

TRANSFER TO ORANGE COUNTY JAIL

- AUTHORITY:** Administrative Directive
Welfare and Institutions Code Section 202, 207, 208 and 208.5
- RESCINDS:** Procedural Manual Item **3-5-008**, dated **08/18/23**
- FORMS:** Petition for Modification (F057-5120.1AF)
Release Authorization (F057-6226.1)
- PURPOSE:** To establish the criteria and method for obtaining a court order to transfer a youth to Orange County Jail and process by which transfer is completed.

I. GENERAL INFORMATION

- A. Youths who have been found unfit by the Court for juvenile court proceedings under Section 707(b) WIC can be detained in a jail only if:
1. They are over the age of 18.
 2. Further detention at a Juvenile Hall would endanger the safety of the public or be detrimental to other youth at Juvenile Hall.
 3. The jail has met Board of State and Community Corrections approval.
 4. They are not serving a Juvenile Court commitment and the Juvenile Court has not ordered continued detention at a juvenile facility.
- B. Pursuant to Section 208.5 WIC, adjudicated youth 19 years or older may, at the recommendation of the Deputy Probation Officer (DPO) **or a Supervising Probation Correctional Officer (SPCO)**, **petition the court to house the youth at the Orange County Jail (OCJ) to serve their commitment.**
- C. All orders to transfer the youth from Juvenile Hall to Orange County Jail shall include an order for the Sheriff to transport the youth to the jail and back to Juvenile Court for subsequent hearings.

II. CRITERIA FOR SEEKING TRANSFER

- A. The following criteria must **all** apply:
1. The youth **is at least 19 years old and is serving a Juvenile Court detention or commitment.**
 2. The youth has been **found** unfit for Juvenile Court proceedings **and the case has been transferred to Adult Court.**

3. The youth is serving a Juvenile Court commitment or has been ordered detained in a juvenile facility pending Juvenile Court and has been displaying behavior that is detrimental to the other youth and staff in the facility.

III. PROCEDURE TO OBTAIN A COURT ORDER FOR TRANSFER

- A. When a youth has turned 18, has been found unfit for Juvenile Court, the Unit SPCO will notify the Assistant Division Director (ADD). The **ADD** will submit a Modification Petition requesting the Juvenile Court allow the youth to be transferred to OCJ.
- B. When a youth reaches the age of 25 prior to or during a detention on a Juvenile Court matter, or when serving a Juvenile Court ordered commitment, the unit SPCO will notify the ADD. **The ADD will coordinate with the Division Director (DD) as to how to proceed.**
 1. The DD or designee will review the Modification Petition, provide signature, and return the Modification Petition to the **ADD** for processing.

IV. PROCESSING THE YOUTH FOR TRANSFER TO THE JAIL

- A. When a court order to transfer a youth to the Orange County Jail is received, the Remand Clerk shall:
 1. Prepare a Release Authorization (F057-6226.1) and submit it to an Administrator for review and signature.
 2. Notify Sheriff's Department Transportation at [REDACTED] and fax copy of Superior Court – Notice to Sheriff to [REDACTED]
 3. **Email Booking [REDACTED] to notify them of the release.**
 4. Notify the youth's unit.
 5. Notify the Duty Officer or appropriate SPCO.
- B. Once a youth turns 18 years old and only has an adult court case pending due to the youth being found unfit for Juvenile Court, and does not have a juvenile case pending, the unit SPCO will notify the ADD. The ADD will contact the Remand Clerk and provide Adult Court information from the last court date showing the youth is to be remanded to the Sheriff's and request a transportation order be prepared for the youth to be transferred to Orange County Jail.
- C. The Duty Officer or SPCO shall:
 1. Contact the youth's unit to determine if the youth is currently on any suicide precaution level. If the youth is currently subject to a suicide precaution level, the Duty Officer/SPCO will telephone Mental Health Triage at the Orange County Jail [REDACTED]. Upon completion of the telephone call, the notification will be documented in the Integrated Case Management System (ICMS) including the date, time, and recipient of the phone call.

2. Notify the youth's parents and probation officer of the impending transfer.

REFERENCES:

Procedure:	2-1-002	Transportation Security
Policy:	D-6	Transportation of Probationer and Custody Transportation

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APPROVED BY: