

Juvenile Rights Protections

Introduction

Pursuant to *Welfare and Institutions Code 625* a minor taken into temporary custody for violations of *Welfare and Institutions Codes 601 and/or 602* must be advised of their constitutional rights.

Protection of juvenile rights

A juvenile does not have the right to have an adult present, and any request for one is not automatically either an invocation of the right to silence or the right to an attorney.

California statute *(Welfare and Institutions Code Section 625)* requires an officer to give Miranda warnings "in any case where a juvenile is taken into temporary custody."

This requirement to advise Marinda warnings exists even when the juvenile is not going to be interrogated. If the juvenile is not going to be interrogated, the statute does not require the juvenile's understanding of the warnings or any waiver of rights, but rather just the advisements.

Additionally, and except when deemed necessary to protect life or property from immanent threat, prior to a custodial interrogation and before the waiver of any Miranda rights, a youth, 15 years of age or younger, shall consult with legal counsel; this consultation cannot be waived. (*Welfare and Institution Code Section 625.6*).

Admonishment of rights

Welfare and Institutions Code Section 625 requires that juveniles be advised of their legal rights when they have been taken into temporary custody without a warrant, if the minor:

- is habitually disobedient or truant,
- violated an order of the juvenile court,
- violated a law or ordinance, or
- escaped from a commitment ordered by the juvenile court.

NOTE: The Welfare and Institutions Code **does not require the immediate advisement of legal rights** at the time a minor is taken into temporary custody. The decision **when to admonish should be based on the safety** of the officer and the minor as well as the investigation.

Continued on next page

Obtaining a waiver of a juvenile's rights

Even though a juvenile has been advised of legal rights, a peace officer must obtain a waiver of those rights before an interrogation can take place.

Nature of the advisement

The peace officer must advise minors that anything they say can be used against them and that they also have the following legal rights to:

- remain silent,
- have counsel, and
- have counsel appointed if they are unable to afford counsel.

When admonishment is not required

It is not required to advise juveniles of certain legal rights if they:

- have a history of being abused or neglected and are at immediate risk of physical or emotional harm, or sexual abuse,
- are at immediate risk because of their physical environment or lack of adequate supervision,
- are hospitalized and release of the minor to a parent or guardian poses an immediate danger to the juvenile's health or safety,
- are found in a street or public place suffering from any sickness or injury requiring care or treatment, or
- are stopped for general questioning by an officer.

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Notification of parents

The parents or guardian of a juvenile taken into temporary custody must be advised as soon as practical of the custody and where the minor is being held. *(Welfare and Institutions Code Section 627(a))*

NOTE: In the event a parent is not home, it is permissible to leave a note at the parent's address. This will satisfy the notification requirement.

Chapter Synopsis

Learning need	Peace officers must recognize their roles and responsibilities regarding the protection of the rights of juveniles under California law.
Peace officer responsibilities for the safety of juveniles and general public [11.01.5]	A peace officer's role in the handling of juveniles is one of providing protection, guidance, and rehabilitation.
Admonish-ment of juvenile rights [11.01.7]	Juveniles subject to *Welfare and Institutions Codes 601 and or 602* must be advised of their legal rights when they have been taken into temporary custody without a warrant.
Conditions when a waiver must be sought [11.01.8]	When a juvenile has been advised of their legal rights, a waiver must be sought before an interrogation can take place.

Workbook Learning Activities

Introduction

To help you review and apply the material covered in this chapter, a selection of learning activities has been included. No answers are provided. However, by referring to the appropriate text, you should be able to prepare a response.

Activity questions

1. A 12-year-old girl was placed in foster care after being removed from her home where she had been repeatedly sexually abused. She has stated repeatedly that she wants to return to be with her parents because they love her. Since she came to live with her foster family, the school has reported that she often is tardy or skips school altogether. A peace officer encounters the girl one afternoon at 1:30 when she knows that school is in session. What actions should the officer take?

2. **Discuss as a Group:**
   A peace officer takes a minor into temporary custody for shoplifting and intends to question the minor. The officer reads the minor her constitutional rights under *Welfare and Institutions Code 625*. The minor indicates she does not understand. How should the officer proceed?

Chapter 2

Taking Temporary Custody of a Juvenile

Overview

Learning need

Peace officers must realize when there is an absence of appropriate parental care and control, the state becomes the parent and is responsible for balancing the needs of the juvenile with the protection and safety of the public.

Learning objectives

The chart below identifies the student learning objectives for this chapter.

After completing study of this chapter, the student will be able to:	Objective ID
• recognize the sources of peace officer authority to take a juvenile into temporary custody.	11.02.1
• recognize the options available to a peace officer for the disposition of a juvenile case.	11.02.2
• recognize the conditions under which a juvenile may become a dependent of the court.	11.02.3
• recognize the situations in which a juvenile can be taken into temporary custody due to habitual disobedience or truancy.	11.02.4
• recognize the situations in which a juvenile can be taken into temporary custody for violating a law or ordinance.	11.02.5

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In this chapter

This chapter focuses on taking a juvenile into custody. Refer to the following chart for specific topics.

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Authority for Temporary Custody

Introduction

If the safety and welfare of a juvenile is threatened in any way by the juvenile being a potential victim of some form of abuse, if the juvenile is found to be habitually disobedient, or if a juvenile has committed a crime, a peace officer has the authority to take the juvenile into temporary custody.

Temporary custody of a juvenile

It is also a peace officer's role to take a juvenile into temporary custody for that juvenile's protection or welfare, or for the protection and safety of the general public.

