

## Release

### 520.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain procedures governing the release of youths to ensure they are not released in error (15 CCR 1351).

### 520.2 POLICY

It will be the policy of the San Diego County Probation Department to provide for the timely, efficient, and legal release of youths.

### 520.3 RELEASE PROCEDURE

If possible, youths who are ordered released by the court will be released at staggered times to avoid congestion in the release area. Youths scheduled for release shall be escorted by the staff to the transfer/release area to begin the release procedure 30 minutes prior to their scheduled release time.

The Watch Commander or release officer shall sign and date the release paperwork on the same day the youth is to be released.

Youths shall not be released or moved during youth count, change of shift, or at any time that would pose a potential safety threat or disrupt the orderly operation of the facility.

All youths must be positively identified by the staff prior to being released from the facility. Youth identities should be verified using intake records bearing the youth's name, photograph, and a facility identification number or a single digit fingerprint match system, if available.

Before any youth may be released, the following conditions must be met (15 CCR 1351):

- (a) The identity of the youth is verified.
- (b) All required paperwork for release is present. The staff shall review the active youth file to verify the validity of the documents authorizing the release. The file should also be reviewed for other release-related or pending matters, including:
  1. Any pending arrangements for follow-up, such as medications needed, appointments, or referral to community or social resources.
  2. Unresolved grievances, damage claims, or lost property.
- (c) All youths should be cleared by a qualified medical and mental health staff member prior to release.
- (d) All personal property shall be returned to the youth during the release process. The youth must acknowledge receiving the property by signed receipt. Any discrepancies shall be promptly reported to the Watch Commander.
- (e) All facility property must be returned by the youth. Any missing or damaged facility property should be documented and promptly reported to the Watch Commander. The youth shall remain in custody until the Watch Commander determines whether additional criminal charges should be filed against the youth for the damage.

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- (f) A forwarding address for the youth should be on file and verified with the youth for return of mail.
- (g) Youths on probation or parole should be directed by the staff to report to the probation or parole office immediately upon release. The parole authorities having jurisdiction shall be notified of the youth's expected release date and time.
- (h) Notify the Department of Juvenile Justice, Interstate Compact for Juveniles Office (Office) of the youth's pending release if the youth was held pursuant to the agreement with the Office. Interstate movement and transportation for a youth returning to the youth's state of residence shall be coordinated by the Office.
- (i) Confirm the identity of the person to whom the youth is being released.
- (j) Release any medication to the person to whom the youth is being released.
- (k) Obtain a signature or other documentation confirming receipt of the youth.
- (l) Notify the youth's parent/guardian if the parent/guardian is not the person to whom the youth is being released.
- (m) Notify the medical clinic in accordance with 15 CCR 1408 and 15 CCR 1437 for coordination with outside agencies (15 CCR 1351).
- (n) Notify the facility's medical and mental health units of the release (15 CCR 1408; 15 CCR 1437).
- (o) Notify the facility's school registrar of the release.

The housing sheet, release log, and daily census log shall be updated after the youth's release. The Watch Commander shall ensure all release documents are complete and properly signed by the youth and the staff where required.

For additional guidance on releases and immigration authorities, see the Immigration Detainers subsection of the Youth Reception Policy.

#### **520.4 FURLOUGH RELEASES**

The Division Chief shall develop and implement written policies and procedures for the furlough of youths from custody. The Release Procedure in this policy shall apply (15 CCR 1351).

#### **520.5 POST-DISPOSITION YOUTH**

The Division Chief shall develop and implement policies and procedures for post-dispositional youth that coordinates transitional and reentry services including but not limited to medical and behavioral health (e.g., substance abuse, psychological distress), education, probation supervision, and community-based services (15 CCR 1302; 15 CCR 1351; 15 CCR 1355).

#### **520.6 TRANSFERS TO IMMIGRATION AUTHORITIES**

Members shall not transfer a youth to immigration authorities unless one of the following circumstances exist (Government Code § 7282.5; Government Code § 7284.6):

- (a) Transfer is authorized by a judicial warrant or judicial probable cause determination.

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- (b) The youth has been convicted of an offense as identified in Government Code § 7282.5(a).
- (c) The youth is a current registrant on the California Sex and Arson Registry.
- (d) The youth is identified by the U.S. Department of Homeland Security's Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

#### **520.7 RELEASE TO LAW ENFORCEMENT AGENCIES**

Minors detained in the San Diego detention facilities shall not be used by any law enforcement agency in any undercover operation or investigation without the prior advice and consent of the Presiding Judge of the Juvenile Court.