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West's Ann.Cal.Welf. & Inst.Code § 654.4

§ 654.4. Completion of alcohol or drug education program; controlled substance offenders; program of supervision

[Currentness](#)

Any minor who is placed in a program of supervision set forth in [Section 654](#) or [654.2](#) for a violation of an offense involving the unlawful possession, use, sale, or other furnishing of a controlled substance, as defined in Chapter 2 (commencing with [Section 11053](#)) of Division 10 of the Health and Safety Code, or for violating [subdivision \(f\) of Section 647 of the Penal Code](#) or [Section 23140](#) or [23152 of the Vehicle Code](#), shall be required to participate in and successfully complete an alcohol or drug education program from a county mental health agency or other appropriate community program.

**Credits**

(Added by [Stats.1989, c. 1117, § 13.](#))

West's Ann. Cal. Welf. & Inst. Code § 654.4, CA WEL & INST § 654.4

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Article 15. Wards--Temporary Custody and Detention (Refs & Annos)

West's Ann.Cal.Welf. & Inst.Code § 626

§ 626. Temporary custody; alternative dispositions

Effective: June 27, 2013

[Currentness](#)

An officer who takes a minor into temporary custody under the provisions of [Section 625](#) may do any of the following:

(a) Release the minor.

(b) Deliver or refer the minor to a public or private agency with which the city or county has an agreement or plan to provide shelter care, counseling, or diversion services to minors so delivered. A placement of a child in a community care facility as specified in [Section 1530.8 of the Health and Safety Code](#) shall be made in accordance with [Section 319.2](#) or [319.3](#), as applicable, and with [paragraph \(8\) or \(9\) of subdivision \(e\) of Section 361.2](#), as applicable.

(c) Prepare in duplicate a written notice to appear before the probation officer of the county in which the minor was taken into custody at a time and place specified in the notice. The notice shall also contain a concise statement of the reasons the minor was taken into custody. The officer shall deliver one copy of the notice to the minor or to a parent, guardian, or responsible relative of the minor and may require the minor or the minor's parent, guardian, or relative, or both, to sign a written promise to appear at the time and place designated in the notice. Upon the execution of the promise to appear, the officer shall immediately release the minor. The officer shall, as soon as practicable, file one copy of the notice with the probation officer. The written notice to appear may require that the minor be fingerprinted, photographed, or both, upon the minor's appearance before the probation officer, if the minor is a person described in [Section 602](#) and he or she was taken into custody upon reasonable cause for the commission of a felony.

(d) Take the minor without unnecessary delay before the probation officer of the county in which the minor was taken into custody, or in which the minor resides, or in which the acts take place or the circumstances exist which are alleged to bring the minor within the provisions of [Section 601](#) or [602](#), and deliver the custody of the minor to the probation officer. The peace officer shall prepare a concise written statement of the probable cause for taking the minor into temporary custody and the reasons the minor was taken into custody and shall provide the statement to the probation officer at the time the minor is delivered to the probation officer. In no case shall the officer delay the delivery of the minor to the probation officer for more than 24 hours if the minor has been taken into custody without a warrant on the belief that the minor has committed a misdemeanor.

In determining which disposition of the minor to make, the officer shall prefer the alternative which least restricts the minor's freedom of movement, provided that alternative is compatible with the best interests of the minor and the community.

**Credits**

(Added by Stats.1961, c. 1616, p. 3474, § 2. Amended by Stats.1963, c. 1486, p. 3052, § 1; Stats.1976, c. 1068, p. 4783, § 26; Stats.1978, c. 1372, p. 4552, § 2; Stats.1982, c. 461, § 3; Stats.1982, c. 1091, § 1; Stats.1984, c. 260, § 4; [Stats.1989, c. 878, § 1](#); [Stats.2001, c. 334 \(A.B.701\), § 1](#); [Stats.2013, c. 21 \(A.B.74\), § 10, eff. June 27, 2013.](#))

