

**Date Revised:** 10/24/2019

**Course Goal:** To teach recruit officers juvenile law and procedures.

**Learning Objective:**

- Recognize a peace officer’s responsibility for the safety of a juvenile and the general public [\[11.1.A\]](#)
- Recognize the conditions when admonishment of a juvenile’s rights is or is not required [\[11.1.B\]](#)
- Recognize the conditions when a peace officer must obtain a waiver of a juvenile’s rights [\[11.1.C\]](#)
- Recognize the sources of peace officer authority to take a juvenile into temporary custody [\[11.2.A\]](#)
- Recognize the options available to a peace officer for the disposition of a juvenile case [\[11.2.B\]](#)
- Recognize the conditions under which a juvenile may become a dependent of the court [\[11.2.C\]](#)
- Recognize the situations in which a juvenile can be taken into temporary custody due to habitual disobedience or truancy [\[11.2.D\]](#)
- Recognize the situations in which a juvenile can be taken into temporary custody for violating a law or ordinance [\[11.2.E\]](#)
- Recognize the guidelines requiring the separation and segregation of dependent minors, status offenders, and wards within a facility [\[11.3.A\]](#)
- Recognize the appropriate level of confinement for the purposes of temporary custody [\[11.3.B\]](#)
- Recognize the requirements for preventing all contact between juveniles and adult prisoners within a facility [\[11.3.C\]](#)

**Session Time: 3 Hours**

<p><b>Resources:</b></p> <ul style="list-style-type: none"> <li>• Classroom with tables</li> <li>• Overhead projector</li> <li>• Computer with multimedia software and Microsoft PowerPoint</li> </ul>	
<p><b>Session Summary:</b> The instructor will lead a facilitated discussion accompanied with learning activities with the whole class.</p>	
<b>Outline</b>	<b>Instructor’s Notes</b>
<p>I. Safety and Protection of Juveniles and Their Rights          A. Officer Responsibilities <a href="#">[11.1.A]</a></p>	<p><b>Run</b> Learning Activity # 1 in conjunction with <b>PowerPoint Slides # 2 -6.</b></p>

