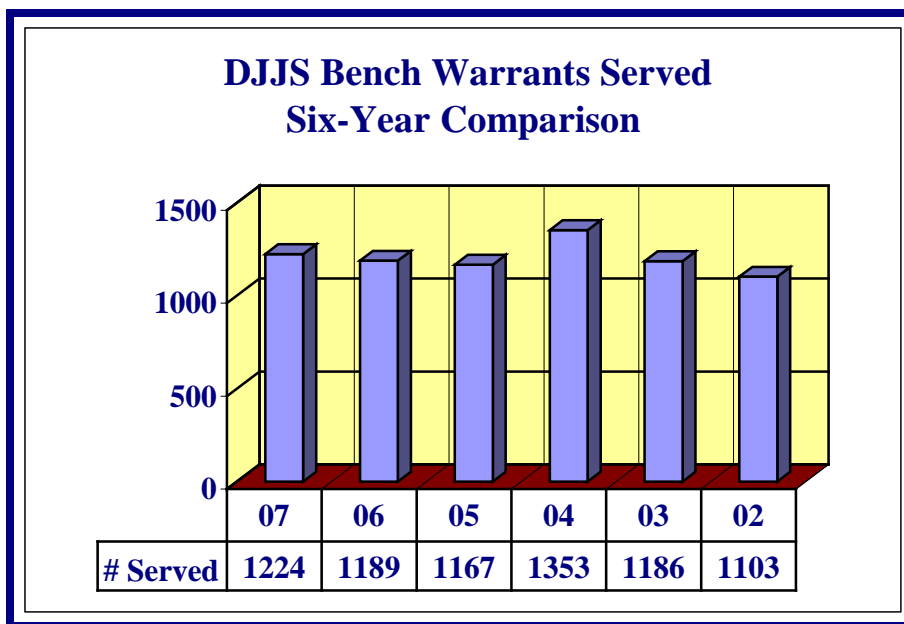
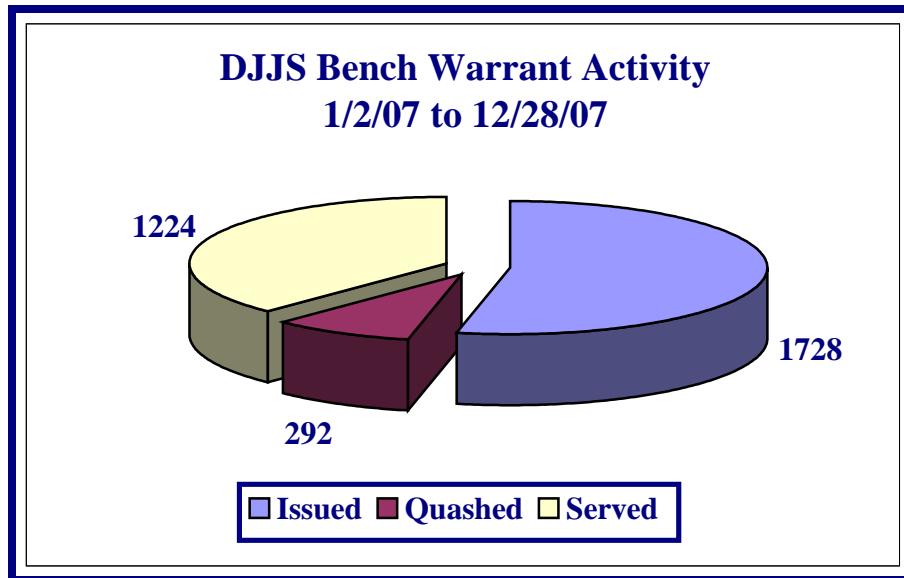
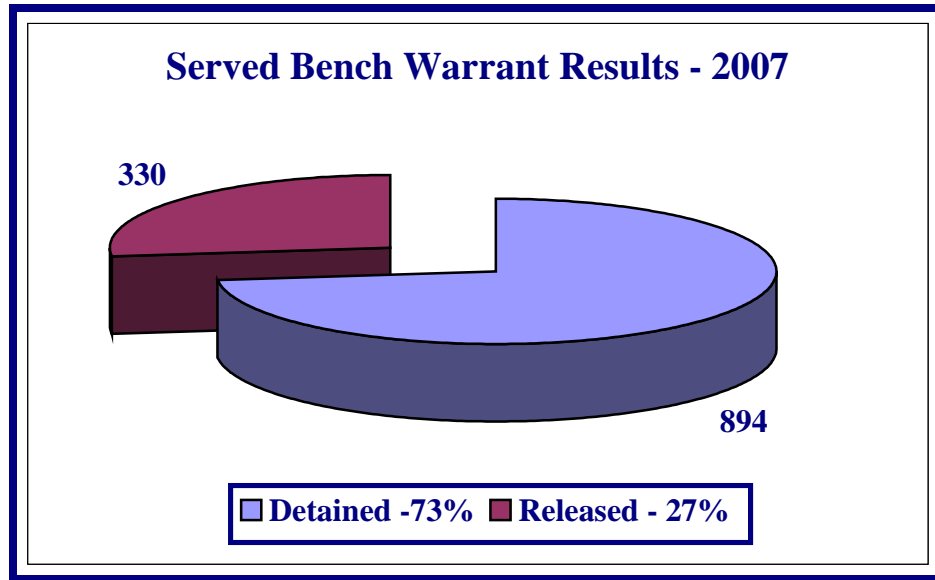


# DJJS Bench Warrant Study

**Purpose:** Currently, DJJS detains approximately **73%** of all BW's served. The purpose of this study is to review current policies and procedures, both internal and external, regarding the requesting, processing, serving, and recalling of Bench Warrants.





