

## REPORTING JUVENILE FACILITY ESCAPES

- AUTHORITY:** Sections 817(b), 871(a), 871(b) 871(c) and 871(d), Welfare and institutions Code Sections 663, 777 and 1155, Penal Code, California Code of Regulations, Title 15, Section 1326, 1327 and 1362
- RESCINDS:** Procedure Manual Item 3-1-102, dated 07/31/15
- FORMS:**
- |  |                      |
|--|----------------------|
| Special Incident Report                  | (F057-7018)          |
| Application for Petition                 | (F057-4024 AF)       |
| Warrant Information Sheet                | (F057-9037 AF)       |
| Probation Violation Memo                 | (Automated Template) |
| Probable Cause Declaration               | (F0502-4206.1AF)     |
| Facility Escape Procedures Checklist     | (Attachment A)       |
| Declaration in Support of Arrest Warrant | (F057-4010.3)        |
- PURPOSE:** To ensure appropriate action and notification when a youth escapes from a juvenile facility or camp.

### I. GENERAL INFORMATION

Escape from a juvenile facility includes absconding during staff supervised facility field trips and failures to return from furloughs.

### II. PROCEDURE

#### A. Deputy Juvenile Correctional Officer (DJCO) Responsibilities:

1. 
2.  or any other staff aware of the escape will immediately notify the proper authority within the facility (JH-Control, Joplin/YGC/YLA-DO) of the escape/attempted escape and provide as much information as possible (e.g. number of youth involved, method of escape, etc.).
3.  Notification to other staff and adequate supervision of other youth must be maintained. 
4. As soon as possible, a staff member will advise the Supervising Juvenile Correctional Officer (SJCO), Duty Officer (DO) or Acting Duty Officer (ADO) of the following information:

- a. The name of the youth who is/are missing
  - b. The time the youth escaped
  - c. Specifics of escape (e.g. method of escape, direction youth fled, etc.)
  - d. A description of what the youth was/were wearing
  - e. Staff response to apprehend fleeing youth
5. In the event that a youth is injured while attempting to escape, it is the responsibility of apprehending staff to administer the necessary first aid and to seek further medical treatment needed for the youth.
  6. Staff will begin an investigation as directed by the unit SJCO, DO or ADO.
  7. All staff members who pursue or apprehend the youth will submit a Special Incident Report (SIR) regardless of whether the youth successfully escaped or was apprehended. All SIRs shall be completed by the end of the shift or as directed by the unit SJCO, DO or ADO.
  8. All DJCOs involved in the supervision of the youth, witnesses of the escape and those involved in the investigation of the escape / attempted escape will be required to submit an SIR. All SIRs shall be submitted by the end of the shift or as directed by the unit SJCO, DO or ADO.
  9. Written statements shall be obtained from all youth who either observed the escape, or may have had previous knowledge of the escape / attempted escape.
- B. Supervising Juvenile Correctional Officer (SJCO), Duty Officer (DO) and/or Acting Duty Officer (ADO) responsibilities:
1. The unit SJCO, DO or ADO will immediately place the facility on the appropriate status in order for staff to complete a population verification and assess the status of the escape (JH/YLA-Code Red, Joplin/YGC-Structure Level I).
  2. After the grounds have been searched and it has been determined that the youth successfully escaped, the unit SJCO, DO or ADO will begin making the necessary notifications as detailed on the Escape Procedures Checklist (Attachment A) and in Subsection II.C. (if youth is under the age of 18) or II.D. (if the youth is 18 or over).
  3. Depending on the age of the escapee(s), the unit SJCO, DO or ADO will proceed as detailed below with the filing of the new petition.
- C. Facility Escape Warrants (under 18 years old)
1. If the youth is under the age of 18, the unit SJCO, DO, or ADO will do the following:

- a. Contact the Orange County Sheriff's Department (OCSD) at 949-425-1800 for Joplin or 714-647-7000 for YGC, YLA and JH. If the OCSD does not want to come to the facility, an informational report can be taken over the phone. The unit SJCO, DO or ADO shall obtain the DR# along with the name and badge # of the deputy taking the report. The unit SJCO, DO or ADO shall be prepared to provide OCSD with the following information:
  - 1) Name of youth
  - 2) DOB
  - 3) Height
  - 4) Weight
  - 5) Eye color
  - 6) Hair color
  - 7) Clothing worn at time of escape
  - 8) Home address
  - 9) Distinguishing marks or scars
  - 10) Any other pertinent information
- b. Immediately telephone the assigned Deputy Probation Officer (DPO), Supervising Probation Officer (SPO), facility **Assistant Division Director and** Director, as well as the Administrator in Charge (if the escape occurs outside of normal business hours), and follow-up with an e-mail including all relevant information (i.e. DR #, circumstances of the escape, etc.). The facility Director or AIC will determine the initial level of field response. As additional information is received, the field response level may be revised.
- c. Notify the law enforcement agency with jurisdiction over the youth's address of record.
- d. Notify the youth's parents that their child has escaped from the facility.
- e. Contact the Custody Intake DO and JH booking clerk by telephone and notify them of the escape.
- f. Send an e-mail to the "Institutional Escape Distribution List," including all relevant information (i.e. DR #, circumstances of the escape, etc.).
- g. Ensure that the youth has/have been dropped from the facility population in the Integrated Case Management System (ICMS).
- h. Collect all SIRs and submit the following to the Warrant Unit clerk within 24 hours of the escape or the following business day:
  - 1) Application for Petition (greenie) alleging a violation of 871(a), 871(b) or 871(c) WIC. This form is available electronically but in the event that the electronic version is inaccessible, a hard copy will suffice.

