Policy Review and Assessment Report of the Oakland Police Department's Departmental General Order O-3:

Processing Juvenile Offenders

Wednesday, November 18, 2026



CITY OF OAKLAND
OFFICE OF THE INSPECTOR GENERAL
250 Frank H. Ogawa Plaza • Oakland, CA 94612
Zurvohn A. Maloof, Inspector General

Inspector General
Zurvohn A. Maloof, JD

Office of the Inspector General Team
Charlotte Jones, Esq. Deputy Inspector General
Siosifa Tonga, MA Administrative Assistant I

Connect
250 Frank H. Ogawa Plaza • Suite 6306 • Oakland, CA 94612
(510) 238-2088 • OIG@oaklandca.gov

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November 17, 2026

To: Chief James Beere
Oakland Police Department
[VIA EMAIL ONLY]

Re: Policy Review of DGO O-3: Processing Juvenile Offenders

Dear Chief Beere,

The Office of Inspector General (OIG) has completed its policy review of the Oakland Police Department's (OPD) Departmental General Order (DGO) O-3: Processing Juvenile Offenders.

Enclosed is the OIG final report, which includes:

- Detailed findings from the policy review
- OIG recommendations for policy and procedural improvements
- OPD's Response to the OIG policy review of DGO O-3

To ensure transparency and continued accountability, and in accordance with the OIG Standard Operating Procedures:

> *The OIG should keep appropriate officials, and the public properly informed of the OIG's activities, findings, recommendations, and accomplishments consistent with the OIG's mission, legal authority, organizational placement, and confidentiality requirements.*

Should you have any questions, concerns, or require further clarification, please do not hesitate to contact the Office of Inspector General at (510) 238-2916.

Sincerely,

Zurvohn A. Maloof
Zurvohn A. Maloof, JD, CIG
Inspector General
Office of the Inspector General

CC: Commission Chair Ricardo Garcia-Acosta
Vice Commission Chair Shawana Booker
COS Mykah Montgomery
Deputy Chief Lisa Ausmus

OCTOBER 2026

City of Oakland
Office of Inspector General

POLICY REVIEW AND ASSESSMENT REPORT

POLICY

I. Oakland Police Department (OPD) Departmental General Order (DGO) O-3: Processing Juvenile Offenders

RELEVANT LAW & POLICY

- DGO O-3 Processing Juvenile Offenders
- DGO O-9 Detention of Juvenile Offenders
- Welfare and Institutions Code (WIC) §§ 500, 601, 602, 625, 626
- Charter of the City of Oakland, Section 604(f)5

WHY THIS POLICY MATTERS

Engagement with the Oakland community revealed concerns regarding OPD's interactions with its vulnerable residents – Oakland's juveniles. The community demands that OPD's juvenile-related policies have the framework in place to ensure that juveniles who are processed or are taken into custody by OPD are treated in a manner that is consistent with state welfare statutes, upholds their constitutional protections, and considers the best interests of the juvenile.

RECOMMENDATIONS IN BRIEF

To OPD Management:

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- Acronym List
- Departmental General Order (DGO) O-3: Processing Juvenile Offenders effective January 22, 1999
- OPD Response

Policy Review and Assessment

Section I: Background

The Oakland Police Department (OPD) documents that it has a youth section in the Criminal Investigations Division (CID) and a Youth Outreach Unit (YOU). According to OPD's website the YOU sponsors or supports a range of programs for youth in Oakland, including the Oakland Police Activity League (PAL), Oakland Police Explorers, and Our Kids (OK). The Office of the Inspector General (OIG) recognizes that OPD appears focused on engaging with and supporting programs and opportunities for Oakland's youth. The OIG has not conducted an inspection or audit of those programs, since that is not the purview of this project, but hopes that they are currently active and providing juveniles with the intended services.