Related terms

To understand the laws regarding temporary custody, peace officers need to become familiar with the following terms.

Child protective agency means a county welfare department (e.g,. Department of Social Services, Department of Children Services, Child Welfare Services), a county probation department, or a police or sheriff's department. It does not include a school district police or a security department.

Temporary custody is the legal equivalent of an arrest. (Justin B. (1999) 69 Cal.App.4th 879, 887.)

Continued on next page

Protection of the minor

Welfare and Institutions Code Section 305 authorizes a peace officer to take a minor into temporary custody, without a warrant, under certain conditions. The chart below will help identify those conditions.

A peace officer has the authority to take into temporary custody, without a warrant, a minor who...	***Welfare and Institutions Code Section***
• has immediate need for medical care, • is in immediate danger of physical or sexual abuse, or • has been left unattended or is in a physical environment which may pose an immediate threat to the minor's health and safety (*Welfare and Institutions Code Section 300*). Additionally, the officer is required to attempt to contact the minor's parent or guardian to determine if they are able to assume temporary custody of the minor.	*305*

Additional authority

Welfare and Institutions Code Section 305 also authorizes a peace officer to take into temporary custody, without a warrant, a minor who

- is in the hospital and release of the minor to a parent or guardian poses an immediate danger to the child's health and safety, or

- is a dependent of the court under court order when a peace officer has reasonable cause to believe the minor has violated the order or left any placement ordered by the court. *(Welfare and Institutions Code Section 319)*

Continued on next page

Authority for Temporary Custody, Continued

Protection of the general public

Welfare and Institutions Code Section 625 authorizes a peace officer to take a minor into temporary custody, without a warrant, under certain conditions. The chart below will help identify those conditions.

A peace officer has the authority to take into temporary custody, without a warrant, a minor who...	***Welfare and Institutions Code Section***
• comes within the jurisdiction of the court (*Welfare and Institutions Code Sections 601 or 602*), • is a ward of the court who has violated a court order or escaped from a court ordered commitment (*Welfare and Institutions Code Sections 636 or 702*), or • is found in a public place suffering from any sickness or injury which requires medical treatment.	*625*

Unexcused school absence

Education Code Section 48264 authorizes a peace officer to take a minor into temporary custody under certain conditions. The chart below will help identify those conditions.

A peace officer has the authority to take into temporary custody a minor who…	***Education Code Section...***
• is subject to compulsory, full-time or continuation education, **and** • is absent from school without valid excuse within the county, city or city and county, or school district during school hours, **and** • is found away from his or her home.	*48264*

Continued on next page

Unexcused school absence (continued)

NOTE: While law changes in the Penal Code refer to "minor" as "child," *Education Code 48264* continues to use the word "minor."

Dependent of the Court

Introduction

Welfare and Institutions Code Section 305 defines situations under which a peace officer may take into temporary custody, without a warrant, a minor who is at risk of suffering physical or emotional harm, or sexual abuse while under the responsibility of a parent, guardian, or responsible adult.

Legal authority

Welfare and Institutions Code Section 305 states that any peace officer may, without a warrant, take into temporary custody a minor:

(a) When the officer has reasonable cause for believing that the minor is a person described in *Welfare and Institutions Code Section 300*, **and, in addition,** that the minor has an immediate need for medical care, or the minor is in immediate danger of physical or sexual abuse, or the physical environment or the fact that the child is left unattended poses an immediate threat to the child's health or safety. In the cases in which the child is left unattended, the peace officer shall first attempt to contact the child's parent or guardian to determine if the parent or guardian is able to assume custody of the child. If the parent or guardian cannot be contacted, the peace officer shall notify a social worker in the county welfare department to assume custody of the child.

(b) Who is in a hospital and release of the minor to a parent poses an immediate danger to the child's health and safety.

(c) Who is a dependent child of the juvenile court, or concerning whom an order has been made under Section 319, when the officer has reasonable cause for believing that the minor has violated an order of the juvenile court or has left any placement ordered by the juvenile court.

(d) Who is found in any street or public place suffering from any sickness or injury which requires care, medical treatment, hospitalization, or other remedial care.

Continued on next page

Related terms

To understand the laws regarding protective custody, peace officers need to become familiar with the following terms.

Abuse in out-of-home care means a physical injury on a child which is inflicted by other than accidental means; sexual abuse or neglect; or the willful cruelty or unjustifiable punishment of a child by a foster parent or the administrator or employee of a public or private residential home, school, or other institution or agency. *(Penal Code Section 11165.5)*

Child abuse means a physical injury to a child inflicted by other than accidental means by another person. It also includes sexual abuse of a child and child neglect. *(Penal Code Section 11165.6)*

Unlawful corporal punishment or injury means a situation where any person willfully inflicts upon any child any cruel or inhuman punishment or injury resulting in a traumatic condition. *(Penal Code Section 11165.4)*

Neglect means negligent treatment or the maltreatment by a responsible person for a child under circumstances that indicate harm or threaten harm to the child's health or welfare. Neglect includes acts of omission as well as deliberate acts. *(Penal Code Section 11165.2)*

General neglect means failure to provide adequate food, clothing, shelter, or supervision where no physical injury to the child has occurred.

Severe neglect means failure to protect a child from severe malnutrition or a medically diagnosed nonorganic failure to thrive, and failure to protect the child from situations where their person or health is endangered.

