



# FULLERTON POLICE DEPARTMENT

## TRAINING BULLETIN

ROBERT DUNN, CHIEF OF POLICE

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NOVEMBER 2019, TB # 19-08

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### Juvenile Citation Filing Guidelines

**Effective December 1, 2019**, the Orange County Superior Court and Orange County Juvenile Court have changed the *Juvenile Filing Guidelines* by reducing the number of offenses committed by other juveniles that are authorized to be filed in the Superior Court (adult criminal court).

The violations that will be heard in the Superior Court will be limited to citations issued for Vehicle Code infractions of administration, registration, financial responsibility, rules of the road (with a few exceptions), equipment and off highway offenses.

Additionally, the Superior Court will retain jurisdiction over citations issued to juveniles for infraction offenses of the Fish and Wildlife Code, the Public Resource Code, the Harbors and Navigations Code, and local ordinances that are not related to curfew, loitering, and alcohol or drug offenses. All other infraction and minor offense violations will be heard in the Juvenile Court.

**\*The new Juvenile Citation Filing Guidelines are attached so that you can print.**

**Source: Superior Court of California – County of Orange Letter – October 24, 2019**

This Training Bulletin can also be accessed through the Police Department Network.

- Go to & click on **COMMON** on S: Drive"
- Click on the **TRAINING** folder
- Click on **TRAINING BULLETINS** folder - **2019 TRAINING BULLETINS** folder
- Click on **TB19-08 Juvenile Citation Filing Guidelines.pdf**



**JUVENILE CITATION FILING GUIDELINES - CITATIONS ISSUED ON OR AFTER DECEMBER 1, 2019**

**LAW ENFORCEMENT CITATION FILING RULES APPLICABLE TO ALL VIOLATIONS**

All citations issued on youth **under 12 years of age, all felonies and all applications for petition** must be filed with the Probation Department, regardless of the violation cited.

*Law enforcement personnel are advised that nothing contained in this guideline precludes the submittal of an application for Petition by law enforcement to the Probation Department for appropriate action, if it is determined that a serious misdemeanor violation warrants the processing of the minor under WIC 602.*

<b>SUPERIOR COURT (JUSTICE CENTERS) VIA CITATION</b> <i>Cite to appear at the Superior Court</i>	<b>JUVENILE COURT VIA CITATION</b> <i>Cite to appear at the Lamoreaux Justice Center</i>	<b>PROBATION DEPARTMENT VIA CITATION</b> <i>Cite to appear at the Lamoreaux Justice Center</i>
<p align="center"><b>VEHICLE CODE</b></p> <p align="center"><i>INFRACTIONS ONLY</i></p> <p><b>Infractions</b> filed via citation under the following divisions <u>except</u> citations issued to youth under 12 years of age:</p> <p><b>Division 2:</b> Administration</p> <p><b>Division 3 &amp; 3.5:</b> Registration</p> <p><b>Division 7:</b> Financial Responsibility</p> <p><b>Division 11:</b> Rules of the Road violations <u>except</u> offenses listed under Juvenile Court or Probation Dept. (bike helmet, under the influence, or possession violations)</p> <p><b>Division 12:</b> Equipment of Vehicles</p> <p><b>Division 16.5:</b> Off Highway Vehicles</p>	<p align="center"><b>VEHICLE CODE</b></p> <p><b>Infractions</b> filed via citation, including:</p> <p><b>VC 21212</b> - Bike helmet</p> <p><b>VC 23223</b> - Possession of open container in motor vehicle</p> <p><u>Excludes</u> violations listed under Superior Court or Probation Dept</p> <p><b>Misdemeanors</b> filed via citation, including:</p> <p><b>VC 12500</b> - Driving without a license</p> <p><u>Excludes</u> violations listed under Superior Court or Probation Dept</p>	<p align="center"><b>VEHICLE CODE</b></p> <p><b>VC 21200.5</b> - Riding bike under the influence</p> <p><b>VC 21221.5</b> - Driving motorized scooter under the influence</p> <p><b>VC 21296</b> - Driving electronic motorized board under the influence</p> <p><b>VC 23136</b> - Driving under the influence BAC = &gt; 0.01</p> <p><b>VC 23140</b> - Driving under the influence BAC = &gt; 0.05</p> <p><b>VC 23220</b> - Drinking alcohol, smoking, or ingesting marijuana in vehicle on lands</p> <p><b>VC 23221</b> - Drinking alcohol, smoking, or ingesting marijuana in vehicle on highway</p> <p><b>VC 23222</b> - Possession of open container or cannabis while driving</p> <p><b>Misdemeanors</b> filed via citation for the following offenses:</p> <p><b>VC 14601(a)</b> - Driving on suspended license</p> <p><b>VC 14601.2</b> – Driving on suspended license (DUI conviction)</p> <p><b>VC 23152</b> - Driving under the influence BAC = &gt;0.08</p> <p><b>VC 23153</b> – Driving under the influence w/bodily injury</p>
<p align="center"><b>PENAL CODE</b></p> <p>None</p>	<p align="center"><b>PENAL CODE</b></p> <p><b>Infractions</b> filed via citation</p> <p>The following <b>misdemeanors</b> filed via citation:</p> <p><b>PC 602(m)</b> -Trespassing</p> <p><b>PC 640a</b> – Use of slug/counterfeit coin</p>	<p align="center"><b>PENAL CODE</b></p> <p><b>Misdemeanors</b> filed via citation, including:</p> <p><b>PC 647(f)</b> – Public intoxication</p> <p><u>Excludes</u> violations listed under Juvenile Court</p>