While those are important outreach and engagement efforts, they do not directly address the juveniles who might encounter police officers in potentially negative situations, or who might be considered by OPD as "juvenile offenders". OPD does not provide a definition for the term "juvenile offender", but a gleaned general definition from the Welfare and Institutions Code (WIC), based on that title is: a minor between 12 and 17 years of age that violates the law, or a minor *under* 12 years of age that commits a serious criminal offense such as murder or rape.[1]

The purpose of DGO O-03 is to "set forth policies and procedures for processing juvenile offenders".[2] The policy does not explain exactly what "processing a juvenile offender" means, but a general explanation based on the contents of the policy would be: how OPD conducts the formal administrative and/or legal methods of disposition for juveniles that encounter the police in a negative situation.[3]

DGO O-03 was published on January 22, 1999. According to OPD this is still a current valid policy. Since 1999 there has been no update to the policy to ensure alignment with changes in California law, although in the last 27 years, there have been significant revisions and updates in state welfare statutes regarding juveniles. It is the OIG's objective to propose that OPD's governing materials regarding processing juveniles align with legal obligations, modern practices, and constitutional policing. Having an effective juvenile-related policy in this area is necessary since OPD has regular contact with juveniles and has reported about 150 arrests of juveniles this year.[4]

[1] Welfare and Institutions Code (WIC) § 602(a), (b). It is important to note that the WIC does not utilize the term "juvenile offender" related to that definition, or in that section at all. The term "juvenile offender" is found only in WIC § 500, when the code discusses serious crime and "serious habitual offenders".
[2] Departmental General Order O-3: Processing Juvenile Offenders, Introduction
[3] Departmental General Order O-3: Processing Juvenile Offenders, § II, IV, VI, IX
[4] Oakland Police Department update by Deputy Chief Lisa Ausmus, Oakland Police Commission Meeting, September 24, 2026

Section 604(f)(5) of the Oakland City Charter, gives the OIG the authority to *"review legal claims, lawsuits, settlements, complaints, and investigations, by, against or involving the Department and the Agency to ensure that all allegations of police officer misconduct are thoroughly investigated, and to identify any systemic issues regarding Department and [Community Police Review] Agency practices and policies."*

Section II: Objective, Scope, Methodology, Limitations

OBJECTIVE

The objective of this policy assessment is to evaluate whether OPD's policy that governs the disposition of juveniles that are processed by OPD officers aligns with mandates in the state welfare statutes and is consistent with constitutional[5] policing.

SCOPE

This assessment evaluates Departmental General Order O-3: Processing Juvenile Offenders. The OIG has reviewed the introduction and the eleven (11) sections in the policy. However, due to unclear and missing language, cites to positions that no longer exist, and the inaccuracies in the legal citations within the policy, it is difficult to provide a section-by-section assessment. This report is of the overall policy, leaving OPD to determine in which sections changes need to be made.

METHODOLOGY

The OIG reviewed related OPD policies, other jurisdictions policies, state welfare statutes, local ordinances, and assessed OPD's policy using analytical criteria, such as legal compliance, constitutionality, and operational enforcement. The sources reviewed include but are not limited to:

- Charter of the City of Oakland § 604(f)5
- OPD, Departmental General Order A-03: Organizational Structure and Responsibility
- OPD, Departmental General Order O-3: Processing Juvenile Offenders
- OPD, Departmental General Order O-9: Detention of Juvenile Offenders
- OPD, Departmental General Order O-2: Transporting Prisoners and Persons in Custody
- OPD, Training Bulletin III A.05: Community Oriented Policing
- OPD, Special Order No. 9112[6]
- OPD, Information Bulletin, Juvenile Consultation with an Attorney[7]
- San Francisco Police Department, Departmental General Order 7.01: Policies and Procedures for Juveniles, Detention, Arrest, and Custody

[5] In this report when the word constitutional is used – such as in constitutional policing or constitutional protections, the OIG defines this as within the parameters of the U.S. Constitution, or within the rules and boundaries set by the U.S. Constitution. This means utilizing only lawful authority, protecting civil rights, and imparting fair and impartial treatment.

[6] SO 9112 updates TB III A.05 to require officers to provide an informational business card to juveniles in certain circumstances.

[7] Information Bulletin regarding Welfare and Institutions Code § 625.6, effective 1/2018, expanded 1/2021, which relates to juveniles 17 years or younger, *in custody*, having the right to call an attorney "prior" to waiving their Miranda rights.