Sexual assault means attempts or acts by a person upon or with a child to conduct rape, rape in concert, aggravated sexual assault of a child, incest, sodomy, lewd or lascivious acts upon a child, oral copulation, penetration by a foreign object, or child molestation. *(Penal Code Sections 261, 264.1, 269, 285, 286, 288(a), 288(b), 289, or 647.6)*

Willful cruelty or unjustifiable punishment of a child means a situation where any person willfully causes or permits any child to suffer, inflicts unjustifiable physical pain or mental suffering on a child, or permits a child to be placed in a situation such that the child's health is endangered. *(Penal Code Section 11165.3)*

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Intent of the legislature

Although the safety and well-being of the minor is the primary goal, it is also the intent of the juvenile court system that family life be preserved whenever possible.

It is the intent of the Legislature that nothing

- disrupt the family unnecessarily,
- intrude inappropriately into family life,
- prohibit the use of reasonable methods of parental discipline,
- prescribe a particular method of parenting, or

limit the offering of voluntary services to those families in need of assistance.

Risk of serious harm

Welfare and Institutions Code Section 300(a) states:

A peace officer may take a child into protective custody, if the child has suffered, or if there is a substantial risk that the child will suffer, non-accidental serious physical harm from the child's parent or guardian.

This decision should be based on:

- the manner in which a less serious injury was inflicted,
- a history of repeated inflictions of injury, or
- a combination of the above.

NOTE: "Serious physical harm" does not include age-appropriate spanking to the buttocks where there is no evidence of serious physical injury.

Continued on next page

Inadequate supervision or protection

*Welfare and Institutions Code Section 300(b)*states:

A peace officer may take a child into protective custody if the child has suffered, or is at substantial risk of suffering, serious physical harm or illness due to a parent or guardian's inability to provide appropriate supervision, protection, food, clothing, shelter, medical treatment or protect the child from the conduct of another person.

The inability to provide appropriate care may be due to the parent's or guardian's:

- mental illness,
- developmental disability, or
- substance abuse.

NOTE: A physical disability such as blindness or deafness does not hinder the raising of happy, well-adjusted children unless the parent's disability prevents the parent from exercising adequate and appropriate care and control of the child.

Religious belief

The juvenile court may yield to a parent's or guardian's wish to the treatment, non-treatment, or spiritual treatment of a child through prayer alone when the following conditions exist:

- Treatment is in accordance with the tenets and practices of a recognized church or religious denomination.
- The treatment is being offered by an accredited practitioner.
- The child is not at risk of suffering serious physical harm or illness based on the:
  - nature of the treatment posed,
  - risk to the child the treatment or non-treatment poses,
  - risks of the course of treatment proposed by the petitioning agency, and
  - likely success of the treatment or non-treatment.

Continued on next page

Risk of serious emotional damage

*Welfare and Institutions Code Section 300(c)*states:

A peace officer may take a child into protective custody if the child has suffered, or is at substantial risk of suffering, serious emotional damage due to the conduct of the parent or guardian, or due to the parent's or guardian's inability to provide appropriate care.

Emotional damage may be evidenced by:

- severe anxiety,
- depression,
- withdrawal, or
- inappropriate aggressive behavior toward self or others.

NOTE: This does not apply if failure to provide adequate mental health treatment is due to religious belief or if less intrusive judicial intervention is available (e.g., counseling).

Sexual abuse

*Welfare and Institutions Code Section 300(d)*states:

A peace officer may take a child into protective custody if the child has been sexually abused or there is a substantial risk he or she will be sexually abused by a parent, guardian, or other member of the household, or if the parent or guardian knew or reasonably should have known the child was being sexually abused or at risk of sexual abuse.

Continued on next page

Sexual abuse (continued)

According to *Penal Code Section 11165.1*, sexual abuse may include:

- rape,
- rape in concert,
- incest,
- sodomy,
- lewd or lascivious acts upon a child,
- oral copulation,
- penetration by a foreign object,
- child molestation, or
- unlawful sexual intercourse.

Abuse of a child under the age of five

Welfare and Institutions Code Section 300(e) states:

A peace officer may take a child under the age of five into protective custody if the child has suffered severe physical abuse by a parent, or person known to the parent, or the parent reasonably should have known that the child was being physically abused.

Severe physical abuse includes:

- any single act of abuse which causes physical trauma of sufficient severity that, if left untreated, would cause permanent physical disfigurement, permanent physical disability, or death.

- any single act of sexual abuse or more than one act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling, bone fracture, or unconsciousness.

- willful, prolonged failure to provide adequate food.

Continued on next page

Other reasons

A peace officer may also take a child under the age of 18 into temporary custody if any of the other following circumstances exist as defined in *Welfare and Institutions Code Section 300*.

Circumstance	***Welfare and Institutions Code Section***
The child's parent or guardian has caused the death of another child through abuse or neglect.	*300(f)*
The parent or guardian is incarcerated or institutionalized and cannot arrange for the care of the child.	*300(g)*
The child has been subjected to acts of cruelty by the parent, guardian, or a member of the household.	*300(i)*
The child's sibling has been abused or neglected, and there is substantial risk to the child as well.	*300(j)*

Examples

Example: A 12-year-old child went to an emergency room with severe welts on his back. The parents denied any responsibility even though the child said his father whipped him with an electrical cord.

Continued on next page

Examples (continued)	Example:	A 10-year-old boy lived with his mother and grandfather. The mother heard the boy and the grandfather in the bathroom. When she knocked on the door, the grandfather quickly exited. The mother found the boy with his underwear off and crying.

Habitual Disobedience or Truancy

Introduction

A person under the age of 18 who habitually refuses to obey reasonable orders, or is habitually truant from school, can be taken into custody by a peace officer under the authority of the juvenile court.