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<ol style="list-style-type: none"><li>1. The purpose of juvenile law is to serve the best interests of the minor while providing protection and safety to the public by:<ol style="list-style-type: none"><li>a. Imposing a sense of responsibility on minors for their actions,</li><li>b. Removing minors from the custody of their parents only when necessary for the minors' welfare or for the safety of the public,</li><li>c. Providing guidance consistent with the rehabilitative efforts of juvenile court law, and</li><li>d. Protecting the public from criminal conduct</li></ol></li><li>2. Protection of General Public<ol style="list-style-type: none"><li>a. Intent of removing minors by a juvenile court is to assist families in correcting problems.</li><li>b. Court's focus remains on the well-being of the child, and protection of the public.</li><li>c. If minor falls under juvenile court system either as dependent or ward, must receive care, treatment, and guidance that is consistent with their best interests, but also be held accountable for their behavior.</li></ol></li><li>3. California Juvenile Laws<ol style="list-style-type: none"><li>a. Dependents, 300 WIC<ol style="list-style-type: none"><li>1) At risk of physical/emotional abuse or neglect</li><li>2) In need of immediate medical care or shelter</li></ol></li><li>b. Status offenders, 601 WIC<ol style="list-style-type: none"><li>1) Habitually truant, or</li><li>2) Habitually refusing to obey reasonable order or rules of school authorities or parents</li></ol></li></ol></li></ol>	<p><b>Note: See last page for learning activity # 1</b></p> <p>After completing Learning Activity # 1, <b>conduct</b> below <b>facilitated discussion</b> <b>(PowerPoint Slides # 7 – 13)</b></p> <ul style="list-style-type: none"><li>• <b>Explain:</b> Juvenile law is to serve the best interest of the minor while protecting the public<ul style="list-style-type: none"><li>○ Purpose of Juvenile Law</li><li>○ Protection of the general public</li><li>○ Peace officer's role</li><li>○ Officer's responsibility for the safety of a juvenile and the general public</li></ul></li><li>• <b>Ask</b> What is a juvenile?<ul style="list-style-type: none"><li>○ Also referred to as a minor</li><li>○ Under ABC Law, a minor is anyone under the age of 21 years</li><li>○ Anyone under the age of 18 years</li></ul></li><li>• <b>Explain:</b> Juvenile who come into the jurisdiction of the Juvenile Justice System fall into one of three categories (briefly describe each category):<ul style="list-style-type: none"><li>○ 300 WIC: Dependent</li><li>○ 601 WIC: Status Offender</li><li>○ 602 WIC: Ward</li></ul></li><li>• <b>EXPLAIN:</b> 300 WIC (Dependents) are juveniles who:<ul style="list-style-type: none"><li>○ Suffered or at risk of suffering</li><li>○ Physical, mental, or sexual abuse from parent or guardian</li></ul></li><li>• <b>EXPLAIN:</b> The legislative intent is not:<ul style="list-style-type: none"><li>○ Disrupt the family unnecessarily</li><li>○ Intrude inappropriately into family life</li><li>○ Prohibit reasonable parenting</li><li>○ Prescribe particular parenting</li><li>○ Limit services to families in need</li></ul></li></ul> <p><b>(PowerPoint Slides # 14 - 17)</b></p> <ol style="list-style-type: none"><li>1. Status Offenders and Wards<ol style="list-style-type: none"><li>a. Review the three types of classifications of minors who come into the jurisdiction of the juveniles justice system and ensure to cover the following:</li></ol></li></ol>
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<p>c. Wards, 602 WIC: participants in a criminal act</p> <p>B. Juvenile Rights Protections</p> <ol style="list-style-type: none"><li>1. 625 WIC <a href="#">[11.1.B]</a><ol style="list-style-type: none"><li>a. Requires any minor taken into temporary custody for 601 or 602 violation must be advised their Miranda warnings<ol style="list-style-type: none"><li>1) Any case where juvenile is taken into temporary custody</li><li>2) Juvenile does not have the right to have an adult present, and any request for one is not automatically either an invocation of the right to silence or the right to an attorney</li><li>3) Requirement exists even when the juvenile is not going to be interrogated</li><li>4) If not interrogated no understanding or waiver needed, just the advisement.</li></ol></li></ol></li><li>2. Admonishment is given during 601 &amp; 602 if the minor<ol style="list-style-type: none"><li>a. Is habitually disobedient or truant,</li><li>b. Violated an order of the juvenile court,</li><li>c. Violated a law or ordinance, or</li><li>d. Escaped from a commitment ordered by the juvenile court</li></ol></li><li>3. The decision when to admonish should be based on the safety of the officer and the minor as well as the investigation</li><li>4. Obtaining Waiver of rights <a href="#">[11.1.C]</a><ol style="list-style-type: none"><li>a. When not required<ol style="list-style-type: none"><li>1) Have a history of being abused or neglected and are at immediate risk of physical or emotional harm, or sexual abuse,</li></ol></li></ol></li></ol>	<ol style="list-style-type: none"><li>1) Responsibility for the safety of a juvenile &amp; public [11.1.A]</li><li>2) Authority to take a juvenile into temporary custody [11.2.A]</li><li>3) Juvenile can be taken into custody due to disobedience or truancy [11.2.D]</li><li>4) Juvenile can be taken into custody for violation of law [11.2.E]</li></ol> <p style="text-align: center;"><b>(PowerPoint Slides # 18 – 25)</b></p> <p><b>Show:</b> Which describes juveniles under various types of circumstances. Have the recruits determine whether the juveniles fall under 300, 601, or 602 WIC.</p> <p><b>Run Learning Activity # 2</b> in conjunction with <b>PowerPoint Slides # 26 - 59</b></p> <p><b>Note:</b> See last page for learning activity # 2</p>