- Sacramento Police Department, Departmental General Order 540.05: Arresting / Booking / Releasing Juveniles
- California Welfare and Institutions Code, §§ 207, 601, 602, 625, 626, 627
- California Code of Regulations, Title 15, Article 1
- California Code of Regulations, Title 15, Article 14

LIMITATIONS

DGO O-3 was published in January 1999, with no legal or administrative revisions to the policy since that time. The OIG has reviewed this policy and determined that because it has been more than 27 years since this policy was written, there is a need for significant legal and administrative review and revision that must be completed by OPD. This report will not specify all areas in the policy that need to be revised because recommended revisions to that extent would be equivalent to a re-write of the policy itself. This assessment will point out some revisions that are considered essential to the general everyday usage of the policy. Also included in this report is a *strong* recommendation that OPD review this policy to comply with updates in the California Welfare and Institutions Code and other related laws to make all necessary updates and revisions to the policy.

This is a policy assessment report, not an inspection, audit, or compliance evaluation of whether OPD is compliant with the procedures contained in the policy. The OIG may schedule an inspection, audit, or compliance evaluation of OPD's performance with this policy in the future.

Section III: Policy Assessment Recommendations and Considerations: Departmental General Order (DGO) O-3: Processing Juvenile Offenders

Recommendation 1: The OIG recommends that OPD revise DGO O-3 to exclude from the title and contents the term "juvenile offender" except where the term is legally necessary.

DGO O-3 is titled "Processing Juvenile Offenders". The policy does not provide definitions so there is no description of what person is considered a "juvenile offender". The WIC mentions a juvenile offender in §500 when it discusses juveniles who have been legally determined to have committed serious crimes or are serial offenders. However, there is no definition or titled section in the WIC for "juvenile offender". In California a juvenile is a person under 18 years old; a person under the maximum age of juvenile court jurisdiction who is not currently an incarcerated adult; or a person whose case originated in the juvenile court.[8] The WIC does not provide a general definition for an offender but speaks more specifically about juveniles as delinquent minors or wards of the court, status offenders, sex offenders, or serious/habitual offenders.[9]

Constitutional policing requires that adults be referred to as offenders, *only* when they have legally been determined to have committed an offense or broken the law. Whether a person, juvenile or adult, has committed an offense, is determined by our legal court system – not OPD. If a juvenile has not been convicted, or legally determined to have committed an offense, they should not be deemed or called a "juvenile offender". This title lends itself to a perception that the juvenile at issue, or involved in the contact with police, is already "guilty". The perception that the juvenile is already an "offender" might negatively affect the way they are viewed and the way the police treat them. The WIC does not commonly use the term "juvenile offender" except when it is referring to actual adjudicated offenders of the law. For reference, neither Sacramento, nor San Francisco refer to juveniles that encounter police as "juvenile offenders" – they are just juveniles.

The OIG recommends that the title and contents of the policy remove the term "juvenile offender" and only use the term when referencing a juvenile who has been legally adjudicated through the court system to be an offender.

[8] California Welfare and Institutions Code §208.55 (1) (A), (B), (C)
[9] California Welfare and Institutions Code §§601, 602, 503, 6250

Recommendation 2: The OIG recommends that OPD revise DGO O-3 to accurately indicate which sections of the California Welfare and Institutions Code or other statutes are being used to establish this juvenile disposition policy and accurately reflect the statutory language.

DGO O-3 provides juvenile disposition options[10] - meaning what OPD should do to process juveniles as a result of an encounter. The policy provides the following options:

- take the juvenile into temporary custody
- give the juvenile a Notice to Appear
- give the juvenile a traffic citation
- counsel and release
- take the juvenile into protective custody, or
- hold the juvenile for a "status offense" when the juvenile is incorrigible or a runaway, delivering them to the Crisis Receiving Home or contacting "YSD" for appropriate disposition

The policy references WIC §626 as the guiding statute section, particularly around taking a juvenile into temporary custody. However, the WIC has made several amendments over these 27 years and WIC §626 does not describe the criteria for taking a juvenile into temporary custody. WIC §625 (not §626) actually describes when an officer can take a juvenile into temporary custody.[11] Importantly, §625 references other sections that provide detailed criteria, and distinguishes police conduct with juveniles who are 12 – 17 years old versus conduct with those who are under 12 years old.

