SAN JOSE POLICE DEPARTMENT
TRAINING BULLETIN

TO: ALL DEPARTMENT PERSONNEL   **FROM:** Anthony Mata
                                               Chief of Police

SUBJECT: JUVENILE HOUSING ORDER   **DATE:** July 15, 2021

Bulletin# 2021-017

On September 30, 2020, Senate Bill 823 went into effect. Under the new law, any person under 25 years of age held in secure detention whose case originated in juvenile court is to remain in a juvenile facility absent a determination by the juvenile court that the person is to be moved to an adult facility. On May 13, 2021, the Santa Clara County Superior Court, Juvenile Division, issued the following standing order:

- All persons under the age of 25 whose case originated in juvenile court shall remain in a juvenile facility, unless the person is 19 years of age or older and the juvenile court, in considering the factors articulated in Welfare and Institutions Code section §208.5(c)(l)-(5), determines that the person should be housed in an adult facility. This includes youth who have been ordered transferred to criminal court after a judicial transfer hearing, unless and until they are sentenced. Any adult court sentence will be served in the appropriate adult facility.

- Any outstanding warrants, including out of county warrants, issued by the juvenile court should be read to mean that person must be taken to Juvenile Hall unless the youth is 25 years of age or older, absent any additional arrest not originating in juvenile court which resulted in their secure detention in an adult facility.

- If the person has a pending adult legal matter and is released from an adult facility on their own recognizance or bail, such that they are only in custody on a juvenile matter, that person is to be housed in Juvenile Hall absent a juvenile court's determination to the contrary.

- The Santa Clara County Sheriff's Office shall work with the Juvenile Probation Department to facilitate the immediate return to Juvenile Hall of any person under 25 years of age who is only in custody on a juvenile matter.

Anthony Mata
Chief of Police

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