Legal authority

A peace officer may take a juvenile into temporary custody under the authority of *Welfare and Institutions Code Section 625.*

Related terms

To understand the laws regarding disobedience and truancy, a peace officer needs to become familiar with the following terms.

Compulsory education that is all children between the ages of 6 and 18, unless exempted, must be enrolled in an approved school program. *(Education Code Section 48200)*

Truancy means willful and unjustified failure to attend school by one who is required to attend.

Habitual truancy means any pupil subject to compulsory education who is absent without a valid excuse for more than three days, or who is reported truant four or more times in a school year. *(Education Code Sections 48260-48264.5)*

School Attendance Review Board (SARB) Coordinates school and community services providing assistance to pupils with attendance and/or behavioral problems. *(Education Code Section 48320(a))*

Incorrigible means incapable of being corrected, reformed, amended, or improved with respect to juvenile offenders.

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Welfare and institution code sections

Habitual disobedience or truancy is covered by *Welfare and Institutions Code Section 601*. The table below describes the circumstances described within the code.

Circumstance	***Welfare and Institutions Code Section***
A minor who persistently or habitually refuses to obey reasonable and proper orders or directions of the parent or guardian.	*601(a)*
A minor, unless exempted, has four or more truancies within one school year as defined by *Education Code Section 48264.5(d).*	*601(b)*

Status offenders

Any offense noted under *Welfare and Institutions Code Section 601* is considered a status offense since adults can not be charged with it. Juveniles who commit an offense under this code are considered status offenders.

NOTE: Authority to deal with curfew-based offenses is reserved for the municipal codes of the city where the offense takes place.

Continued on next page

Habitual Disobedience or Truancy, Continued

Examples	Example:	A 14-year-old girl was incorrigible because she failed to obey her mother's household rules. The daughter consistently came in at night after 1 or 2 am, violating a local curfew ordinance.
	Example:	A 16-year-old boy was caught absent from school ten times in the last six months. The boy's single parent was unable to convince the boy he needed to go to school.

Violating the Law

Introduction

If juveniles commit a crime, they must be held accountable for that crime and are subject to the jurisdiction of the juvenile court.

Legal authority

A peace officer may take a juvenile into temporary custody without a warrant, under the authority of *Welfare and Institutions Code Section 625.*

Committing a crime

Any person under the age of 18 who violates any law (federal, state, city or county ordinance), is within the jurisdiction of the juvenile court and may be judged a ward of the court.

NOTE: This does not apply to an ordinance establishing a curfew based solely on age. *(Welfare and Institutions Code Section 601)*

Welfare and Institutions Code section

Violating a law while under the age of 18 is covered by *Welfare and Institutions Code Section 602(a)*.

Age-related jurisdiction

Age is related to the age of the person at the time the incident or offense occurred.

Example: A person who is 19 could come under the jurisdiction of the juvenile court if arrested for a crime which occurred when that person was 17.

Offenses not witnessed by an officer

A peace officer may, without a warrant, take a minor into temporary custody for a misdemeanor, even though the crime was not committed in the officer's presence. *(Welfare and Institutions Code Section 625)*

NOTE: When contacting a minor suspected of a crime on school grounds during instructional times, officers must take into consideration any applicable State laws and/or departmental policies governing how/when a minor may be contacted.

Continued on next page

Minors under 12 years old

Minors under the age of 12 years old cannot be prosecuted in juvenile court, Unless they commit one or more of the following crimes:

- Murder
- Rape by force, violence, duress, menace or fear
- Sodomy by force, violence, duress, menace or fear
- Oral Copulation by force, violence, duress, menace or fear
- Sexual penetration by force, violence, duress, menace or fear

Because a minor under the age of 12 cannot be prosecuted, unless they commit one of the above crimes, it also means they:

(1) Cannot be taken into custody under Welfare and Institutions Code 625, and
(2) Cannot be cited with a notice to appear before a probation officer under Welfare and Institutions Code 626.

Examples

Example: A 14-year-old boy entered a grocery store to purchase a snack after school. While inside the store, he realized he forgot to bring money with him. The boy hid two candy bars and a bag of cookies in his backpack and left the store.

Example: Two 12-year-old girls were found spray painting graffiti on the side of an empty building.

Example: A 14-year-old-boy commits a battery at a party on Saturday evening. Officers are not able to speak with the suspect until he is in school on Monday, however, department policy mandates the officers wait until after school to make contact with the suspect since the crime did not occur on school grounds nor during school time. The officers must wait until that student is away from the school campus.

Disposition of a Juvenile Case

Introduction

The peace officer has a number of alternatives for the disposition of a juvenile case.

Legal Authority

The authority to dispose of a juvenile case is noted in *Welfare and Institutions Code Sections 626 and 307,* and *Education Code Sections 48264 and 48265*.

Disposition of a juvenile case

When determining which disposition to make, the officer shall select the least restrictive alternative for the juvenile while providing for the safety of the community and the juvenile.

Options to the peace officer include:

- releasing the minor,
- releasing the minor to a parent or legal guardian,
- delivering the minor to a public or private agency including school, youth service or community center,
- preparing a promise to appear (citation) and giving one copy to the minor or responsible adult and the other copy to the probation officer, or
- delivering the minor to the juvenile probation department.

