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Special Programs

I. Juvenile Hall Commitment Program

A. General Policies

1. The Probation Department has established a short-term commitment program as a sentencing alternative in accordance with the *In re Ricardo M.* court case
2. The program consists of schooling, a behavior modification merit system, and opportunities for counseling and goal-setting.

B. Weekend Commitments

1. Depending on a youth's needs, a youth may be ordered by the Court to serve weekend(s) in the juvenile hall.
2. Youths committed for more than one weekend will have a physical examination during their first weekend commitment. If the physical examination is not completed on the first weekend, the youth must have a physical examination prior to or within 24 hours of their next consecutive weekend commitment.

C. Furloughs

1. Youth may occasionally be furloughed for a variety of reasons such as, but not limited to, a court order, medical necessity, emergency and/or related to programming.
2. Protection of the community and safety of the youth are critical considerations when granting furloughs. If there is a question of choosing between the therapeutic value of granting a furlough and the protection of the community/youth by denying it, priority will be given to protecting the community/youth.
3. Each time a youth is deemed eligible for a furlough, the JIO, Senior or their designee, will contact the youth's parent or legal guardian and explain the purpose of the furlough.

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4. The youth's Probation Officer will be notified of any furloughs.
5. The parent/guardian and the youth will be advised of any applicable terms and conditions associated with the furlough or conditions of GPS monitoring.
6. Upon the youth's return from a furlough a thorough search of the youth and their property shall be conducted.

D. Documents required at time of admission.

1. Court Order
2. Physical examination documentation, if applicable.

II. Early Release Program

A. General Policies

1. The Early Release Program was designed by the Probation Department and the Juvenile Court to reward youths for good behavior, and to allow the facility the ability to effectively manage its population.

B. Youth Eligibility

1. All youth with court-ordered commitments of four (4) days or more are eligible for the Early Release (ER) Program, unless otherwise directed by the Court.
 - a. Exceptions are youth who are serving their time as a result of a home supervision violation.

C. Supervision

1. Once eligibility is determined, the youth will be advised of the Early Release Program.

The rules of the program, including potential disqualifiers will be explained to the youth.

Judge Melville
Court Order
10-27-93

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2. Disqualifications for Early Release: Factors that may disqualify a youth from the Early Release Program include:
 - a. Court Order that indicates no ER
 - b. Youth who are separated (not medical) for inappropriate behavior or disciplinary reasons
 - c. Escape/attempted escape
 - d. Assaultive behavior
 - e. Consistent refusal to go to school
 - f. Serious property damage
 - g. Youth on an initial placement order are not eligible
 - h. Youth committed to DJF are not eligible

- D. Computation of Time
 1. Youth may earn one day off their commitment for every three (3) consecutive “good days” served.
 2. A disqualification in one four-day block does not impact the previous or forthcoming four-day block of time.
 3. Assigned staff will calculate youth ER time and indicate the ER date in IMPACT.
 4. Assigned staff will notify the youth’s parent/guardian of the impending release date. The notification will also be noted in the Unit and Office logs.

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III. The Home Detention Program

- A. Section 628 of the Welfare & Institutions Code (WIC) provides that a youth who meets one or more criteria for detention under Section 628 WIC, but who, in the opinion of the Probation Officer, does not require twenty-four (24) hour secure detention, shall be released on home supervision or electronic monitoring, which are components of the Home Detention Program.
 - 1. There are three levels of Home Detention: Home Supervision (Youth to remain in residence from 1900 to 0600 hours), House Arrest (Youth to remain in residence at all times), and Electronic Monitoring (EM).
 - a. Upon initial detention in Juvenile Hall, the “Intake Assessment” form is completed to assist in arriving at the appropriate detention decision.
 - b. If it is determined that release on Home Detention is appropriate, youth will, except in unusual circumstances, be placed on House Arrest.
 - c. Home Supervision is the least restrictive level of Home Detention and may occasionally be used by the Court/Probation Officer for those youth on Home Detention for an extended period.
 - 2. A youth on Home Supervision/House Arrest/E.M. is entitled to the same legal protection as a youth in secure detention, including a Detention Hearing.
 - 3. The Home Detention Officer (HDO) is a Juvenile Institution Officer (JIO) who is assigned the responsibility of supervising and monitoring the activities of youth on Home Supervision/House Arrest/EM.
- B. Supervision of Youth
 - 1. The HDO will visit and/or call the youths assigned to him/her based on individual program guidelines.
 - 2. The WIC allows the Judge or Probation Officer to assign curfew times to these youth, and to make any other special provisions necessary to assure

§628 WIC
§628.1 WIC
§840 WIC

Pro-133
See Manual
Section 4108

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the protection of the youth or the person and property of another.

