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**Notes and
References**

LEGAL SERVICES/LAW ENFORCEMENT ACCESS

I. Access to Legal Services

Youth have a constitutional right to unimpeded access to attorneys and legal representatives. Youth will have access, upon request, to licensed attorneys.

- A. Youth are allowed private phone and Zoom calls to their attorneys and assigned Deputy Probation Officers (DPOs).
- B. Youth may correspond confidentially with State and Federal Courts and any member of the State Bar (See Chapter 5130, Section II A).
- C. Youth will be provided free postage for legal mail addressed to licensed attorneys.
- D. Youth may meet privately with their attorneys at Los Prietos Boys Camp (LPBC). The Administrative Office Professional (AOP), Juvenile Institutions Officer, Senior (Sr. JIO) or Deputy Probation Officer, Senior (Sr. DPO), will arrange for attorney meetings subsequent to the youth or attorney requesting the conference.

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II Law Enforcement Access to Youth

- A. Los Prietos staff are not to restrict law enforcement officers from seeing or talking to a youth regarding official business. If the youth requests his parent/guardian or attorney be present, Los Prietos staff will facilitate the youth's request. A private interview room or office will be provided if an interview is conducted.
- B. Per SB395, if law enforcement request to interview a youth in custody, and the youth is 15 years of age and younger, staff must contact the public defender's office before the interview takes place and notify that law enforcement is requesting to interview the youth. Staff are to complete the PRO-177 and upload the form in the youth's IMPACT documents page.

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- C. On occasion, law enforcement personnel may request permission to obtain a DNA sample or other forensic evidence after a youth has arrived at LPBC. If the youth requests his parent or attorney be advised and consent to collection, Los Prietos staff will facilitate the youth's request.
- D. In all such situations, forensic medical services for the purpose of prosecution are to be collected by appropriately trained medical personnel who are not responsible for providing ongoing health care to the youth.
- E. On occasion, law enforcement personnel may request that youth participate in a line-up. If the youth's participation requires a temporary release from custody, LPBC Administration shall be notified of the request in order to ensure the appropriate arrangements with the law enforcement agency are made. Administration or an authorized designee will also make the necessary notifications to the youth's parent/guardian and attorney. Such notifications should be timely, but can occur either before the release or after as time permits.
- F. If intake pictures are requested for a photographic line-up, the request shall be forwarded to the LPBC Administration. Once the nature of the request is determined, pictures will be printed and forwarded to the law enforcement agency. If a group of pictures is released, each picture will be identified by number and a log will be created, and kept on file in the Manager's office, assigning a name to the numbered picture. An entry must also be made on the youth's Criminal History Record Information Release Sheet (Pro-27), located in their IMPACT file. The picture(s) will be stamped with the disclaimer that the pictures shall not be disseminated.
- G. After notification to the LPBC Administration, at no time shall law enforcement officers be prohibited from:
 - 1. Interviewing a youth in the LPBC program, including before the filing of a juvenile petition.
 - 2. Temporarily removing a youth from LPBC for investigative purposes.

Title 15
Section 1452

Pro-27

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3. Placing a youth in a lineup.

H. DPOs are also encouraged to visit youth on their caseloads who are committed to LPBC. Staff will make youth available to their DPO at reasonable times and upon request.

III. Immigration and Customs Enforcement Requests (ICE)

Institution staff will through the normal course of their duties, have occasion to believe that a youth is undocumented and in the U.S. ICE officials have the authority to determine a person's U.S. Citizenship or immigration status and may contact the Probation Department to inquire about juveniles under the jurisdiction of the Juvenile Court.

A. Should ICE contact Los Prietos Boys Camp and inquire if a specifically named Juvenile - NOT currently in the facility - is in custody, including subjects 18 years of age; staff are to state the named individual is not housed in the facility.

B. If the named youth IS IN custody at the time of the inquiry, the ICE agent is to be informed that absent a court order pursuant to Section 827(a)(1) WIC, no specific information will be released, including any confirmation the youth is detained.

C. Upon receiving an inquiry from ICE, the facility staff are to notify the Supervising Probation Officer (SPO), who in turn will notify the Probation Manager. The request is to be documented in IMPACT via an event entry.

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