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<ul style="list-style-type: none"><li>2) Are at immediate risk because of their physical environment or lack of adequate supervision,</li><li>3) Are hospitalized and release of the minor to a parent or guardian poses an immediate danger to the juvenile's health or safety,</li><li>4) Are found in a street or public place suffering from any sickness or injury requiring care or treatment, or</li><li>5) Are stopped for general questioning by an officer</li></ul> <p>II. Taking Temporary Custody of a Juvenile</p> <p>A. Authority for Temporary Custody <a href="#">[11.2.A]</a></p> <p>1. Protection of the minor, 305 WIC</p> <ul style="list-style-type: none"><li>a. Immediate need for medical care,</li><li>b. Is in immediate danger of physical or sexual abuse, or</li><li>c. Has been left unattended or is in a physical environment which may pose an immediate threat to the minor's health and safety (Welfare and Institutions Code Section 300). Additionally, the officer is required to attempt to contact the minor's parent or guardian to determine if they are able to assume temporary custody of the minor</li><li>d. Is in the hospital and release of the minor to a parent or guardian poses an immediate danger to the child's health and safety, or</li><li>e. Is a dependent of the court under court order when a peace officer has reasonable cause to believe the minor has violated the order or left any placement ordered by the court. (WIC 319)</li></ul>	
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<ul style="list-style-type: none"><li>2. Protection of the general public, 625 WIC<ul style="list-style-type: none"><li>a. Comes within the jurisdiction of the court (Welfare and Institutions Code Sections 601 or 602),</li><li>b. Is a ward of the court who has violated a court order or escaped from a court ordered commitment (Welfare and Institutions Code Sections 636 or 702), or</li><li>c. Is found in a public place suffering from any sickness or injury which requires medical treatment</li></ul></li><li>3. Unexcused school absence, Education code 48264<ul style="list-style-type: none"><li>a. Subject to compulsory, full-time or continuation education, and</li><li>b. Absent from school without valid excuse within the county, city or city and county, or school district during school hours, and</li><li>c. Found away from his or her home</li></ul></li><li>B. Dependent of the Court <a href="#">[11.2.C]</a><ul style="list-style-type: none"><li>1. Intent of Legislature when child becomes dependent of court is that nothing<ul style="list-style-type: none"><li>a. Disrupt the family unnecessarily,</li><li>b. Intrude inappropriately into family life,</li><li>c. Prohibit the use of reasonable methods of parental discipline,</li><li>d. Prescribe a particular method of parenting, or</li><li>e. Limit the offering of voluntary services to those families in need of assistance</li></ul></li><li>2. Risk of serious harm, 300(a) WIC<ul style="list-style-type: none"><li>a. Officer may take a child into protective custody, without a warrant, if the child has suffered, or if there is a substantial risk that the child will suffer, non-accidental</li></ul></li></ul></li></ul>	
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<p>serious physical harm from the child's parent or guardian</p> <ul style="list-style-type: none"><li>b. Decision based on<ul style="list-style-type: none"><li>1) Manner in which a less serious injury was inflicted,</li><li>2) History of repeated inflictions of injury, or</li><li>3) Combination of the above.</li></ul></li><li>3. Inadequate supervision or protection<ul style="list-style-type: none"><li>a. Officer may take a child into protective custody without a warrant, if the child has suffered, or is at substantial risk of suffering, serious physical harm or illness due to a parent or guardian's inability to provide appropriate supervision, protection, food, clothing, shelter, medical treatment or protect the child from the conduct of another person</li><li>b. Inability to provide appropriate care may be due to the parent's or guardian's:<ul style="list-style-type: none"><li>1) Mental illness,</li><li>2) Developmental disability, or</li><li>3) Substance abuse</li></ul></li></ul></li><li>4. Religious belief<ul style="list-style-type: none"><li>a. Court may allow treatment/non-treatment/prayer alone if<ul style="list-style-type: none"><li>1) Treatment is in accordance with the tenets and practices of a recognized church or religious denomination.</li><li>2) The treatment is being offered by an accredited practitioner.</li><li>3) The child is not at risk of suffering serious physical harm or illness based on the:<ul style="list-style-type: none"><li>a) Nature of the treatment posed,</li></ul></li></ul></li></ul></li></ul>	
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<ul style="list-style-type: none"><li>b) Risk to the child the treatment or non-treatment poses,</li><li>c) Risks of the course of treatment proposed by the petitioning agency, and</li><li>d) Likely success of the treatment or non-treatment</li></ul> <p>5. Risk of serious emotional damage, 300(c) WIC</p> <ul style="list-style-type: none"><li>a. Emotional damage may be evidenced by:<ul style="list-style-type: none"><li>1) Severe anxiety,</li><li>2) Depression,</li><li>3) Withdrawal, or</li><li>4) Inappropriate aggressive behavior toward self or others.</li></ul></li></ul> <p>6. Sexual abuse, 300(d) WIC</p> <p>7. Abuse of child under 5</p> <ul style="list-style-type: none"><li>a. may take a child under the age of five into protective custody if suffered severe physical abuse by a parent, person known to the parent, or the parent reasonably should have known that the child was being physically abused</li><li>b. Severe physical abuse includes:<ul style="list-style-type: none"><li>1) Any single act of abuse which causes physical trauma of sufficient severity that, if left untreated, would cause permanent physical disfigurement, permanent physical disability, or death.</li><li>2) Any single act of sexual abuse or more than one act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal</li></ul></li></ul>	
