

PROBATION DEPARTMENT DIRECTIVE

No.	743
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**SUBJECT: PROTOCOL RE. DETAINED 777(E) AND 777(A) WIC
VIOLATIONS FOR SPECIALIZED FUNCTIONS**

The decision to detain a minor for a Probation violation must be in accordance with Departmental Directives and based on a reasonable degree of certainty that the alleged violation occurred.

With regard to those violations to which the Deputy Probation Officer (DPO) authorizing the detention cannot personally attest, a concerted effort must be made to validate and/or document all or part of the alleged violations at the time the violation detention is initiated. This is to assure both due process and the prompt filing of the violation petitions.

The DPO initiating the 777(e) or 777(a) WIC detention must immediately contact IDC for the purposes of:

- Confirming and authorizing the detention.
- Determining whether it is a 777(e) or 777(a) violation.
- Alerting as to which agency is to transport and the anticipated time of arrival.
- Designating the court date and location based on filing guidelines.
- Verifying the time frame within which the 777 must be filed.

It is recognized that the Specialized Suppression Units such as GANG, CLEAR, RIDE-ALONG, SWIFT etc., can initiate violation detention procedures on probationers not assigned to their caseload. **WHENEVER THIS OVERRIDE AUTHORITY IS EXERCISED, THE DPO AUTHORIZING THE DETENTION ASSUMES RESPONSIBILITY FOR SUBMITTING THE VIOLATION REPORTS, I.E., 777(E) OR 777(A), IN A TIMELY MANNER.**

When the caseload DPO elects to prepare the requisite 777(e) and 777(a) violations associated with these violation detentions, then, and only then, is the DPO authorizing such detention relieved of the responsibility of filing the petition. In this instance, the caseload DPO must, within the filing time frame, contact and inform IDC that he/she is responsible for the necessary filing.

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The DPO authorizing the violation detention is to notify the caseload DPO as soon as possible, or no later than 11 a.m. of the next judicial day. Thus, while the caseload DPO and assigned area office is noted on the Juvenile Hall Entrance Form, the name of the DPO authorizing and/or initiating the detention is included on the form for tracking purposes. The authorizing DPO's name is entered beneath the name of the DPO of record.

WHENEVER THE DPO AUTHORIZING THE DETENTION FAILS TO FILE THE VIOLATION IN A TIMELY MANNER, IDC IS TO NOTIFY THE RESPECTIVE SUPERVISING DEPUTY PROBATION OFFICER (SDPO) IMMEDIATELY. ANY VIOLATION OF THIS POLICY MAY RESULT IN THE LOSS OF AUTHORITY TO INITIATE OFF-THE-STREET VIOLATIONS FOR THAT PARTICULAR DPO.

IDC is not to accept off-the-street detentions by any police agency, even if the probationer is arrested for 166 PC (Violation of a Court Order) or 1203.2 PC (Violation of Probation), **UNLESS PRIOR APPROVAL IS GIVEN IN ADVANCE BY EITHER THE CASELOAD DPO OR A SPECIALIZED SUPPRESSION DPO IN ACCORDANCE WITH THE ABOVE-NOTED GUIDELINES.** The only exception would be that, under extraordinary circumstances, the SDPO in IDC elects to authorize the detention.

With regard to new offenses, or open charges, detention is based on the current detention procedure.

IDC is to immediately notify, by telephone, the caseload DPO, the OD, or SDPO of the apprehension of a minor detained on a warrant, in order to assure the prompt filing of a 777(e) or 777(a) WIC petition. Instances of failure-to-notify by IDC are to be reported to the IDC SDPO. Case name and PDJ number need to be provided in the written memorandum.


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