WIC §626 is related in that it describes what an officer can do with a juvenile who is already in temporary custody. This section indicates that an officer who takes a juvenile into temporary custody under §625 may:

- release the minor
- 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
- issue the minor a Notice to Appear
- take the minor without unnecessary delay before the probation officer and deliver custody to the probation officer

[10] Departmental General Order O-3: Processing Juvenile Offenders, II. Juvenile Disposition Options
[11] California Welfare and Institutions Code §625, "A peace officer may, without a warrant, take into temporary custody a minor:", and providing criteria referencing §§ 601, 602, 636, 702.

The current policy does not accurately reflect the language in WIC §625 or §626. Accurate information is important for police officers to know and utilize when determining the appropriate processing and disposition of the juveniles.

In addition, different sections in the WIC distinguish conduct between juveniles who are a ward of the court, juveniles who have committed serious crimes, status offenders, sexual offenders, and serial offenders. The criteria for how to process or disposition each of these categories of juveniles are important and should be specifically listed so as to ensure that all juveniles are treated appropriately.

DGO O-3 should reflect exactly what the state statute indicates is the disposition officers should and are allowed to take with certain categories of juveniles. The policy should contain accurate language and should indicate where that information is located in the state statute.

Recommendation 3: The OIG recommends that OPD revise DGO O-3 to exclude reference to the disbanded Youth Services Division (YSD) and indicate the proper entities that should take specific actions.

Referenced throughout DGO O-3 is the Youth Services Division (YSD). The policy indicates the following:

- a juvenile that is taken into temporary custody may be delivered to the YSD when they have violent behavior, previous criminal history, probation or parole status, or when danger exists that an offense will continue.[12]
- when a juvenile that is a ward of the court and a status offender is being arrested for a criminal offense, or has an active criminal case, the officer should contact YSD for the appropriate disposition.[13]
- field officers shall telephone the YSD receiving officer to get the juvenile's probation and parole status, have them review past police contacts, and get their recommendation for appropriate disposition.[14]
- an officer may issue a Notice to Appear to a juvenile's parent, guardian or responsible relative after authorization from the YSD receiving officer.[15]
- all Notices to Appear must have an arrest number that is provided to the officer by the YSD receiving officer.[16]

[12] Departmental General Order O-3: Processing Juvenile Offenders, II. A.
[13] Departmental General Order O-3: Processing Juvenile Offenders, II. F.
[14] Departmental General Order O-3: Processing Juvenile Offenders, III. A.
[15] Departmental General Order O-3: Processing Juvenile Offenders, IV. A.
[16] Departmental General Order O-3: Processing Juvenile Offenders, IV. C.

- circumstances of when juveniles taken into protective custody will or will not be delivered to YSD.[17]
- YSD will make arrangements for dependent juveniles that are placed in local interim foster homes.[18]
- the YSD receiving officer has responsibility for fingerprinting and photographing juveniles that are referred to the Probation Department by field officers.[19]
- the YSD Commander shall collect, analyze, and forward data on a monthly basis to the Chief of Police regarding the extent and characteristics of juvenile crime offenses.[20]

These are important responsibilities on how to treat juveniles being processed, including record keeping necessities. The problem is that a search of OPD's operational structure indicates that there is no Youth Services Division or YSD. Although OPD's website provides extensive information about their Youth Outreach Unit programs, there is no clear information about which entity or entities takes on all the duties formerly assigned to the YSD.

The Criminal Investigations Division (CID) has a youth section that handles juveniles that are arrested, but the OIG could find no OPD policy that indicates that the YSD responsibilities were transferred to CID. It is unclear if any entity is handling those duties at all. If in practice the duties listed above are assigned to CID, the Youth Outreach Unit, or other divisions within OPD, the policy must be revised to indicate that information. Officers who process or detain juveniles, even temporarily, should have clear, correct direction.

Recommendation 4: The OIG strongly recommends that OPD prioritize a complete revision of DGO O-3 to align with constitutional protection for juveniles.