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<p style="text-align: center;">swelling, bone fracture, or unconsciousness.</p> <p style="text-align: center;">3) Willful, prolonged failure to provide adequate food</p> <p>8. Other reasons</p> <ul style="list-style-type: none"><li>a. Parent or guardian caused the death of another child through abuse or neglect., 300(f)</li><li>b. Parent or guardian is incarcerated or institutionalized and no care of the child, 300(g)</li><li>c. Child subjected to acts of cruelty parent, guardian, or a member of the household, 300(i)</li><li>d. Child's sibling is abused or neglected, and there is substantial risk to the child as well, 300(j)</li></ul> <p>C. Habitual Disobedience or Truancy <a href="#">[11.2.D]</a></p> <ul style="list-style-type: none"><li>1. Status offenders, 601 WIC</li><li>2. Minor who persistently or habitually refuses to obey reasonable and proper orders or directions of the parent or guardian, 601(a) WIC</li><li>3. Minor, unless exempted, has four or more trancies within one school year as defined by Education Code Section 48264.5(d), 601(b) WIC</li></ul> <p>D. Violating the Law <a href="#">[11.2.E]</a></p> <ul style="list-style-type: none"><li>1. 625 WIC gives officers authority to take juveniles into temporary custody (arrest)</li><li>2. Violating the law while under 18 is covered by 602(a) WIC</li><li>3. Peace officers can arrest juveniles for misdemeanors not committed in their presence</li></ul> <p>E. Disposition of a Juvenile Case <a href="#">[11.2.B]</a></p> <ul style="list-style-type: none"><li>1. Options for disposition are:<ul style="list-style-type: none"><li>a. Releasing minor,</li><li>b. Releasing minor to parent or legal guardian,</li></ul></li></ul>	
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<ul style="list-style-type: none"><li>c. Delivering minor to public or private agency or school, youth service or community center,</li><li>d. Preparing promise to appear (citation) and giving one copy to the minor or responsible adult and the other copy to the probation officer, or</li><li>e. Delivering the minor to the juvenile probation department</li></ul> <p>2. Officer shall select the least restrictive alternative for the juvenile while providing for the safety of the community and the juvenile.</p> <p>III. Confinement of a Juvenile</p> <p>A. Confining Juveniles</p> <ul style="list-style-type: none"><li>1. Juveniles can be detained in a facility that also contains a lockup for adults no more than 6 hours (upon entering facility) for the purposes of:<ul style="list-style-type: none"><li>a. Investigating the case,</li><li>b. Facilitating the release of the minor to a parent or guardian, or</li><li>c. Arranging for a transfer to an appropriate juvenile facility</li></ul></li><li>2. Juveniles segregated as <a href="#">[11.3.A]</a><ul style="list-style-type: none"><li>a. Dependent children or wards of the juvenile court (Welfare and Institutions Code Section 300),</li><li>b. Status offenders (Welfare and Institutions Code Section 601), and</li><li>c. Wards (Welfare and Institutions Code Section 602)</li></ul></li><li>3. Juvenile can be confined to a hospital only for the purpose of medical treatment or observation</li><li>4. Juvenile cannot be placed in an adult jail or lockup unless ordered to be housed the by a juvenile court judge and must be segregated from all adult prisoners</li></ul>	
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<ul style="list-style-type: none"><li>5. Juvenile can be detained for influence of drugs and brought to facility for testing but must be<ul style="list-style-type: none"><li>a. Detained in a locked room or other secure enclosure,</li><li>b. Secured to a cuffing rail or some other fixed object (bench, chair, table), or</li><li>c. Reasonably restrained as necessary to prevent escape and protect the minor and others from harm</li></ul></li><li>B. Secure vs Non-secure <a href="#">[11.3.B]</a><ul style="list-style-type: none"><li>1. Secure detention<ul style="list-style-type: none"><li>a. Detained in a locked room or other secure enclosure,</li><li>b. Secured to a cuffing rail or some other fixed object (bench, chair, table), or</li><li>c. Reasonably restrained as necessary to prevent escape and protect the minor and others from harm</li></ul></li><li>2. Non-secure custody<ul style="list-style-type: none"><li>a. minor's freedom of movement is controlled by the staff of the facility</li><li>b. Minor is not locked in a room or enclosure</li><li>c. Not physically secured to a stationary object, but remains in constant visual supervision by the staff</li><li>d. Minor can be in unlocked room and remain handcuffed</li></ul></li></ul></li><li>C. Juveniles and Adult Inmates <a href="#">[11.3.C]</a><ul style="list-style-type: none"><li>1. Juveniles and adults cannot communicate or be in contact except for incidental physical presence<ul style="list-style-type: none"><li>a. Booking,</li><li>b. Medical screening,</li><li>c. Inmate worker presence while performing work</li></ul></li></ul></li></ul>	
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d. Movement of people in custody within the law enforcement facility	
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## Learning Activity # 1

