

NAVIGATING THE JUVENILE JUSTICE SYSTEM



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DISTRICT ATTORNEY

Under California law, the goals of the juvenile justice system are to rehabilitate the minor and protect the public.

The Los Angeles County District Attorney's Office is dedicated to protecting and serving our community and safeguarding the rights of crime victims through the unrelenting pursuit of justice. LADA Juvenile Division prosecutes crimes committed by minors countywide.

When a minor (person who is under 18 years old) commits a crime, their case is usually handled in the juvenile justice system. The terms "minor", "youth" and "juvenile" are often used interchangeably. Sometimes the minor's case is handled informally and sometimes the minor is charged in the juvenile court.

A "**victim**" is a person who was harmed by a crime or delinquent act. The term "**victim**" also includes a homicide victim's spouse, parents, children, and siblings.

The terminology and court hearings in juvenile court are different than in criminal (adult) court. When a minor commits a crime, they are charged with having committed a "**delinquent act**" (crime).

The first court hearings are an "arraignment" and "detention hearing." A minor will be told what charges were filed in the "**petition**" (similar to a complaint in criminal court). The judge will appoint an attorney to represent the minor. There is no bail in juvenile court. The law requires the minor to be released unless the judge determines that it is necessary for the minor to remain in custody to protect the minor, the victim(s) or the community.

The minor has the right to an "**adjudication**" (similar to a trial in criminal court) where evidence is presented by the prosecutor before a judge. There is no right to a jury trial in juvenile court.

There is no finding of "**guilt**" in a juvenile delinquency proceeding and no "**conviction**." A judge will "**sustain the petition**" if the prosecutor proves the crime (delinquent act) beyond a reasonable doubt.

If the petition is sustained, the minor then has a "**dispositional hearing**" (similar to sentencing hearing in criminal court). At the time of the dispositional hearing, the judge declares the minor a ward of the juvenile court. The judge must "**sentence**" the minor to the least restrictive program to benefit the minor. The judge has sentencing choices of: informal probation; deferred entry of judgement (DEJ); home on probation; placement in a program; camp; and Secure Youth Treatment Facility (SYTF). If a judge sentences a minor to SYTF, the longest time they can spend in custody is seven years which can also be served in a less restrictive program in the community such as halfway house, community based organization or fire camp.



Helping Crime Victims Become Survivors

The Bureau of Victim Services provides essential services to victims of violent crime.

Victim services representatives provide a range of free services to help victims become survivors. Program services are provided free of charge and there is no legal residency or citizenship requirement.

To request Victim Services call **(800) 380-3811** or visit **da.lacounty.gov/victims**.



CASE HANDLED INFORMALLY

SCHOOL LEVEL CONTACT

- Counsel and release

LAW ENFORCEMENT CONTACT

- Counsel and release
- Pre-arrest diversion

PROBATION

- Informal probation



CASE RECEIVED BY LADA

- **DECLINE TO FILE:** no charges
- **PRE-FILING DIVERSION:**
 - **Successfully Complete:** no charges
 - **Unsuccessful:** Return to LADA for filing consideration
- **FILE CASE**
 - **Transfer Hearing**
(Request court to transfer to criminal court)
 - **Case remains in Juvenile Court**
 - **Court Diversion**
 - **Adjudication/ Dispositional Hearing**
 - Home on Probation
 - Suitable Placement (Juvenile)
 - Camp
 - Secure Youth Treatment Facility

Transfer Hearings

Sometimes when a minor commits a crime, they can be prosecuted in criminal court. The law on moving a minor to criminal court has changed many times. Under the current law, transferring a minor to criminal court is very rare. Current law states that when a 16 or 17-year old has committed a crime listed in Welfare and Institutions Code 707(b), the case may be transferred to criminal court through Transfer Motion. Before a minor can be transferred to criminal court, the juvenile judge must be convinced that the minor is not amenable treatment through the juvenile court. The factors the judge must consider are:

1. The degree of criminal sophistication exhibited by the minor.
2. Whether the minor can be rehabilitated prior to the expiration of the juvenile court's jurisdiction.
3. The minor's previous delinquent history.
4. Success of previous attempts by the juvenile court to rehabilitate the minor.
5. The circumstances and gravity of the offense alleged in the petition to have been committed by the minor.