- 2) Warrant Information Sheet. This form is available electronically but in the event that the electronic version is inaccessible, a hard copy will suffice.
  - 3) Ward card (4 copies)
  - 4) Declaration in Support of Arrest Warrant
  - 5) Discovery packet: All supporting documentation for the allegations, including the following (four copies):
    - a) Most recently signed Rules of Conduct
    - b) Most recently signed Institutional Indoctrination
    - c) Signed Temporary Release Agreement (TR), if applicable
    - d) All relevant SIRs
2. The Warrant Unit clerk will hand-deliver the warrant request packet to the Juvenile Court SPO or designee.
  3. The Juvenile Court SPO or designee will hand-deliver the warrant request packet to the Juvenile Court filing District Attorney with a specific and articulated request to expedite. The Juvenile Court SPO or designee will follow-up at the end of the first business day to confirm that the warrant request was processed.
  4. The warrant request packet must be processed by the DA clerk, court clerk and the courtroom clerk prior to being forwarded to the assigned judicial officer (if available) or Duty Judge.
  5. Once the warrant is signed by the judge, the paperwork is processed by the courtroom clerk before being sent back to the court clerk. The court clerk forwards the signed warrant to the Central Repository.

D. Facility Escape Warrants (18 years **or older**)

If the youth is 18 years or **older**, the unit SJCO, DO, or ADO will do the following:

1. Contact the OCSD and request that a deputy respond for the purpose of filing a new law violation. It is imperative that the unit SJCO, DO or ADO tell the deputy that the escapee is over the age of 18 and articulate the intent to have the agency submit the escape charges in Adult Court. The unit SJCO, DO or ADO shall obtain the DR #.
2. Immediately contact the assigned DPO, SPO, and Facility **ADD and** Director (AIC if the escape occurs outside of normal business hours) by telephone and follow-up with an e-mail, including all relevant information (i.e. DR #, circumstances of the escape, etc.). The Facility Director or AIC will determine the initial level of field response. As additional information is received, the field response level may be revised.
3. Notify the law enforcement agency with jurisdiction over the youth's address of record.

4. Notify the youth's parents that their child has escaped from the facility.
5. Contact the Custody Intake DO and JH Booking clerk by telephone and notify them of the escape.
6. Send an e-mail to the "Institutional Escape Distribution List," including all relevant information (i.e. DR #, circumstances of the escape, etc.).
7. Ensure that the youth has been dropped from the facility population in the Integrated Case Management System (ICMS).
8. Send an e-mail to the "Institutional Escape Distribution List" including all relevant information (i.e. DR #, circumstances of the escape, etc.).
9. Collect all applicable SIRs.
10. Create two separate packets. The first will be submitted to the Juvenile Court requesting a probation violation warrant be issued. The second packet will be submitted in Adult Court alleging the escape as a new law violation.
  - a. Juvenile Court packet: A packet including the following documents will be submitted to the Warrant Unit clerk within 24 hours of the escape or the following business day.
    - 1) An Application for Petition alleging a **violation of 777 WIC**. This form is available electronically but in the event that the electronic version is inaccessible, a hard copy will suffice.
    - 2) Notice of Hearing on Juvenile Probation Violation. This form is available electronically but in the event that the electronic version is inaccessible, a hard copy will suffice.
    - 3) Probation Violation Memo. This form is available electronically but in the event that the electronic version is inaccessible, a hard copy will suffice.
    - 4) Warrant Information Sheet. This form is available electronically but in the event that the electronic version is inaccessible, a hard copy will suffice.
    - 5) Discovery packet: All supporting documentation for the allegation, including four copies of the following:
      - a) Most recently signed Rules of Conduct
      - b) Most recently signed Institutional Indoctrination
      - c) Signed Temporary Release Agreement (TR), if applicable
      - d) DR (if available)
      - e) All relevant SIRs

6) After the packet is approved by the facility manager, the process detailed in Section II.C.2 through II.C.5 shall be followed.

b. Adult Court Packet

1) The unit SJCO, DO or ADO will collect all relevant SIRs and obtain a copy of the DR as soon as it is available. While it is preferable to have the local law enforcement agency submit the new law violation to the Adult Court filing District Attorney, delayed availability of the DR will not prevent the submission of the new law violation allegations by Probation.

