



# **Youth Detention Facility OPERATIONS ORDER**

## **LEGAL MATERIALS**

### **Purpose and Scope**

An attorney may never disclose or permit to be disclosed to a defendant, members of the defendant's family, or anyone else, the address or telephone number of a victim or witness whose name is disclosed to the attorney. (California Penal Code 1054.2 (a) (1))

Legal materials given to a youth by counsel are confidential in so far as they do not compromise the safety and security of the facility or violate Section 1054.1 of the California Penal Code.

### **Affected Personnel**

All sworn employees assigned to the Youth Detention Facility

### **Authority**

Penal Code Sections 1054.1 & 1054.2  
Departmental Directive

### **Effective Date**

September 1, 2012

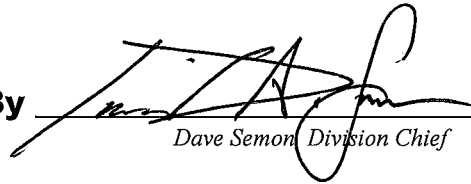
### **I. Guidelines**

1. All legal materials, including but not limited to Police Reports, Presentence Reports and Minute Orders will be "sanitized" by counsel before reviewing with a youth or releasing to a youth, youth's parent /guardian, or a probation staff. All addresses and phone numbers of victims and witnesses will be obliterated. (California Penal Code 1054.2)
2. Probation Staff will conduct a cursory review of all legal documents to ensure the document has been "sanitized" before releasing it to a youth.
  - A. If probation staff discover the document has not been "sanitized", the staff will contact the Duty Supervisor immediately.

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Authority: Penal Code Sections 1054.1 and 1054.2, Departmental Directive

- B. The document will not be released to the youth until cleared by the Duty Supervisor.
3. Legal materials will be placed in an envelope marked with the youth's name and designated CONFIDENTIAL.
  4. The envelope will be kept in a secure area, in each unit, in a manner consistent with the maintenance of confidentiality.
  5. The youth will be allowed to examine these materials at their request or at the request of counsel during reasonable periods.
  6. The youth will examine these materials only in privacy. Legal materials are not to be subject to scrutiny by others.

**Authorized By**

  
*Dave Semon Division Chief*

**Date**

*8/21/2020*

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