3. Home visits are the primary tool used to supervise youth on Home Detention.
4. Additionally, the HDOs are to maintain close contact with, and have a good working relationship, with school officials in order to determine how a particular youth is accepting his/her responsibilities in the educational setting. The information obtained from school officials includes, in part, the youth's attendance, behavior, discipline referrals, etc.
 - a. Contacts with school officials are to be made by telephone or in person.
 - b. The frequency of contacts with school officials depends on the case being supervised.
 - c. If the HDOs need to talk to the youth's counselor or teacher(s), they must first obtain permission to do so from the school administrator. Counselors and/or teachers can be very helpful in obtaining information about the youth's behavior, progress, etc.

C. Violations

1. From time to time, a youth on Home Supervision/House Arrest/EM will commit another criminal offense or violate a provision of his/her Home Detention Agreement.
2. It is the responsibility of the HDO to investigate the facts and circumstances of the alleged violation in order to determine if the youth can remain in the community or should be returned to custody. Violations of the Electronic Monitoring agreement, tampering with EM equipment, and leaving designated areas can result in detention in the Juvenile Hall.
3. When the HDO has gathered all the information pertaining to the violation, he/she will then discuss the matter with the Supervising Probation Officer (SPO) directly or through the Sr. Deputy Probation Officer (Sr. DPO).

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a. The SPO or Sr. DPO will make a decision to either continue the youth on Home Supervision/House Arrest/EM or the SPO will determine the need to have the youth arrested and placed in Juvenile Hall pending a Review of Detention Hearing.

4. If an arrest is authorized, the HDO will contact law enforcement to assist with the arrest.

If HDOs are at a youth's home and find the youth in violation of Home Detention or the youth appears likely to harm him/herself or others, the HDO shall respond immediately and take the youth into custody. In these cases, contact with the SPO may be made after the arrest. If circumstances permit, the HDO will immediately call law enforcement to request assistance.

5. On occasion the assigned DPO will determine that a youth should be detained for a violation of the Home Detention Program. In those cases, the DPO should contact the HDO to discuss the case. The HDO will then staff the case with the SPO or Sr. DPO.

D. Reports

The HDO prepares three types of written reports concerning the progress of each youth under Home Supervision/House Arrest/EM. The reports are the Informational Report, Progress Report, and Violation Report. These reports are distributed to the Court, the Probation Officer, the District Attorney, and the Defense Attorney.

1. Informational Report

a. An Informational Report should be sent to the Court and the Probation Officer whenever a youth is having difficulties on the program or some circumstance occurs that warrants notification to the Court and Probation Officer.

2. Formal Progress Report

Upon request of the Court, a progress report will be filed with the Juvenile Court 48 hours prior to a hearing. The report includes:

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- a. Date the youth was placed on Home Supervision/House Arrest/E.M.
- b. How the youth has responded to the terms of his/her Home Supervision/House Arrest/EM.
- c. Facts about his/her school performance and attendance.
- d. How the youth relates to his/her parents and others.
- e. Any additional comments that may be helpful to the Court.

3. A Violation Report

A violation report should be filed with the Juvenile Court whenever a youth is appearing before the Court for a Review of Detention Hearing as a result of a violation of Home Supervision/House Arrest/EM.

- a. This report should state the specific facts surrounding the offense in such a manner that will give the Judge a clear understanding of what occurred, and enable the Court to make an appropriate detention decision.

E. Records

1. The HDO will check the Home Detention box for court orders and check voice mail on a daily basis.
2. The HDO will also check the Home Detention Roster, and make appropriate changes on a daily basis. Updates and appropriate changes also need to be made in IMPACT.
3. The HDO completes a daily end of shift report.
4. At the end of each month the Home Detention Monthly Report (Pro-86) must be tabulated. This is to be submitted no later than the 5th of the following month.
5. At the end of each month, the HDO will complete an inventory of all

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EM equipment.

F. Other Duties, as assigned:

1. The HDO will occasionally be called upon to perform duties involving transportation or as part of the staffing complement within the facility.
2. Redirection to other assignments is at the discretion of the Senior DPO or SPO.

G. Restitution for Lost/Damaged EM Equipment

1. HDO Responsibilities

- a. When EM equipment is determined to be destroyed or lost by a youth, the HDO will complete an “Electronic Monitoring Equipment Loss Form” and remit the completed form to the vendor.
- b. The HDO will scan a copy of the Electronic Monitoring Equipment Loss Form into Impact and complete a Workers Special Report (WSR).
- c. The HDO will send an e-mail to the appropriate AOP and the assigned Deputy Probation Officer (DPO) advising them of the recently scanned document.
- d. The original Electronic Monitoring Equipment Loss Form will be maintained in the Home Detention file.

2. AOP Responsibilities

- a. Once the invoice is received from the vendor, the AOP will track that the DPO has requested restitution for the lost property and that a Pro-129 has been submitted to the Revenue Recovery Unit.

3. DPO Responsibilities

- a. Upon receipt of the IMPACT alert regarding the WSR and

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scanned document for the lost or damaged EM equipment, the DPO will attempt to contact the probationer and guardian in an effort to recover the missing equipment.

