

COUNTY OF LOS ANGELES
PROBATION DEPARTMENT

DIRECTIVE

No.: 1341
Issued: 08/28/13
Post Until: 09/28/13

SUBJECT: JUVENILE – CITATION DIVERSION PROCESS

On June 15, 2012, the Informal Juvenile Traffic Court was closed due to budget cuts to the State of California Judicial System. To continue to serve the needs of the community and minors referred to the Informal Juvenile Traffic Court which was implemented in 1998, the L.A. County Probation Juvenile Citation Diversion Process was developed and implemented.

This directive addresses how citations are to be handled effective immediately.

All citations that were formerly referred to the Informal Juvenile Traffic Court pursuant to Section 256 of the Welfare and Institutions Code shall be diverted from the Juvenile Delinquency Courts when the minor is not on active probation.

Petitions based on citations may not be filed under Sections 601 or 602 of the Welfare and Institutions Code against any minor not on active probation when the citation is referred by a Los Angeles County Police/Citing Authority pursuant to Section 256 WIC.

Citations on an Infraction or Misdemeanor offense submitted by any police agency on a non-probation minor, within Los Angeles County will be processed by the Citation Diversion Unit with the minor and family referred to a Community Based Provider, in accordance with the needs of the minor and it keeping with the approved Citation Diversion process.

Minors who are on active probation or pending court on an active delinquency petition are to have their citation forwarded to the Deputy Probation Officer of record for consideration of disposition based on the minors behavior, using graduated sanctions that best address the minor and family's needs to resolve the citation.

Citation Diversion Process

L.A. County Police Agencies will submit all citations formally under WIC 255 (Juvenile Informal Traffic Court) to the Probation Citation Diversion Unit located at the Van Nuys Area Office. Citation Diversion staff will sort and refer the cited minor to the following:

Citation Referrals of Non-Probation Minors

All citations referred on non-probation youth will be processed by the Citation Diversion Unit. The minor will be referred to the appropriate Community Based Organization. These cases will not go to the Field Units at any time.

MANUAL HOLDERS: CROSS-REFERENCE YOUR MANUALS TO THIS DIRECTIVE WHERE APPROPRIATE

Citation Referrals on Active Investigation Cases and Active Probation Cases:

Minors on Active Investigation (Open Pending Petition)

Minors who receive a citation and are on active investigation with a court date pending are to have the open citation sent to the Deputy Probation Officer (DPO) of record and reported in the Pre-Plea Report to the Court. A sanction on the citation can be awarded at the time of Disposition and the citation reported as closed.

Minors on Active Probation

If the minor is on active probation under WIC 601 or 602, the citation will be assigned to the designated Field Supervision Probation Officer. The probation officer may first provide the minor with available diversionary options and need not refer the case to the District Attorney or Court for a violation. There may be a compelling reason to notify the court necessitating a discussion with the supervisor when handling citations for those on active supervision.

When the case is assigned to the Deputy Probation Officer of record, the officer shall use a series of graduated sanctions to address the infraction in lieu of filing a 777 WIC if possible. The probation officer may assign the minor to the Citation Diversion Cognitive Behavioral Change program by providing a written directive to a community based provider, contacting the Citation Diversion Unit for available services or using private insurance referral provided by the parents (in the case of drug use).

If the sanction fails to deter the minor's conduct, or the minor poses a threat to the community or self, this shall be brought to the attention of the court and a formal complaint may be made to the District Attorney by way of a Violation of Probation.

Completion of a Probation sanction is to be recorded on the listed "Probation Clearance Form" and submitted to Citation Diversion at the end of each month by the Supervisor of the Unit.

Minors on Active DCFS Supervision, Not on Probation

The Citation Diversion Unit will notify DCFS of all youth who are referred for a citation and come to the attention of the Citation Diversion Unit.

The Citation Diversion Unit will supply an email notification to the case manager as to the citation and referral to the Community Based Organization.

Graduated Sanctions:

A sanction should be meaningful and serve the best interest of the minor and community accountability. Sanctions can include but are not limited to:

- An apology letter to any individual or organization harmed by the minor
- Mediation between the minor and the party harmed by the minor's behavior.
- A requirement to participate in one of the following community-based diversion programs:

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- Cognitive behavioral education/therapy program;
 - Referral to a community based organization for services;
 - Referral to a mental health provider for services;
 - Referral to a mentoring /tutoring program;
 - Referral for community service hours;
 - Or other appropriate sanction to meet the needs of the minor.
- When the minor completes the sanction the case may be closed by the Deputy Probation Officer.

NOTE:

In no instance shall the unavailability of space in any of the above programs be a valid basis for proceeding to the filing of a 777 WIC on an active probation minor if the minor can demonstrate that he/she made a diligent effort to enroll. In such situations, the DPO shall assist the minor in enrolling in the designated program.

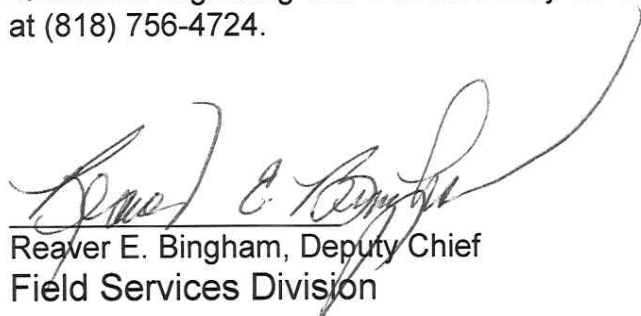
The probation officer shall not file a 777 WIC with the court on any active probation minor without first attempting to assist the minor who has been unable or unwilling to enroll in a program unless the behavior of the minor threatens the safety of the community or the safety of the minor is an issue and needs immediate intervention. The Supervising Deputy Probation Officer (SDPO) and Director must approve the filing of the citation violation against the probation youth and it must be logged in PCMS.

Case Documentation of Active or Investigative Cases:

Case Closure of Active and Investigative Minors by Deputy Probation Officer

All citations assigned to the DPO shall be recorded and documented in the Probation Case Management System (PCMS) Notes and the Citation Active Case Diversion Log (CDL). (Attachment 1). The CDL is to be submitted to the SDPO with monthly statistical reports. The SDPO is to submit the CDL to their respective Directors, monthly and the log submitted to the Citation Diversion Unit.

Questions regarding this Directive may be directed to Dr. Hellen Carter, Bureau Chief, District 3, at (818) 756-4724.



Reaver E. Bingham, Deputy Chief
Field Services Division