The OIG strongly recommends that OPD prioritizes the revision of DGO O-3. The legal changes to the WIC, other juvenile-related laws, and administrative changes have occurred over the years. OPD indicated that there are juvenile-related changes that are contained in separate informational bulletins, legal opinion documents, and separate special orders like SO 9112 or SO 7040. While that information is important, it is separate, disjointed information that is not contained in the policy, and so does not provide officers that need the information in real time with the necessary guidance. The policy needs a complete overhaul.

[17] Departmental General Order O-3: Processing Juvenile Offenders, VI. A.
[18] Departmental General Order O-3: Processing Juvenile Offenders, VI. B.
[19] Departmental General Order O-3: Processing Juvenile Offenders, VII. C.
[20] Departmental General Order O-3: Processing Juvenile Offenders, XI.

The OIG understands that OPD has many policies that must be reviewed for updates and revisions, and that OPD has a shortage of staff. However, this policy is imperative because it governs how officers process the disposition of the community's children. The community has voiced their concern to the OIG about encounters between OPD and their juveniles. The community wants to know that officers are properly guided so that when they take actions to keep the community and officers safe, they also consider the constitutional protections and best interests of the juveniles.

OPD being behind on the revision process is unfortunately expected, as there are many policies and consistent changes in the law and society; however, 27 years is much too extensive, especially considering the subject matter. There are misquoted statutes, cited divisions that longer exist, forms that may no longer exist, and language that must be revised to ensure constitutional policing. OPD must in essence re-write this policy – in the near future - to align with the state statutes and the protections of the juveniles.

OIG REPORTING REQUIREMENT & DISCLOSURE PRACTICES

We are providing this report to comply with Oakland Ordinance §2.45.100 and City Charter §604(f)(5), which requires that we keep OPD Command Staff, the Police Commissioners, and the public informed of our findings and recommendations from audits, inspections, evaluations, and analysis of OPD's policies and procedures.

The OIG does not provide the names of those being audited or evaluated. This avoids violating privacy and confidentiality rights granted by law. This practice does not prevent individuals from requesting documents under the California Public Records Act. However, such disclosures may be restricted or limited by law

RECOMMENDATIONS		
1.	Recommendation 1:	Exclude from the title and contents the term “juvenile offender” except where the term is legally necessary.
2.	Recommendation 2:	Accurately indicate which sections of the California Welfare and Institutions Code or other statutes are being used to establish this juvenile disposition policy and accurately reflect the statutory language.
3.	Recommendation 3:	Exclude references to the disbanded Youth Services Division (YSD) and indicate the proper entities that should take specific actions.
4.	Recommendation 4:	Prioritize a complete revision to align with constitutional protection for juveniles.

Acronym List

Acronym	
CID	Criminal Investigations Division
DGO	Departmental General Order
OIG	Office of the Inspector General
OMC	Oakland Municipal Code
OPD	Oakland Police Department
SO	Special Order
WIC	[California] Welfare and Institutions Code
YOU	Youth Outreach Unit
YSD	Youth Services Division

DEPARTMENTAL GENERAL ORDER

Rev. 22 Jan 99

O-3

Index as:
Field Release of Juvenile
Juvenile Detention and Processing
Processing Juvenile Offenders
Protective Custody Procedures

Ref: CALEA Standards 44.2.1, 44.2.2

PROCESSING JUVENILE OFFENDERS

The purpose of this order is to set forth policies and procedures for processing juvenile offenders.

I. JUVENILE DETENTION POLICY

Welfare and Institutions Code Section 626 and Oakland Police Department policy require that a juvenile be taken into temporary custody only when such custody best serves the interests of the minor and the community. When appropriate, the detained minor will be released in the field pursuant to procedures outlined in this order.

II. JUVENILE DISPOSITION OPTIONS

A. **Temporary Custody**. A juvenile may be placed in temporary custody and delivered to the Youth Services Division (YSD) when confinement is necessary due to his/her violent behavior, previous criminal history, probation or parole status or when the danger exists that the offense will continue, stolen property or evidence may be concealed or destroyed, the suspect may flee the jurisdiction, or fingerprinting and photographing are required or desirable. A Juvenile Record (336-606) shall be completed along with the appropriate offense report, required statements and a Declaration in Support of Arrest (TF-2080).

