

# KERN COUNTY SHERIFF'S OFFICE

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## TRAINING BULLETIN

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### Juvenile Arrest Reporting Requirements

This training bulletin informs Sheriff's Office personnel of reporting requirements in relation to arrests of juveniles. Recently, there have been instances where juveniles have been released from custody due to complaints not being submitted within the time requirements. The following are things to keep in mind to ensure this does not occur:

- Per the Kern County Sheriff's Office Report Writing Manual (page 27), all reports will be completed and submitted for processing **prior to the end of the report writer's shift** unless a supervisor specifically authorizes the deputy to complete the report at a later time. Submitting reports in a timely manner is crucial, especially with in-custody reports. Once the report is submitted, it still has to go through the approval process, the clerical process to merge the report, and then the complaint request process. A delay in any of these steps can hinder the complaint from being routed to juvenile probation on time, which, in turn, can force the juvenile to be released.
- California Penal Code 825(a)(1) requires an in-custody defendant to be brought before a magistrate within 48 hours after his or her arrest, should the court be in session. Should the court not be in session, the time limit is extended to include the duration of the next court session on the judicial day immediately following. If the defendant was arrested on a Wednesday after the conclusion of the day's court session, they still must be taken to court by Friday. This means the complaint should be submitted by Thursday, furthering the importance of timely reporting.
- California Welfare and Institutions Code 631 requires a minor to be released within 48 hours after having been taken into custody, excluding nonjudicial days, unless a criminal complaint or a petition to declare the minor a ward has been filed. Any decision to detain a minor for more than 24 hours shall be subject to written review and approval by a supervising probation officer. The California and Welfare and Institutions Code does not make an exception for 48 hours expiring during nonjudicial hours. This means that if the 48 hours expire after the court closes but before the next court session, the juvenile will be released before the 48 hours expire.
- California Rules of Court 5.752(b) states a child must be released from custody within 48 hours, excluding non-court days, after first being taken into custody unless a petition or notice of probation violation has been filed either within that time or before the time the child was first taken into custody.

Deputies should take care to prioritize in-custody reports and ensure they follow Kern County Sheriff's Office Policy and Procedure Manual (KCSOPPM) L-100, which can be viewed via the link below. Supervisors should be cognizant when authorizing a report to be held to ensure sufficient time will be available for the review/approval of the report, clerical processes, and submittal of the complaint.

Deputies working the Metropolitan Patrol Section should be sure to submit in-custody reports to the "Metro" command role and not an individual squad (e.g. Metro Squad 1). This will allow supervisors from every squad to prioritize approval of those reports.

KCSOPPM L-100:

[L 0100 - Report Writing Procedure.doc](#)

Kern County Sheriff's Office Report Writing Manual:

[kerncountysheriff.sharepoint.com/sites/PoliciesDocs/Other\\_Manuals\\_and\\_Publications/Forms/AllItems.aspx?id=%2Fsites%2FPoliciesDocs%2FOther\\_Manuals\\_and\\_Publications%2FReport\\_Writing\\_Manual%2Epdf&parent=%2Fsites%2FPoliciesDocs%2FOther\\_Manuals\\_and\\_Publications](http://kerncountysheriff.sharepoint.com/sites/PoliciesDocs/Other_Manuals_and_Publications/Forms/AllItems.aspx?id=%2Fsites%2FPoliciesDocs%2FOther_Manuals_and_Publications%2FReport_Writing_Manual%2Epdf&parent=%2Fsites%2FPoliciesDocs%2FOther_Manuals_and_Publications)