West's Ann. Cal. Welf. & Inst. Code § 626, CA WEL & INST § 626

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West's Ann.Cal.Welf. & Inst.Code § 654

§ 654. Programs of supervision

[Currentness](#)

In any case in which a probation officer, after investigation of an application for a petition or any other investigation he or she is authorized to make concludes that a minor is within the jurisdiction of the juvenile court or will probably soon be within that jurisdiction, the probation officer may, in lieu of filing a petition to declare a minor a dependent child of the court or a minor or a ward of the court under [Section 601](#) or requesting that a petition be filed by the prosecuting attorney to declare a minor a ward of the court under [subdivision \(e\) of Section 601.3](#) or [Section 602](#) and with consent of the minor and the minor's parent or guardian, delineate specific programs of supervision for the minor, for not to exceed six months, and attempt thereby to adjust the situation which brings the minor within the jurisdiction of the court or creates the probability that the minor will soon be within that jurisdiction. Nothing in this section shall be construed to prevent the probation officer from filing a petition or requesting the prosecuting attorney to file a petition at any time within the six-month period or a 90-day period thereafter. If the probation officer determines that the minor has not involved himself or herself in the specific programs within 60 days, the probation officer shall immediately file a petition or request that a petition be filed by the prosecuting attorney. However, when in the judgment of the probation officer the interest of the minor and the community can be protected, the probation officer shall make a diligent effort to proceed under this section.

The program of supervision of the minor undertaken pursuant to this section may call for the minor to obtain care and treatment for the misuse of or addiction to controlled substances from a county mental health service or other appropriate community agency.

The program of supervision shall require the parents or guardians of the minor to participate with the minor in counseling or education programs, including, but not limited to, parent education and parenting programs operated by community colleges, school districts, or other appropriate agencies designated by the court if the program of supervision is pursuant to the procedure prescribed in [Section 654.2](#).

Further, this section shall authorize the probation officer with consent of the minor and the minor's parent or guardian to provide the following services in lieu of filing a petition:

(a) Maintain and operate sheltered-care facilities, or contract with private or public agencies to provide these services. The placement shall be limited to a maximum of 90 days. Counseling services shall be extended to the sheltered minor and his or her family during this period of diversion services. The minor and his or her parents may be required to make full or partial reimbursement for the services rendered the minor and his or her family during the diversion process. Referrals for sheltered-care diversion may be made by the minor, his or her family, schools, any law enforcement agency, or any other

private or public social service agency.

(b) Maintain and operate crisis resolution homes, or contract with private or public agencies offering these services. Residence at these facilities shall be limited to 20 days during which period individual and family counseling shall be extended the minor and his or her family. Failure to resolve the crisis within the 20-day period may result in the minor's referral to a sheltered-care facility for a period not to exceed 90 days. Referrals shall be accepted from the minor, his or her family, schools, law enforcement or any other private or public social service agency. The minor, his or her parents, or both, may be required to reimburse the county for the cost of services rendered at a rate to be determined by the county board of supervisors.

(c) Maintain and operate counseling and educational centers, or contract with private and public agencies, societies, or corporations whose purpose is to provide vocational training or skills. The centers may be operated separately or in conjunction with crisis resolution homes to be operated by the probation officer. The probation officer shall be authorized to make referrals to the appropriate existing private or public agencies offering similar services when available.

At the conclusion of the program of supervision undertaken pursuant to this section, the probation officer shall prepare and maintain a followup report of the actual program measures taken.