B. **Notice to Appear**. The Juvenile Probation Department's Notice to Appear (Form 240-40) shall be issued whenever the circumstances of an offense are of such seriousness to justify formal review by the Probation Department, but there is no immediate necessity to take the suspect into temporary custody. An offense report and a Juvenile Record shall also be completed.

C. **Traffic Citation**. Juveniles who violate Vehicle and Traffic Codes will be given a standard Notice to Appear Traffic Citation (836-001) and cited into the Juvenile Traffic Court/Probation Department (Box 27).

D. **Counsel and Release**. This disposition may be used when all elements of the offense are present, but the violation is not serious and the offender either has no police record or his/her police record is minor. A Juvenile Record shall be completed.

E. **Protective Custody**. This disposition may be used in instances when minors must be taken into physical custody for their own safety due to circumstances of no parental control, destitution, unfit home, abuse, neglect, or physical danger to themselves or the public because of a physical or mental disorder. A Crime Report (536-933) and a Juvenile Record shall be completed.

F. **Status Offense**. A minor who persistently or habitually refuses to obey reasonable and proper orders or directions of a parent, guardian, or custodian is a status offender. This disposition may be used when a juvenile is incorrigible or is a runaway. The juvenile may be delivered to a Crisis Receiving Home and an offense report and Juvenile Record shall be completed. However, if the juvenile is a ward of the court or is being arrested for a criminal offense or has an active criminal case pending, then the field officer shall contact YSD for the appropriate disposition of the juvenile. Decisions about disposition shall be made on a case-by-case basis.

III. GENERAL PROVISIONS

A. Field officers shall telephone the YSD receiving officer as part of the disposition selection process. The receiving officer will provide the probation and parole status, review past police contacts, and recommend an appropriate disposition. Disagreements regarding a juvenile disposition will be referred to the field officer's supervisor for resolution.

B. To ensure an accurate and thoroughly documented history of police contacts with juvenile offenders, every significant police contact shall be recorded on the appropriate form(s), e.g., Juvenile Record, offense reports, Field Contact Report (836-314), Notice to Appear Citation.

C. The arrest report for juveniles will be the Juvenile Record. The Juvenile Record shall be completed on all temporary custody, protective custody, Notice to Appear in custody status offenders, and counsel and release dispositions.

D. Multiple juvenile suspects in custody for the same offense may receive different dispositions depending on individual circumstances. The name of each offender and the type of disposition shall be noted on the appropriate report form.

IV. NOTICE TO APPEAR (NTA) FIELD ISSUANCE

A. After authorization by the YSD receiving officer, a Notice to Appear may be issued to an offender's parent, guardian, or responsible relative, either at the scene or at the home if it is within a reasonable distance from the initial contact.

B. A field issuance of a NTA is **not** appropriate under the following circumstances:

1. The true identity of the offender is questionable or unknown.

2. The offender requires medical attention or is unable to care for his/her own safety.

3. There is a likelihood that the suspect's conditional release would result in the offense continuing or that property or evidence would be hidden or destroyed.

4. Fingerprinting or photographing is required or the suspect is needed for an identification line-up.

5. The offender has an outstanding arrest warrant.

6. The offender has had a previous history of "escapes" or "failure to appear".

7. The parent or guardian refuses to sign, or is unavailable to sign, the NTA.

C. All Notices to Appear issued in the field must have an arrest number. The YSD receiving officer will provide the field officer with the arrest number as part of the NTA disposition selection process described in Section III, A, above. The field officer shall also complete an offense report, required statements, and a Juvenile Record.

D. After completing the NTA, field officers will provide the third (pink) copy to the parent or guardian and inform them that the Probation Department will contact the parent/guardian regarding the time and place of the court hearing.

V. TRANSPORTING JUVENILES

Juveniles shall be transported in accordance with the provisions of Departmental General Order O-2, TRANSPORTATION OF PRISONERS AND PERSONS IN CUSTODY.