**Purpose:** To provide the recruits with the basic skills to identify juveniles who fall under the jurisdiction of the criminal justice system.

### Description:

1. Divide the class into learning groups of 6 - 8 recruits
2. **Show:** video clip #1 POST River City “Staying with Grandma Part 1” (2:00 mins)

The clip was a re-enactment of an officer responding to a possible child abuse. P/R heard children crying at the location and “thumping” noises. The P/R also stated that they believed children were tied up at the location. Upon the officer’s arrival, he met with the grandmother who advised that she had two grandchildren at the location. The grandmother further advised a social worker responded and stated everything was fine. The officer entered the location, looked around, and left. Unknown to him, a third child was tied up and hidden under a bed. Two weeks later the child died.

3. Utilizing CAPRA, have the learning teams develop an investigative response to the scenario
4. Have the learning teams present their findings to the class
5. Conduct a facilitated discussion and ensure to cover:
  - a. Responsibility for the safety of a juvenile & public [11.1.A]
  - b. Authority to take a juvenile into temporary custody [11.2.A]
  - c. Conditions which a juvenile may become a dependent [11.2.C]
  - d. Apply CAPRA [LD 3 infused]
6. Upon completion of the discussion, **Show:** video clip #2 POST River City “Staying with Grandma Part 2” (4:15 mins), which is a continuation from the first clip and shows the subsequent homicide investigation
7. **Show:** PPS 5 Jaycee Dugard was abducted as an 11 year old child. She was held for 18 years and bore two children with her abductor (Phillip Garrido). Dugard and her children were held in a camouflaged tent in the backyard of Garrido’s property. During that time, Garrido was on active parole and was regularly visited by his parole agent. In 2006 and 2008, officers were dispatched to the residence regarding a complaint of children living in a back yard tent. The deputies investigating spoke with Garrido in the front yard of his home and left without taking action. Nothing was discovered until 2009.
8. Point out that a thorough preliminary investigation is essential to ensure the safety of children.

### Resources needed:

- Classroom
- Projector

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- PowerPoint Presentation

**Handouts:**

- None

**Time required:** 30 Min

## Learning Activity # 2

**Purpose:** To learn about handling juveniles when they commit crimes. The recruits will also combine all the skill sets they learned from Law, Academics, Human Relations, and Defensive Tactics and apply them in a scenario / role play.