Chapter Synopsis

Learning need	Peace officers must realize when there is an absence of appropriate parental care and control, the state becomes the parent and is responsible for balancing the needs of the juvenile with the protection and safety of the public.
Source of authority [11.02.1]	Conditions for taking a juvenile into temporary custody are based on two sections of the welfare and institutions code. Those sections are 305 and 625. Unexcused school absence, *Education Code Section 48264*, authorizes a peace officer to take a minor into temporary custody under certain conditions.
Disposition of a juvenile case [11.02.2]	The officer shall select the least restrictive alternative for the juvenile while providing for the safety of the community and the juvenile.
Dependent of the court [11.02.3]	Circumstances relating to temporary custody for a minor are covered in *Welfare and Institutions Code Section 300.*
Habitual disobedience or truancy [11.02.4]	Habitual disobedience or truancy is covered in the *Welfare and Institutions Code Section 601* and its subsections.
Violating a law [11.02.5]	Any person under the age of 18 who violates any law is within the jurisdiction of the juvenile court and can be taken into temporary custody.

Workbook Learning Activities

Introduction

To help you review and apply the material covered in this chapter, a selection of learning activities has been included. No answers are provided. However, by referring to the appropriate text, you should be able to prepare a response.

Activity questions

1. Kathleen, a 17-year-old girl, has been treated in a local emergency room for a broken arm and several severe welts and bruises. A peace officer is called when the minor reveals to the nurse that her father had done this to her. Though her father beats frequently, this is the first time she had needed to come to the hospital. Kathleen also reveled that her mother knew of this activity, but her mother believed that severe discipline would "help you grow up right." What actions, if any, should the peace officer take upon arrival at the emergency room? What is the peace officer's authority for any actions?

2. Thomas, a 16-year-old is driving home at midnight, knowing that he has missed the 11:00 pm local curfew for anyone under 18. When a peace officer encounters Thomas at a stop light, should the officer take Thomas into temporary custody? Why or why not? How would this change if the minor is found driving under the influence of alcohol.

Continued on next page

Activity questions (continued)

3. Law enforcement authorities are called by a classroom teacher who suspects that one of her second grade students is showing signs of neglect. The teacher reports that the child is thin, seems to have a perpetual cold, is often underclothed for the weather, and never brings lunch or lunch money. When an officer goes to the child's home to check the circumstances, the officer finds the child happily reading a book with his mother in a run down, but clean apartment. What, if any, actions should the officer take?

4. Max, a 13-year-old boy, is detained for shoplifting. The boy becomes upset when the peace officer offers to call Max's parents to pick him up. The boy tells the officer that his father has beaten him in the past whenever he has gotten into trouble at school, and the boy is afraid of what his father will do to him now. Would Max fall under the authority of juvenile court? Should the officer take Max into temporary custody?

Workbook Corrections

Suggested corrections to this workbook can be made by going to the POST website at: www.post.ca.gov

Continued on next page

Chapter 3

Confinement of a Juvenile

Overview

Learning need

Peace officers must recognize that *Welfare and Institutions Codes 206, 207, 207.1,* and *208* provide the basis for regulations established for the confinement of juveniles in adult detention facilities.

Learning objectives

The chart below identifies the student learning objectives for this chapter.

After completing study of this chapter, the student will be able to:	Objective ID
• recognize the guidelines requiring the separation and segregation of dependent minors, status offenders, and wards within a facility.	11.03.1
• recognize the appropriate level of confinement for the purposes of temporary custody.	11.03.2
• recognize the need for preventing all contact between juveniles and adult prisoners within a facility.	11.03.3

Continued on next page

Overview, Continued

In this chapter

This chapter focuses on the confinement of a juvenile. Refer to the following chart for specific topics.

Topic	See Page
Confining Juveniles	3-3
Secure Detention vs. Nonsecure Custody	3-6
Juveniles and Adult Inmates	3-10
Chapter Synopsis	3-11
Workbook Learning Activities	3-12

Confining Juveniles

Introduction

California law requires that a juvenile confined in temporary custody be treated differently than an adult who is confined in custody.

Related terms

To better understand the laws regarding the confinement of juveniles, a peace officer needs to become familiar with the following terms.

Law enforcement facility means a police facility or sheriff's station. It does not include a jail which has the purpose of detaining adults who are being held for criminal law violations.

A **jail** is defined as a locked adult detention facility which holds both non-sentenced and convicted adult criminal offenders.

A **lockup** is a locked room or secure enclosure under the control of a peace officer or custodial officer that is primarily for the temporary confinement of adults who have been arrested. Sentenced prisoners who are inmate workers may reside in the facility to carry out appropriate work.

A **court holding facility** is a secure detention facility located within a court building and used for the confinement of a person solely for the purpose of a court appearance. The confinement does not exceed 12 hours.

Juvenile facility means a juvenile hall, juvenile home, ranch or camp, regional youth education facility, boot camp, or special purpose juvenile hall.

Juvenile hall means a county facility designed for the temporary care of minors detained in accordance with the provisions of the juvenile court law.

Continued on next page

Time limitations for temporary custody

Juveniles can be detained in a facility that also contains a lockup for adults no more than 6 hours *(Welfare and Institutions Code Section 207.1(b))*, for the purposes of:

- investigating the case,
- facilitating the release of the minor to a parent or guardian, or
- arranging for a transfer to an appropriate juvenile facility.

NOTE: The 6-hour time period begins upon entering the law enforcement facility.

Segregation of juveniles

Welfare and Institutions Code Section 206 requires that minors in each category be segregated from minors in other categories within a law enforcement facility:

- solely on the grounds that they are dependent children or wards of the juvenile court *(Welfare and Institutions Code Section 300)*,
- as status offenders *(Welfare and Institutions Code Section 601)*, and
- as wards *(Welfare and Institutions Code Section 602)*.

Hospital confinement

A juvenile can be confined to a hospital only for the purpose of medical treatment or observation.