#### **Credits**

(Added by Stats.1982, c. 1088, § 18, operative Jan. 1, 1985. Amended by Stats.1984, c. 1635, § 95; [Stats.1989, c. 1117, § 10](#); [Stats.1991, c. 1202 \(S.B.377\), § 17.](#))

West's Ann. Cal. Welf. & Inst. Code § 654, CA WEL & INST § 654

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West's Ann.Cal.Welf. & Inst.Code § 654.1

§ 654.1. Programs of supervision; violation of Section 23140 or 23152 of Vehicle Code

Effective: January 1, 2004

[Currentness](#)

(a) Notwithstanding [Section 654](#) or any other provision of law, in any case in which a minor has been charged with a violation of [Section 23140](#) or [23152 of the Vehicle Code](#), the probation officer may, in lieu of requesting that a petition be filed by the prosecuting attorney to declare the minor a ward of the court under [Section 602](#), proceed in accordance with [Section 654](#) and delineate a program of supervision for the minor. However, the probation officer shall cause the citation for a violation of [Section 23140](#) or [23152 of the Vehicle Code](#) to be heard and disposed of by the judge, referee, or juvenile hearing officer pursuant to [Sections 257](#) and [258](#) as a condition of any program of supervision.

(b) This section may not be construed to prevent the probation officer from requesting the prosecuting attorney to file a petition to declare the minor a ward of the court under [Section 602](#) for a violation of [Section 23140](#) or [23152 of the Vehicle Code](#). However, if in the judgment of the probation officer, the interest of the minor and the community can be protected by adjudication of a violation of [Section 23140](#) or [23152 of the Vehicle Code](#) in accordance with subdivision (a), the probation officer shall proceed under subdivision (a).

#### Credits

(Added by [Stats.1988, c. 1258, § 1](#). Amended by [Stats.2003, c. 149 \(S.B.79\), § 90](#).)

West's Ann. Cal. Welf. & Inst. Code § 654.1, CA WEL & INST § 654.1

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West's Ann.Cal.Welf. & Inst.Code § 654.3

§ 654.3. Eligibility for program of supervision

Effective: March 8, 2000

[Currentness](#)

No minor shall be eligible for the program of supervision set forth in Section 654 or 654.2 in the following cases, except in an unusual case where the interests of justice would best be served and the court specifies on the record the reasons for its decision:

- (a) A petition alleges that the minor has violated an offense listed in subdivision (b) of [Section 707](#).
- (b) A petition alleges that the minor has sold or possessed for sale a controlled substance as defined in Chapter 2 (commencing with [Section 11053](#)) of Division 10 of the Health and Safety Code.
- (c) A petition alleges that the minor has violated [Section 11350](#) or [11377 of the Health and Safety Code](#) where the violation takes place at a public or private elementary, vocational, junior high school, or high school, or a violation of [Section 245.5, 626.9, or 626.10 of the Penal Code](#).
- (d) A petition alleges that the minor has violated [Section 186.22 of the Penal Code](#).
- (e) The minor has previously participated in a program of supervision pursuant to [Section 654](#).
- (f) The minor has previously been adjudged a ward of the court pursuant to [Section 602](#).
- (g) A petition alleges that the minor has violated an offense in which the restitution owed to the victim exceeds one thousand dollars (\$1,000). For purposes of this subdivision, the definition of "victim" in [paragraph \(1\) of subdivision \(a\) of Section 730.6](#) and "restitution" in [subdivision \(h\) of Section 730.6](#) shall apply.

**§ 654.3. Eligibility for program of supervision, CA WEL & INST § 654.3**

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(h) The minor is alleged to have committed a felony offense when the minor was at least 14 years of age. Except in unusual cases where the court determines the interest of justice would best be served by a proceeding pursuant to [Section 654](#) or [654.2](#), a petition alleging that a minor who is 14 years of age or over has committed a felony offense shall proceed under Article 20.5 (commencing with [Section 790](#)) or Article 17 (commencing with [Section 675](#)).

**Credits**

(Added by [Stats.1989, c. 1117, § 12](#). Amended by [Stats.1994, c. 453 \(A.B.560\), § 7](#); [Stats.1996, c. 1077 \(A.B.2898\), § 32](#); [Initiative Measure \(Prop. 21, § 22, approved March 7, 2000, eff. March 8, 2000\)](#).)

West's Ann. Cal. Welf. & Inst. Code § 654.3, CA WEL & INST § 654.3

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