**JUVENILE CITATION FILING GUIDELINES - CITATIONS ISSUED ON OR AFTER DECEMBER 1, 2019**

<b>SUPERIOR COURT (JUSTICE CENTERS) VIA CITATION</b> <i>Cite to appear at the Superior Court</i>	<b>JUVENILE COURT VIA CITATION</b> <i>Cite to appear at the Lamoreaux Justice Center</i>	<b>PROBATION DEPARTMENT VIA CITATION</b> <i>Cite to appear at the Lamoreaux Justice Center</i>
<b>BUSINESS AND PROFESSIONS CODE</b>  None	<b>BUSINESS AND PROFESSIONS CODE</b>  <i>Infractions</i> filed via citation  The following <i>misdemeanors</i> filed via citation:  <b>BP 25658.5</b> – Attempting to purchase alcohol <b>BP 25661</b> – False identification <b>BP 25662</b> – Possession of alcohol	<b>BUSINESS AND PROFESSIONS CODE</b>  <i>Misdemeanors</i> filed via citation <u>except</u> those listed under Juvenile Court.
<b>HEALTH AND SAFETY CODE</b>  None	<b>HEALTH AND SAFETY CODE</b>  None	<b>HEALTH AND SAFETY CODE</b>  <i>Infractions</i> filed via citation  <i>Misdemeanors</i> filed via citation
<b>FISH &amp; WILDLIFE or PUBLIC RESOURCE CODE (CODE OF REGULATIONS TITLE 14)</b>  <i>Infractions</i> filed via citation <u>except</u> citations issued to youth under 12 years of age	<b>FISH &amp; WILDLIFE or PUBLIC RESOURCE CODE (CODE OF REGULATIONS TITLE 14)</b>  <i>Misdemeanors</i> filed via citation	<b>FISH &amp; WILDLIFE or PUBLIC RESOURCE CODE (CODE OF REGULATIONS TITLE 14)</b>  None unless filed with an application for petition
<b>HARBORS AND NAVIGATION</b>  <i>Infractions</i> filed via citation and any equipment or registration provisions <u>except</u> citations issued to youth under 12 years of age	<b>HARBORS AND NAVIGATION</b>  <i>Misdemeanors</i> filed via citation	<b>HARBORS AND NAVIGATION</b>  None unless filed with an application for petition
<b>LOCAL ORDINANCE</b>  <i>Infractions</i> filed via citation <u>except</u> violations relating to curfew, loitering, alcohol or drug offenses, and citations issued to youth under 12 years of age	<b>LOCAL ORDINANCE</b>  <i>Misdemeanors</i> or <i>infractions</i> filed via citation relating to curfew, loitering, alcohol or drug offenses	<b>LOCAL ORDINANCE</b>  <i>Misdemeanors</i> filed via citation <u>except</u> those listed under Juvenile Court
<b>ALL OTHERS</b>  None	<b>ALL OTHERS</b>  <i>Infractions</i> filed via citation	<b>ALL OTHERS</b>  <i>Misdemeanors</i> filed via citation

File citation with the Superior Court according to the *Court Designation List* posted on [www.occourts.org](http://www.occourts.org)

File citation with the Juvenile Court:  
Lamoreaux Justice Center  
341 The City Drive South  
Orange, CA 92868

File citation or application with the Probation Department located at 301 The City Drive South, Orange or by mail to:

Orange County Probation Department  
Attn: Records Unit – MOB 4<sup>th</sup> Floor  
P.O. Box 10260, Santa Ana, CA 92711

*Applications for a petition on a misdemeanor offense should include the JUS 8716/8717 form.*