Confinement in an adult facility

Juvenile cannot be placed in an adult jail or lockup unless ordered to be housed there by a juvenile court judge. Even then, the minor must be segregated from all adult prisoners. *(Welfare and Institutional Code Section 208)*

Continued on next page

Confinement for alcohol or drugs

A juvenile being detained for being under the influence of alcohol or drugs may be escorted by a peace officer into an adult facility for the purpose of administering a test. At no time can the juvenile be:

- out of the direct supervision of the officer while in the adult facility.
- held in excess of two hours while in an adult facility.
- permitted to come in contact with in-custody adults, or
- locked in a cell or room within the adult facility. *(Welfare and Institutions Code Section 23612)*.

Secure Detention vs. Non-secure Custody

Introduction

Any person under the age of 18 being held in temporary custody on the basis of violating a law defined as a crime *(Welfare and Institutions Code Section 602)*, may be held in secure or non-secure detention *(Welfare and Institutions Code Section 207)*

Related terms

To better understand the guidelines for determining the appropriate level of confinement, peace officers need to become familiar with the following terms.

Secure detention means that a minor being held in temporary custody in a law enforcement facility is locked in a room or enclosure and/or is physically secured to a cuffing rail or other stationary object.

Non-secure custody means that a minor's freedom of movement in a law enforcement facility is controlled by the staff of the facility. The minor is not locked in a room or enclosure and is not physically secured to a stationary object, but remains in constant visual supervision by the staff.

NOTE: Minors held in an unlocked room and handcuffed are not considered to be in secure detention.

NOTE: Dependent children *(Welfare and Institutions Code Section 300)* cannot be placed in a secure facility.

Secure detention

A minor is in secure detention whenever he or she is:

- detained in a locked room or other secure enclosure,
- secured to a cuffing rail or some other fixed object (bench, chair, table), or
- reasonably restrained as necessary to prevent escape and protect the minor and others from harm.

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Secure detention (continued)

NOTE: Secure detention would also exist if a minor is detained in a building, or portion of a building, in which all doors are locked to the inside.

NOTE: Males and females shall not be placed in the same locked room, unless under direct visual supervision by staff at all times.

Criteria for secure detention

A minor 14 years of age or older may be placed in secure detention only when a peace officer has a reasonable belief that the minor poses a serious security risk of harm to self or others.

In making the determination whether the minor presents a serious security risk, the peace officer must take into account the following factors:

- age, maturity, and delinquent history of the minor,
- severity of the offense(s) for which the minor was taken into custody,
- the minor's behavior, including degree to which the minor appears cooperative or noncooperative,
- the availability of staff to provide adequate supervision or protection of the minor, and
- the age, type, and number of other individuals who are detained in the facility.

Informing the minor

A minor must be informed of the following at the time he or she is securely detained the:

- allowance of two phone calls within one hour,
- purpose of the secure detention,
- length of time the secure detention is expected to last, and
- 6 hour maximum time limit.

Continued on next page

Supervision of a minor in secure detention

There is a need to provide closer supervision of a minor in secure detention than for an adult. A minor in secure detention usually poses an increased possibility of self-destructive behavior. Therefore, continuous around-the-clock supervision of a minor is required.

Supervision requirements include:

- direct supervision by correctional staff, within hearing distance of a minor, and
- documented, visual safety checks of a minor shall be at least every 30 minutes.

NOTE: Safety checks should be made on an irregular basis to decrease the likelihood that the minors will anticipate the exact time of the checks.

NOTE: All safety checks need to be through the eyes of the staff and not through the lens of a camera or audio device.

Secure detention outside a locked enclosure

A minor may be secured to a stationary physical object outside a locked enclosure due to physical restraints or exigent circumstances. The following applies to such situations.

- A minor may not be secured to a stationary object for more than 60 minutes unless no other locked enclosure is available.

- Securing a minor for longer than 60 minutes, and every 30 minutes thereafter, shall be approved by a supervisor and the reasons clearly documented.

- A staff person must be present at all times to assure the minor's safety while secured.

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Secure Detention vs. Non-secure Custody, Continued

Criteria for non-secure custody	A minor who is *less than 14 years old* or who does not, in the reasonable belief of the officer, present a serious security risk of harm to self or others and does not fit the criteria for secure detention should not be locked in a room or enclosure or physically secured to any object.
Supervision of minors in non-secure custody	A minor in non-secure custody must be under constant personal visual access and supervision of staff of the law enforcement facility. Audio, video, or other electronic devices *cannot* replace personal visual supervision.

Juveniles and Adult Inmates

Introduction

Contact between an adult inmate and a minor is declared by *Welfare and Institutions Code Section 208* as "unlawful." There will be "limited" occasions where a minor who is being lawfully detained may be in "**incidental**" physical presence of an adult prisoner.

Related terms

To better understand the regulations regarding the separation of a minor and an adult, peace officers need to become familiar with the following terms.

Contact means communication, whether visual or verbal, or an immediate physical presence.

Processing includes procedures such as fingerprinting or photographing an individual who has been recently arrested.

"Incidental" contact with an adult inmate

Communication is not allowed between a minor and an adult prisoner. In situations in which a minor and an adult prisoner are in the same room or area, there must be a facility staff person trained in the supervision of inmates in constant side-by-side presence with either the minor or adult.

Situations in which a minor and an adult prisoner may be in the same room or corridor are limited to the following:

- booking,
- medical screening,
- inmate worker presence while performing work necessary for the operation of the law enforcement facility, such as meal service and janitorial service, and
- movement of people in custody within the law enforcement facility.