- b. When unable to recover the equipment, the DPO will complete a Juvenile Referral (Pro-190) and submit the referral and WSR to the Deputy District Attorney (DDA) for consideration of filing a petition alleging §871 WIC.
- c. If the EM equipment has been destroyed, a Pro-190 should be completed and submitted with the WSR to the DDA immediately for filing a petition alleging violation of §594 PC.
- d. If the probationer has absconded and a warrant is requested, the DPO will complete an officer instruction event entry in IMPACT, which will indicate restitution needs to be requested once the probationer has been apprehended.
- e. Once new charges are filed, the DPO will recommend restitution for the cost of the lost/destroyed equipment. The cost of the equipment is printed on the vendor invoice. The DPO will request the full amount of each item lost or damaged.
- f. Once the order is made the DPO will submit to the Probation Revenue Recovery Unit a Financial Order (Pro-129) with the restitution amount listing Santa Barbara County Probation Department, 2121 S. Centerpointe Pkwy, Santa Maria, CA 93455, as the victim within 30 days of the Court's order.

H. Home Detention Absence Exceptions

- 1. There are standard conditions which youth agree to comply with while on a Home Detention Program. Non-compliance may mean a return to detention or Court.
- 2. There may be instances where a person placed on a Home Detention Program would be allowed to have an exception to his/her program due to unforeseen circumstances.

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- a. HDOs will have the authority to approve any exceptions after receiving input and concurrence from the assigned DPO.
 - b. If an agreement cannot be reached, the respective SPOs will review the case.
 - c. If the person on a Home Detention Program contacts the DPO directly, the DPO will refer him/her to the HDO for approval. The DPO is encouraged to contact the HDO and provide their input, prior to the person contacting the HDO.
3. If the exception involves the person leaving Santa Barbara County, the HDOs will be responsible for completing an Informational Report to be filed with the Court the next business day. The assigned DPO will be responsible for issuing a travel permit.
 4. Any exception that will be longer than 48 hours must be returned to Court by the assigned DPO for the Court's approval.

IV. Facility Work Crew Program

The Facility Work Program was designed to operate in the juvenile hall for selected youth serving custody time. These crews are able to operate within the confines of the facility.

- A. Youth are to obey staff; failure to do so will result in termination from the work crew.
- B. Youth who graffiti, use tools improperly, or damage property may incur new criminal charges.
- C. Youth must meet eligibility criteria to participate in facility work crews. See Chapter 4113 for criteria.

See Chapter
4113,

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VI. Youthful Offender Block Grant (YOBG)

- A. Provides programming and services to youth with significant histories of delinquencies and who have been unsuccessful in other interventions such as Camp.
- B. The YOBG program is designed to provide a Court-ordered long term commitment option for those youth.
- C. While in the YOBG program, youth will work on specific and defined problem areas while having a clear understanding of home and community expectations.

VII. Proposition 57/Unfit for Juvenile Court

A. General Provisions

Prop 57 youth and those who have been deemed unfit for juvenile court proceedings are subject to all rules and regulations of the facility with the exception of those noted below.

B. Housing

- 1. Prop 57 and Unfit youth will not be bunked in the same room with non-Prop 57 or Unfit youth.
- 2. On a case-by-case basis, Prop 57 and Unfit youth may be allowed to be bunked in the same room with other Prop 57 or Unfit youth, provided they are not co-defendants in the same criminal matter. In these instances, a Sr. DPO will provide the final approval with regard to “bunking.” If approval is granted, the comment section in Impact will be changed to reflect, “Bunked per Sr. DPO.”
- 3. If Prop 57 or Unfit youth are bunked together, both must maintain at least a “B” level status. If one of the youth drops below “B” level, they must be unbunked. They can also be unbunked at any time due to behavior concerns/issues. This decision will be made at the Sr. DPO level or above.

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4. Upon a Court order that results in a youth being ordered to the Division of Juvenile Facilities (DJF), the youth will not be allowed to be bunked up with another youth without approval from Administration.
 - a. The youth is to be placed on five (5) minute checks until otherwise changed by Administration.
5. Upon turning 18 years old, all Prop 57 and Unfit youth who are not also under the jurisdiction of the juvenile court will be transferred to the Santa Barbara County Jail. Administration will provide the required information to the adult court to facilitate the transfer of custody.

C. Transportation

1. Two staff, which can include the SBSO transportation officer, will accompany youth to all adult court hearings and two JIO staff will accompany youth subject to adult court proceedings and to out-of-facility appointments, unless other arrangements have been approved by Administration. This requirement does not apply to internal facility movement.

VIII. Parolees

- A. Due to the realignment of the DJF population, the Probation Department assumes the supervision responsibility of those youth released from DJF facilities on parole.
- B. Additionally, there are Prop 57 and Unfit subjects who may have completed their initial sentence but may still be under the age of 18 who have been arrested for an alleged violation of their state parole.
- C. Based on the inherently greater level of sophistication and severity of offenses committed by these youth, an increased level of supervision is warranted immediately upon intake and until otherwise directed by Administration.
- D. Any youth identified as a parolee will automatically be to subject to the following until reviewed by administration:

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1. Be dressed in orange clothing.
2. Be housed in a single room.
3. Be placed on SLI-5 status.

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