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all pamphlets online.

Secure Youth Treatment Facility (SYTF) proceedings

Individual Rehabilitation Plan – Judge reviews the rehabilitation plan created for the minor.

Three-month review hearing - Court reviews the minor's rehabilitative progress.

Six-month review hearing –After reviewing the minor's rehabilitative progress, the court can reduce the minor's baseline term of commitment (custody time) by up to six months.

Step-down hearing – The Court can transfer the minor from SYTF custody to a less restrictive program such as a halfway house, residential program or camp. What that means is that for even the most serious offenses, a minor may only serve a few years in custody.

The court's juvenile jurisdiction usually ends when the minor turns 23 although for the most serious crimes it can last until the minor turns 25 years old.

Juvenile proceedings are confidential and not open to the public unless the minor is charged with a crime listed in Welfare and Institutions Code 707(b), which includes murder, robbery, forcible rape, assault with a firearm and other serious felonies.

Victims' Rights in Juvenile Court

- The victim and up to two support persons may attend juvenile court proceedings (WIC §676.5)
- The victim can get a restitution order for financial losses even if case is diverted (WIC §§654, 725, 730.6)
- The victim is entitled to know outcome of case and if restitution was ordered (WIC §§742 & 730.7)
- The victim is entitled to make a statement at disposition (sentencing)
- The victim has right to copy of a restraining order

Support Groups

Justice for Murdered Children

Meets every 2nd Monday of the month
6:30 p.m. - 8:30 p.m.

(310) 547-5362

justiceformurderedchildren.com

Parents of Murdered Children

www.pomcla.org

Justice for Homicide Victims

(562) 860-7303

justiceforhomicidevictims.org

Westmont Counseling Center

Offers grief counseling and support groups.

1704 W. Manchester Ave., Suite 202A,

Los Angeles, CA 90047

(424) 312-2311

Loved Ones Victim Services

Provides grief counseling for individuals who have lost loved ones as result of violence and individual, family, and group counseling for adults, teens and children.

5701 W. Slauson Ave., Suite 116,

Culver City, CA 9023

(310) 337-7006

lovs.org

Healing Dialogue and Action

1000 Alameda St., Suite 213,

Los Angeles, CA 90012

(213) 600-0812

Counseling Resources

Tessie Cleveland Community Services

8019 S. Compton Ave.,

Los Angeles, CA 90001

(323) 586-7333

Amanecer Community Counseling Services

3680 E. Imperial Highway, Suite 480

Lynwood, CA 90262

(213) 328-0274

Didi Hirsch Community Mental Health Center

1328 W. Manchester Ave.,

Los Angeles, CA 90044

(323) 778-9593

Augustus Hawkins Mental Health Center

1720 E. 120th St.,

Los Angeles, CA 90059

(310) 668-4272

Olive View Trauma Recovery Center

14445 Olive View Dr, North Annex,

Sylmar, CA 91342

(747) 210-4800

Tri City Mental Health

2008 N. Garey Ave,

Pomona, CA 91767

(909) 623-6131 (Main Line)

(866) 623-9500 (Toll free)

Long Beach Trauma Recovery

1250 N Bellflower Blvd., Building ED-2, Room 155

Long Beach, CA 90840

(562) 985-1366

Healing To You

1703 N. Avalon Blvd.

Wilmington, CA 90744

(310) 684-1247

Pacific Clinics

10428 Lower Azusa Rd,

El Monte, CA 91731

(626) 453-3399

Community Behavioral Health Alliance

626 W Lancaster Blvd #59

Lancaster, CA 93534

(661) 441-6568

Department of Mental Health (DMH) Help Line

If you think you or someone you know is experiencing a mental health crisis, please call DMH 24/7 Help Line at **(800) 854-7771**.

If you or someone you know is experiencing a mental health crisis or having suicidal thoughts, please call the Help Line at **988**.