Chapter Synopsis

Learning need

Peace officers must recognize that *Welfare and Institutions Codes 206, 207, 207.1,* and *208* provide the basis for regulations established for the confinement of juveniles in adult detention facilities.

Segregation of juveniles [11.03.1]

Welfare and Institutions Code Section 206 states:

Minors in each category must be segregated from minors in each other category within a law enforcement facility:

- solely on the grounds that they are dependent children or wards of the juvenile court *(Welfare and Institutions Code Section 300)*,
- as status offenders *(Welfare and Institutions Code Section 601)*, and
- as wards *(Welfare and Institutions Code Section 602)*.

Level of confinement [11.03.2]

A minor when they are 14 years of age or older can be placed in a secure detention only when a peace officer has a reasonable belief that the minor poses a serious security risk of harm to self or others and they are being detained on the basis of violating a law defined as a crime *(Welfare and Institutions Code Section 602.)* A non-secure custody is when they are younger than 14 years old, they are in temporary custody as a ward of the court, or as a status, and they do not, in the reasonable belief of the officer, present a serious security risk of harm to self or others.

Juvenile and adult inmates [11.03.3]

A minor shall not be allowed to come into contact with an adult prisoner.

Workbook Learning Activities

Introduction

To help you review and apply the material covered in this chapter, a selection of learning activities has been included. No answers are provided. However, by referring to the appropriate text, you should be able to prepare a response.

Activity questions

1. A 17-year-old boy is very large for his age and apparently strong, but does not present any resistance or cause any type of disturbance when he is brought to a law enforcement facility and detained for suspected car theft. Should the teenager be placed in secure detention or non-secure custody? What is the rationale for your decision?

2. A 14-year-old girl is being detained for assault with a deadly weapon. She is belligerent and defiant with the facility staff and arresting officer. Should the teenager be placed in secure detention or non-secure custody? What is the rationale for your decision?

Continued on next page

Activity questions (continued)

3. A 16-year-old boy is brought to a law enforcement facility to be held in temporary custody until his parents can come and take custody of him. The staff at the facility is short-handed and there is no one who can remain with the juvenile while he waits. Can the juvenile be placed in an adult holding cell if there are no adults being detained there as long as he is checked on periodically by the staff? Why or why not?

4. Two sisters, ages 13 and 19, are being placed in temporary custody for shoplifting. The younger girl has never been in trouble and is upset and crying. The older sister asks if they can be held in the same area so her sister won't be so frightened. Under the circumstances, what should the officer do?

Continued on next page

Student notes

Chapter 4

Contributing to the Delinquency of a Minor

Overview

Learning need

Any person who commits an act or fails to perform a duty which then causes a juvenile to become a dependent or ward of the court, or to commit a crime, can be said to be guilty of contributing to the delinquency of a minor.

Learning objectives

The chart below identifies the student learning objectives for this chapter.

After completing study of this chapter, the student will be able to:	Objective ID
• recognize the crime elements of contributing to the delinquency of a minor.	11.04.1
• recognize the crime classification as a misdemeanor or felony.	11.04.3

In this chapter

This chapter focuses on the crime of contributing to the delinquency of a minor. Refer to the following chart for specific topics.

Topic	See Page
Specifics of the Crime	4-2
Chapter Synopsis	4-5
Workbook Learning Activities	4-6

Specifics of the Crime

Introduction

Any person whose act or omission causes or encourages any minor to fall within the jurisdiction of the juvenile court may be charged with a crime.

Definition

A person contributes to the delinquency of a minor if he or she:

- commits an act or omits the performance of any duty which causes or encourages any person under the age of 18 to come within the provisions of *Welfare and Institutions Code Sections 300, 601, or 602*, or
- threatens, commands, persuades, or endeavors to induce any person under the age of 18 to fail or refuse to conform to a lawful order of the juvenile court.

Penal code section

Causing, encouraging, or contributing to the delinquency of a minor is covered under *Penal Code Section 272*.

Crime elements

To arrest a suspect for contributing to the delinquency of a minor, the necessary crime elements are:

- committing any act, or
- omitting the performance of any duty,
- which causes or tends to cause or encourage a person under the age of 18
- to come under the provisions of *Welfare and Institutions Code Sections 300, 601 or 602*.

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Specifics of the Crime, Continued

Classification

Contributing to the delinquency of a minor is classified as a misdemeanor.

Additional Welfare and Institution Code sections

Anyone (including another juvenile) can be charged with contributing to the delinquency of a minor if he or she causes or encourages a juvenile to come under any of the following subsections of *Welfare and Institutions Code Sections 300, 601, or 602*.

Circumstance	***Welfare and Institutions Code Section***
Serious physical harm inflicted nonaccidentially to a child	*300(a)*
Inability of parent or guardian to adequately supervise or protect a child	*300(b)*
Serious emotional damage inflicted to a child	*300(c)*

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Additional Welfare and Institution Code sections (continued)

Circumstance	*Welfare and Institutions Code Section*
Sexual abuse of a child	*300(d)*
Serious physical abuse to a child under the age of 5	*300(e)*
Cause or responsible for the death of another child through abuse or neglect	*300(f)*
Leave a child without any provisions of support	*300(g)*
Subject a child to acts of cruelty	*300(i)*
Put a child at risk by abusing or neglecting a child's sibling	*300(j)*
Habitual disobedience	*601(a)*
Truancy	*601(b)*
Criminal act by minor	*602*

Chapter Synopsis

Learning need	Any person who commits an act or fails to perform a duty which then causes a juvenile to become a dependent or ward of the court, or to commit a crime, can be said to be guilty of contributing to the delinquency of a minor.
Contributing to the delinquency of a minor [11.04.1, 11.04.3]	Causing, encouraging, or contributing to the delinquency of a minor is covered under *Penal Code Section 272*.

