

PIERCE COUNTY	SECTION III	Date: 2/1/02
COMMUNITY SUPERVISION MANUAL	Policy Number: 3.6	Pages 6

SUBJECT: **DETENTION REVIEWS**

I. **POLICY**

It is the intent of Probation Services to work with the youth and family to develop a plan toward effectuating change. When an individual is detained, and not viewed as a community or individual safety risk, a method for recommending a status change is the Detention Review process.

II. **DEFINITIONS**

A. **Detention Review** is a formal court hearing that allows parties to recommend a change in the youth's status. An existing court order remains in effect until fulfilled, superceded or annulled, making it necessary to seek the approval of the Court when a new plan is implemented.

III. **PROCEDURES**

A. General

1. At any scheduled court appearance, the question of release/detention and conditions is open for recommendations. Typically these issues are addressed at the 24 Hour Probable Cause Hearing and the Arraignment.
2. Whenever a party to the action seeks to change the existing circumstances they may docket a Detention Review.
3. Detention Reviews are not solely established to seek a youth's release from detention. It also may be used to request less restrictive conditions of a release order.

B. Specific

1. To docket a Detention Review the following must occur:
 - (a) The court date must be approved by the clerks and entered into the LINX court docket.

- (b) Notice of the hearing must be given at least 24 hours in advance to all parties (Assigned Deputy Prosecuting Attorney, Assigned Defense Attorney and Probation Officer).
 - (c) Notice may be given to the parties using either a "Note of Issue" or "Order on Pretrial Conference" (a part of the Scheduling Conference material).
- 2. To prepare for the Detention Review the Probation Officer should complete the **Detention Review** Form. They must distribute the original to the Court and provide copies to the other parties. (See Attachment #1 for the self-carbon form and Attachment #2 for the computer directory version).
- 3. In addition to the Detention Review Form, which provides the court with a "snapshot" of the current situation, along with recommendations, it is necessary to complete a new **Release Order**. (Attachments # 3 and #4)
 - (a) Complete the release order with as much specificity as possible, particularly as to names and addresses.
- 4. On rare occasions, a Detention Review will be requested to seek a change in circumstances regarding a youth serving Probation Violation detention. These reasons generally relate to treatment issues such as:
 - (a) Availability of an Inpatient Drug/Alcohol Bed
 - (b) Movement to a psychiatric facility.
 - (c) Completion of the In-house RHADD Program.

(Attachment #1)

DETENTION REVIEW

Person(s) Requesting Hearing:

_____ Probation Officer

_____ Attorney

_____ Juvenile

_____ Parent/Guardian

_____ Other

Control #: _____ R _____

Probation Officer: _____

Current Date: _____

Arraignment Date: _____

Trial Date: _____

Disposition Date: _____

Number of days served in detention: _____

NAME: _____

CHARGE(S): _____

Reason(s) juvenile was originally detained:

- _____ Prior FTA
- _____ Standard Range Commitment Points if found guilty of offense(s)
- _____ Seriousness of offense(s)
- _____ Danger to the community
- _____ On probation/parole
- _____ No parent/guardian willing/able to assume custody
- _____ Juvenile desired to be detained

CURRENT SITUATION: _____

RECOMMENDATION: [] Detain [] Release

CONDITIONS:

1. [] 24 hour house arrest [] Curfew of _____
2. Reside only at: _____
3. No Association with victim(s), witness(es), co-defendant(s): _____
4. Maintain weekly contact with probation officer.
5. School: _____

6. Other: _____

(Attachment#2)

DETENTION REVIEW

Person(s) Requesting Hearing:

- Probation Officer
- Attorney
- Juvenile
- Parent/Guardian
- Other

Control #: RO

Probation Officer:

Current Date:

Arrestment Date:

Trial Date: -

Disposition Date:

of days served in detention:

NAME:

CHARGE(S):

Reason(s) juvenile was detained:

- Prior FTA
- Standard Range Commitment Points if found guilty of offense(s)
- Seriousness of offense(s)
- Danger to the community
- On probation/parole
- No parent/guardian willing/able to assume custody
- Juvenile desired to be detained

CURRENT SITUATION:

RECOMMENDATION: Detain Release

CONDITIONS:

- 1.
- 2.
- 3.
- 4.
- 5.

(Attachment #3)

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE
JUVENILE COURT

STATE OF WASHINGTON,

Plaintiff,

CAUSE NO. _____

vs.

ORDER ESTABLISHING
CONDITIONS OF RELEASE FOR
ARRAIGNMENT/

D.O.B. _____

TRIAL/DISPOSITION/RESTITUTION

JUVIS No. _____ R _____
Respondent.

- IT IS HEREBY ORDERED THAT THE ABOVE-NAMED JUVENILE SHALL BE DETAINED. (ORDT)**
- Secure Confinement
- Electronic Home Monitoring (subject to the conditions of the monitoring agreement and the conditions set forth below.)
- IT IS HEREBY ORDERED THAT THE ABOVE-NAMED JUVENILE SHALL BE RELEASED FROM CUSTODY PENDING NEXT COURT HEARING ON PERSONAL RECOGNIZANCE, SUBJECT TO THE FOLLOWING CONDITIONS: (ORECRP)**

CONDITIONS OF RELEASE

- Community Detention Program.
- Submit to the supervision of: _____
- Reside only at: _____
- House arrest: Remain at residence at all times in the company of supervising adult, exceptions as follows: _____
- Curfew as set by Probation Officer or supervising adult: _____
- Obey rules of parent or supervising adult.
- Travel restricted to Pierce, King, Kitsap and Thurston Counties.
- Maintain contact with Probation Officer, Telephone No. (253) 798-7900 and Defense Attorney.
- No association or contact with: _____
as set by Probation Officer or supervising adult.
- No personal contact with the complaining witness or witnesses.

(Attachment #4)

JUVENILE

CAUSE NUMBER

[] No violation of the criminal laws of this State, any political subdivision of this State or any other State, or the United States, during the period of release.

[] Attendance at school or place of employment without absences and maintain best effort.

[] No guns, firearms, ammunition or other weapons.

[] Additional conditions of release: _____

[] **The Respondent will submit to such drug and/or alcohol evaluations as the Probation Officer deems appropriate.**

FAILURE TO APPEAR AFTER HAVING BEEN RELEASED ON PERSONAL RECOGNIZANCE IS AN INDEPENDENT OFFENSE.

Dated: _____, 200_____.

JUDGE/COURT COMMISSIONER

PARENT/SUPERVISING ADULT AND JUVENILE - PLEASE READ

I have read the above conditions of release and any other conditions of release that may be attached. I agree to follow said conditions and understand that a violation will lead to my arrest and will result in my detention until trial or other resolution of this matter. I further agree and promise to appear before this Court or any other place as this Court may order upon notice to me at my address stated below or upon notice to my attorney.

PARENT/SUPERVISING ADULT AND JUVENILE - PLEASE SIGN

PARENT/SUPERVISING ADULT

JUVENILE

Address Juvenile Will Reside at: _____
_____ ZIP _____

Telephone: _____