

EXPANDED COURSE OUTLINE
REGULAR BASIC COURSE
LEARNING DOMAIN 11
JUVENILE LAW AND PROCEDURES

I. LEARNING NEED

Peace officers must recognize their roles and responsibilities regarding the protection of rights of juveniles under California law.

LEARNING OBJECTIVES

- A. Recognize a peace officer's responsibility for the safety of a juvenile and the general public
 - 1. Expressing the willingness to intervene in incidents involving dependents and status offenders
 - 2. Being alert to signs of child abuse, dependency and delinquency
 - 3. Expressing willingness to assist juveniles by providing protection, guidance and referrals to an appropriate agency or service
 - 4. Taking the alternative that is least restrictive to a juvenile's freedom of movement, provided that alternative is compatible with the best interests of the juvenile and the community

- B. Recognize the conditions when admonishment of a juvenile's rights is or is not required
 - 1. The minor is habitually disobedient or truant
 - 2. The minor has violated an order of the juvenile court
 - 3. The minor violated a law or ordinance
 - 4. The minor escaped from a commitment ordered by the juvenile court.

- C. Recognize the conditions when a peace officer must obtain a waiver of a juvenile's rights
 - 1. Before interrogation can take place
 - 2. Discuss examples
 - 3. Identify when admonishment/waiver is not required

II. LEARNING NEED

Peace officers must realize when there is an absence of appropriate parental care and control; the state becomes the parent and is responsible for balancing the needs of the juvenile with the protection and safety of the public.

LEARNING OBJECTIVES

- A. Recognize the sources of peace officer authority to take a juvenile into temporary custody
 - 1. Welfare and Institution Code Section 305
 - 2. Welfare and Institution Code Section 319
 - 3. Welfare and Institution Code Section 625
 - 4. Education Code Section 48264

- B. Recognize the options available to a peace officer for the disposition of a juvenile case
 - 1. Release the minor
 - 2. Release the minor to a parent or legal guardian
 - 3. Delivering the minor to a public or private agency including school, youth services or community center
 - 4. Preparing a promise to appear and giving one copy to the minor or responsible adult and the other copy to the probation officer
 - 5. Delivering the minor to the juvenile probation department

- C. Recognize the conditions under which a juvenile may become a dependent of the court
 - 1. Abuse in out-of-home care
 - 2. Child abuse
 - 3. Unlawful corporal punishment or injury
 - 4. Neglect
 - 5. General neglect
 - 6. Severe neglect
 - 7. Sexual assault
 - 8. Willful cruelty or unjustifiable punishment or a child
 - 9. Inadequate supervision or protection
 - 10. Religious belief
 - 11. Risk of serious emotional damage
 - 12. Sexual abuse
 - 13. Abuse of a child under the age of five

- D. Recognize the situations in which a juvenile can be taken into temporary custody due to habitual disobedience or truancy
 - 1. A minor who persistently or habitually refuses to obey reasonable and proper orders or directions of the parent or guardian
 - 2. A minor, unless exempted, has four or more trancies within one school year.

3. Define status offense
- E. Recognize the situations in which a juvenile can be taken into temporary custody for violating a law or ordinance
1. Any person under the age of 18 who violates any law is within the jurisdiction of the juvenile court and may be judged a ward of the court
 2. Age is related to the age of the person at the time the incident or offense occurred
 3. A peace officer may, without a warrant, take a minor into temporary custody for a misdemeanor, even though the crime was not committed in the officer's presence

III. LEARNING NEED

Peace officers must recognize that *Welfare and Institutions Code Sections 206, 207, 207.1 and 208* provide the basis for regulations established for the confinement of juveniles in adult detention facilities.

LEARNING OBJECTIVES

- A. Recognize the guidelines requiring the separation and segregation of dependent minors, status offenders and wards within a facility
1. Solely on the grounds that they are dependent children or wards of the juvenile course (300 W&I)
 2. As status offenders (601 W&I)
 3. As wards (602 W&I)
- B. Recognize the appropriate level of confinement for the purposes of temporary custody
1. Hospital confinement
 2. Confinement in an adult facility
 3. Confinement for alcohol or drugs
- C. Recognize the requirements for preventing all contact between juveniles and adult prisoners within a facility
1. Define Contact
 2. Welfare and Institutions cod section 208-contact between adult and minor inmates are "unlawful"
 3. Incidental contact with inmate-situations where an adult inmate and minor are in the same room or area, there must be a facility staff person trained in supervision of inmates in constant side-by-side presence with either one.

IV. LEARNING NEED

Any person who commits an act or fails to perform a duty which then causes a juvenile to become a dependent or ward of the court, or to commit a crime, can be said to be guilty of contributing to the delinquency of a minor.

LEARNING OBJECTIVES

- A. Recognize the crime elements of contributing to the delinquency of a minor
 - 1. Commits an act or omits the performance of any duty which causes or encourages any person under the age of 18 to come within the provisions of 300, 601 or 602 W&I
 - 2. Threatens, commands, persuades, or endeavors to induce any person under the age of 18 to fail or refuse to conform to a lawful order of the juvenile court
 - 3. Causing, encouraging or contributing to the delinquency of a minor is under penal code section 272.

- B. Recognize the crime classification as a misdemeanor or felony
 - 1. Elements of 272 PC
 - 2. Anyone (including another juvenile) can be charged with 272

V. REQUIRED TESTS

- A. The POST-Constructed Comprehensive RBC Test 3.

Description	Hours
POST Minimum Required Hours	<u>3</u>
Agency Specific Hours	<u>2</u>
Total Instructional Hours	<u>5</u>