Workbook Learning Activities

Introduction

To help you review and apply the material covered in this chapter, a selection of learning activities has been included. No answers are provided. However, by referring to the appropriate text, you should be able to prepare a response.

Activity questions

1. A 16-year-old boy takes his 9-year-old brother to a discount store. Once in the store, the older boy picks up three music CDs and hides them in the inside pocket of his younger brother's jacket. When they leave without paying for the CDs both boys are stopped outside the store by a security guard who witnessed the theft. Does either boy fall under the authority of the juvenile court system? Why or why not? With what crime would either be charged?

2. At a neighborhood block party, one parent allows his 8-year-old child to take a sip of beer at the child's request. Another neighbor is appalled and calls over a peace officer who has come by to make sure the party area has been blocked off properly. Has any crime been committed and how should the officer respond? What should the officer take into consideration?

Glossary

Introduction	**The following glossary terms apply only to Learning Domain 11: Juvenile Law and Procedure.**
abuse in out-of-home care	Situation of physical injury to a child which is inflicted by other than accidental means; sexual assault or neglect; or the willful cruelty of unjustifiable punishment of a child by a foster parent or the administrator or employee of a public or private residential home, school, or other institution or agency
California Department of Corrections and Rehabilitation, Division of Juvenile Justice	Formerly known as California Youth Authority (C.Y.A.) is a state agency coordinating the many functions of the state in its dealings with youth in trouble, including operation of state juvenile detention services
child	Any person under 18 years of age
child abuse	A physical injury to a child inflicted by other than accidental means by another person. It also includes sexual abuse of a child and child neglect
child care custodian	An employee who has direct contact and supervision of children which includes, but is not limited to, public and private schools, youth centers, youth recreation programs or organizations, child care facilities, foster homes, group homes, residential care facilities, social workers, probation officers, or parole officers
child protective agency	A county welfare department (e.g., Department of Social Services, Department of Child Services, Child Welfare Services), a county probation department, or a police or sheriff's department; this does not include a school district police or a security department

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compulsory education	All children between the ages of 6 and 18, unless exempted, must be enrolled in an approved school program
contact	Communication, whether visual or verbal, or an immediate physical presence
court holding facility	A secure detention facility located within a court building and used for the confinement of a person solely for the purpose of a court appearance; the confinement does not exceed 12 hours
dependent	A juvenile who is destitute, from an unfit home, victim of physical, emotional, or sexual abuse, or lacks parental supervision
diversion	The alternative handling of selected offenders away from the formal justice system to a viable delinquency prevention program (i.e., community-based counseling program, graffiti abatement programs, informal law enforcement programs)
general neglect	Failure to provide adequate food, clothing, shelter, or supervision where no physical injury to the child has occurred
habitual truancy	Any pupil subject to compulsory education who is absent without a valid excuse for more than three days, or who is reported truant four or more times in a school year
incidental	Likely to happen as a result
incorrigible	Incapable of being corrected, reformed, amended, or improved with respect to juvenile offenders

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jail	A locked adult detention facility which holds both nonsentenced and convicted adult criminal offenders
juvenile	Any person under 18 years of age
juvenile facility	A juvenile hall, juvenile home, ranch or camp, regional youth education facility, boot camp, or special purpose juvenile facility A county facility designed for the temporary care of minors detained in accordance with the provisions of the juvenile court law
juvenile hall	A county facility designed for the temporary care of minors detained in accordance with the provisions of the juvenile court law
law enforcement facility	A police facility or sheriff's station; it does not include a jail which has the purpose of detaining adults charged with criminal law violations
lockup	A locked room or secure enclosure under the control of a peace officer or custodial officer which is used primarily for the temporary confinement of adults who have been arrested
minor	Any person under 18 years of age
neglect	Negligent treatment or the maltreatment by a responsible person of a child under circumstances that indicate harm or threaten harm to the child's health or welfare
nonsecure custody	Temporary custody of a minor within a law enforcement facility in an area that is not in a locked room or enclosure; the minor's freedom of movement is controlled only by the staff of the facility

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processing	Procedures such as fingerprinting or photographing an individual who has been recently arrested
school attendance review board	School Attendance Review Board (SARB) coordinates school and community services providing assistance to pupils with attendance and/or behavioral problems
secure detention	Temporary custody of a minor within a law enforcement facility who is locked in a room or enclosure and/or physically secured to a cuffing rail or other stationary object
severe neglect	Failure to protect a child from severe malnutrition or a medically diagnosed nonorganic failure to thrive, and failure to protect the child from situations where their person or health is endangered
sexual assault	Physical advances by a person upon or with a child to conduct rape, rape in concert, aggravated sexual assault of a child, incest, sodomy, lewd or lascivious acts upon a child, oral copulation, penetration by a foreign object, or child molestation
status offender	Noncriminal conduct unique to the status of being a minor
temporary custody	Is the legal equivalent of an arrest
truancy	Absent from school without cause

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unlawful corporal punishment or injury	A situation where any person willfully inflicts upon any child any cruel or inhuman punishment or injury resulting in a traumatic condition
ward of the court	A person, under the age of 18, who has been found by juvenile court to be habitually disobedient or truant, or who has committed a crime
willful cruelty or unjustifiable punishment of a child	A situation where any person willfully causes or permits any child to suffer, inflicts unjustifiable physical pain or mental suffering on a child, or permits a child to be placed in a situation such that the child's health is endangered