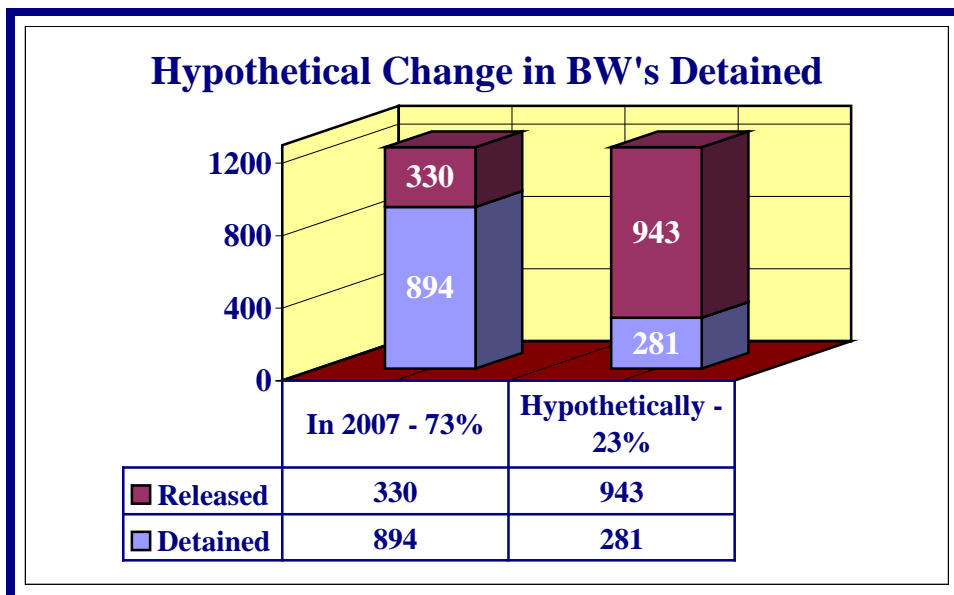
The combined data provided by some of the other jurisdictions indicates:

- **28%** of Discretionary Warrants resulted in self-surrender
- **39%** of Discretionary Warrants were served by Law Enforcement
- Of those who self-surrendered, only **9%** were detained.
- Of those served, only **52%** were detained.
- Of those who were released, there were no **reported** FTA's, or new crimes committed prior to the rescheduled Hearings.

### WARNING – HYPOTHETICAL MATHEMATICS – WARNING

If these percentages are applied to current DJJS BW statistics:

$1728 \times 28\% = 484$ 
 $\times 9\% = 44$ ,
  $1728 \times 39\% = 674$ 
 $\times 52\% = 350$ ,
  $44 + 350 = 394$  or 23%  
 $1224 \times 73\% = 894$  vs.  $1224 \times 23\% = 281$ ,
  $894 - 281 = 613$  more, or **943 kids NOT DETAINED**



# BW Systems in Other Jurisdictions

## Bernalillo County

**Failure to Appear Warrants:** May only be requested by the state when a youth, properly served with summons for previous FTA, fails to appear for a Hearing. However, if the Hearing is not contested with witnesses summoned, and if there is reason to believe that the youth did not intentionally fail to appear, the Court shall consider a delay in the issuing of a warrant. This will allow the PO or the PD time to produce the youth for Court.

## Cook County

**Court Notification Program:** Informs the youth and the family of pending Hearings during the pre-adjudication stage of the proceedings. Both written (see attachment #1) and telephone communication are used. While speaking with the family, they inquire about transportation plans and, when indicated or necessary, the program will facilitate, assist, or provide transportation to the Hearing.

**Discretionary Warrant:** If the youth fails to appear for the rescheduled Hearing, any party in Court (PD, DA, PO, or Judge) may request that the warrant be discretionary. When the warrant is served and the child is brought to the juvenile facility, probation uses its discretion to decide whether to keep or release the child.

## Multnomah County

**Hearing Notification:** Public Defender's staff makes an affirmative effort by way of telephone, the U.S. mail, home visits or combination of the above to notify or remind the youths and parents of scheduled Hearings within 48 hours prior to the Hearing.

**Summons:** If a youth required to appear before the Court is to be subject to a "Fail to Appear" warrant, he/she must first be served with a summons.

**Discretionary Warrant:** Same definition as above.

## Pierce County

**Discretionary Warrant:** Same definition as above (see attachment #2).

**Sanctioned Recommendations:** There are clear guidelines on when the State can and cannot request a "non-discretionary" warrant based on factors such as level of crime alleged, criminal history, FTA history, etc.

## Santa Cruz County

**Discretionary Warrant:** Same definition as above (see attachment #3).

## Ventura County

**Tiered Warrant:** Similar to the Discretionary Warrant, except with very specific guidelines (see "Sanctioned Recommendations" above) which dictate whether the youth will receive a Tier 1 requiring custody or a Tier 2 providing for discretion by screening staff when the warrant is served (see attachment #4).