2) The facility Director, with the assistance of the assigned DPO(s), will follow-up with the responding agency and the Adult Court filing DA to ensure that the escape allegation is filed in Adult Court.

E. Apprehended Youth

1. If a youth is apprehended by Probation staff after escaping, the unit SJCO, DO or ADO will do the following:

a. Secure the youth and visually inspect for any medical injuries. If injuries are noted, ensure that necessary first aid is administered and contact the medical unit.

b. If the OCSD was already advised of the escape, notify them that youth has been apprehended.

c. If other mandatory notifications were already made, notify each party that the youth has been apprehended.

d. If youth is **15 years of age or younger**, youth must consult with legal counsel before staff read Miranda rights to and interview youth. If youth is **16 years or age or older**, read Miranda rights to and interview youth. Obtain written statements and serve Disciplinary Hearing paperwork (if time permits). If the youth is **18 years of age or older**, have the OCSD or police department conduct the investigation.

e. If the escape occurred anywhere other than at JH, the youth will need to be transported to JH.

f. Prepare a Booking SIR and attach to the youth's Institutional File, along with the youth(s)' Medical Sheet and medication, if applicable.

g. If not at JH, remove all property from the youth's locker and arrange for all property to be transferred to JH (via the front office).

- h. Have youth transported to JH and adjust ICMS population indicating that the youth is an Administrative Removal pending a DHO and filing of a new petition.
- 2. If the youth is apprehended by the OCSD or a police department, the agency shall be instructed to transport the youth immediately to JH.

**REFERENCES:**

Procedures:	2-1-205	Warrants of Arrest for Juveniles
	3-1-003	Deterrence of Unacceptable Behavior
	3-1-005	Institutional Field Trips
	3-1-006	Handcuffs/Transportation Belt/Shackles
	3-1-303	Special Incident Reports
Policies:	D-2	Use of Physical Restraint/Corporal Punishment
	D-4	Handcuffs
	D-5	Arrests/Temporary Detentions
	D-6	Transportation of Probationers and Custody Transportation

Attachment

B.Lee

**APPROVED BY:**

**FACILITY  
ESCAPE PROCEDURES CHECKLIST**

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Facility: \_\_\_\_\_ Furlough: \_\_\_\_\_ Yes/No: \_\_\_\_\_

Staff reporting the escape: DJCO/SJCO (circle one) \_\_\_\_\_

Grounds search completed by: \_\_\_\_\_

Youth's property secured by: \_\_\_\_\_ Direction escapee was headed: \_\_\_\_\_

Reports completed by: \_\_\_\_\_

Youth's Name: \_\_\_\_\_ ML#: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Youth's Home Address: \_\_\_\_\_

DOB: \_\_\_\_\_ Age: \_\_\_\_\_ Is youth 18 yrs or older-mark if applicable: \_\_\_\_\_

Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_

Clothing worn at time of Escape: \_\_\_\_\_

Tattoos, scars, distinguishing marks, medical issues or officer safety issues: \_\_\_\_\_

TELEPHONE NOTIFICATION	TIME	PERSON CONTACTED	COMPLETED (Y/N)
1. Orange County Sheriff Department DR#: _____ Deputy Name/Badge#: _____			
2. Assigned DPO			
3. Assigned SPO			
4. Facility Director (regular business hours) or AIC			
5. Law Enforcement with jurisdiction over youth's residence			
6. Youth's parents or legal guardian			
7. Custody Intake DO - (714) 935-7632			
8. JH Booking Clerk - (714) 935-7515			
9. E-mail to Institutional Escape Distribution List			

PAPERWORK PREPARATION (Under 18 years old)	COMPLETED (Y/N)	PAPERWORK PREPARATION (18+)	COMPLETED (Y/N)
1. Main and all supporting SIR(s) collected		1. Main and all supporting SIR(s) collected	
2. Application for Petition (greenie) alleging a violation of 871(a), 871(b) or 871(c) WIC		2. Application for Petition (greenie) alleging a violation of 871(a), 871(b) or 871(c) WIC	
3. Warrant Information Sheet		3. Notice of Hearing on Juvenile Probation Violation	
4. Ward Card		4. Warrant Information Sheet	
5. Declaration of Support of Arrest Warrant		5. Discovery Packet (Signed Rules of Conduct, Institutional Indoctrination, TR Agreement [if applicable] and all relevant SIRs).	
6. Discovery Packet (Signed Rules of Conduct, Institutional Indoctrination, TR Agreement [if applicable] and all relevant SIRs).			