### Description:

#### 1. Temporary Custody of a Juvenile

##### b. Learning Activity: Scenario / Role Play

- 1) Divide the class into learning teams of 6 to 8 recruits and assemble them in the classroom or other designated training area.
- 2) Select five recruits to play the following roles:
  - a) (1) Subject
  - b) (2) Officers
- 3) Instructor will play the role of the reporting person (R)
- 4) Issue the air soft pistols and ASTRO radios to the role player officers and assign each pair a designated patrol unit
- 5) Issue the red marker and simulated marijuana baggie to the role player subject. Have the subject conceal the baggie in his/her front left pants pocket
- 6) Have the role player officers leave immediate area of the class
- 7) Act out the following scenario to the class:

A 13 year old subject was vandalizing a wall with a red marker when R arrived at his business to open for the day. The instructor may utilize PPS 27 which depicts vandalism reading, "This is gang activity." R yelled at the subject, who was startled and ran away from the location placing the red marker in his / her front pants pocket.

- 8) Have the subject sit down at one the tables. Ensure that the subject's clothing is distinct to set him / her apart from the rest of the class. (i.e. no tie, no Sam Browne, tucked out shirt, wearing only a t-shirt, etc...)
- 9) R will then run to where the role player officers are located and select one unit and bring them into the classroom / training area (simulated citizen flag down).
- 10) R will quickly advise the officers of the activity that transpired and the role players should initiate a crime broadcast.
- 11) Upon completion of the crime broadcast, bring in the second unit of officers and have them scan the classroom for the possible suspect.
- 12) Once the subject is located and detained, ensure the following procedures are conducted:
  - a) Patdown search with articulation
  - b) Field show-up

- c) Formal arrest
  - d) Legal search
  - e) Recovery of evidence / contraband
  - f) Thorough interview / investigation
  - g) Simulated transportation to the station
- 13) Upon completion of the scenario, allow the class to also ask questions to clarify any points from the role players' investigation
- 14) Pass out the following handouts to the recruits:
- a) Arrest face sheet
  - b) Continuation sheets
  - c) Booking Recommendation
  - d) 10.10 Property Receipt
  - e) Disclosure Statement
  - f) Juvenile Arrest Supplemental
  - g) Juvenile PCD
  - h) Gladys R
- 15) **Time permitting**, allow the class to **complete** the disclosure statement, juvenile arrest supplemental, Juvenile PCD, and Gladys R. to the best of their ability. Those forms will be discussed in more detail in the next session. Otherwise **review** handouts and discuss completing the arrest report.

## 2. Confinement (PPS 36-59)

- a. Table Top Scenario / Small Group Activity
  - 1) Divide the class into learning teams of 6-8 recruits
  - 2) Utilizing the above scenario, have the learning teams develop a procedure from time of arrest to final booking or release to a parent / guardian, while ensuring that legal guidelines are followed
  - 3) Have the learning teams present their findings and ensure to cover the following:
    - a) Admonishment of a juvenile not required [11.1.B]
    - b) Peace officer must seek a waiver of juvenile rights [11.1.C]
    - c) Options available for disposition of a juvenile case [11.2.B]
    - d) Guidelines for confining juveniles [11.3.A]
    - e) Appropriate level of confinement [11.3.B]
    - f) Preventing contact between juveniles & adult prisoners [11.3.C]
- b. **Show** video "Temporary Custody of Juveniles (11:53 min). LAPD video regarding the temporary custody of juveniles in police facilities.

## Resources Needed

- Classroom

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- Projector
- PowerPoint Presentation
- (4) Airsoft Pistols
- (4) Astro Radios
- (1) Red Marker
- (1) Simulated marijuana baggie

**Handouts:**

- Arrest face sheet
- Continuation sheets
- Booking Recommendation
- 10.10 Property Receipt
- Disclosure Statement
- Juvenile Arrest Supplemental
- Juvenile PCD
- Gladys R.

**Time required:** 1 Hour