VI. PROTECTIVE CUSTODY PROCEDURES

A. Children taken into protective custody will **not** be delivered to YSD except under the following circumstances:

1. A YSD receiving officer is contacted to assure a non-secure holding room is available.

2. The parent, guardian, or responsible adult relative will pick up the child at YSD within two hours.

3. A YSD member requests delivery.

4. Evidence photographs are needed and no cameras are available in the field.

B. All dependent children shall be placed in local interim foster homes. Arrangements for interim foster home placement shall be made by telephoning YSD. The placement location of the child shall not be divulged to any unauthorized persons, including the parents. Requests for such information shall be referred to Alameda County Child Protective Services.

VII. FINGERPRINTING AND PHOTOGRAPHING POLICY

A. All juveniles who are brought to YSD and referred to the Probation Department shall be fingerprinted and photographed.

B. Any juvenile may be fingerprinted and photographed if his/her identity is in question, he/she has had a history of using aliases or posing as an adult, or fingerprints and photographs may be essential investigative tools for possible future offenses by the youth.

C. The responsibility for fingerprinting and photographing of youths arrested by field officers rests with the YSD receiving officer.

D. Responsibility for fingerprinting and photographing of youths arrested by members of Departmental investigative units (i.e. Vice/Narcotics Section, Criminal Investigation Division) is placed with the receiving officer. If requested by the receiving officer, the investigator who brought the juvenile will stand by until the receiving officer has completed processing the juvenile.

VIII. DISPOSAL OF EVIDENCE AND PROPERTY

A. Evidence shall be seized and processed when a juvenile is taken into temporary custody, Protective Custody, or given a Notice to Appear or when there are any other evidentiary concerns. The seizure of all evidence shall be documented in the appropriate report and on a Property Record (336-804).

B. Property, which when possessed by a juvenile is illegal (e.g., alcoholic beverage, BB-gun), shall be released to a parent, guardian, or responsible adult as soon as practicable at the scene, at home, or the Police Administration Building. In instances where such property cannot be released, it shall be processed as evidence according to existing procedures.

C. All suspected stolen property possessed by juveniles shall be seized and processed according to existing procedures. In shoplifting cases, merchants will usually retain the recovered property and use photographs as evidence.

IX. HOSPITALIZATION OF ARRESTED JUVENILES

Departmental General Order O-2, TRANSPORTATION OF PRISONERS AND PERSON IN CUSTODY, governs the hospitalization and guarding of juveniles.

X. DETENTION OF JUVENILE OFFENDERS

Departmental General Order O-9, DETENTION OF JUVENILE OFFENDERS, governs the detention of juveniles in Departmental facilities.

XI. STATISTICAL REPORTING

The Bureau of Investigation, Youth Services Division Commander shall be responsible for collecting, analyzing and forwarding data on a monthly basis to the Chief of Police, through channels, regarding the extent and characteristics of juvenile crime offenses.

By order of

Joseph Samuels, Jr.
Chief of Police

GO33/O-3

CITY OF OAKLAND

INTEROFFICE MEMORANDUM

TO: Office of Inspector General
Deputy Inspector General, Charlotte Jones,

PREPARED BY: Lisa Ausmus
Deputy Chief of Police

SUBJECT: Department Response to Policy Review of DGO O-3 Processing Juvenile Offenders

DATE: November 9, 2026

This memorandum addresses the Office of the Inspector General's (OIG) policy review and assessment of Department General Order (DGO) O-3, Processing Juvenile Offenders. We thoroughly reviewed the OIG's findings and outlined our responses to the recommendations and our proposed course of action.

OIG's Recommendations for DGO O-3 Processing Juvenile Offenders:

Recommendation 1:

Recommendation	Response	Action
Revise DGO O-3 to exclude from the title and contents the term "juvenile offender" except where the term is legally necessary.	Agree	OPD will retitle DGO O-3 and revise the policy body to replace the term "juvenile offender" with "juvenile" or "minor." The term "offender" will be retained only where it mirrors statutory language (e.g., WIC § 500). A Definitions section will be added so that the terms used in the policy are consistent with the California Welfare and Institutions Code (WIC).

Recommendation 2:

Recommendation	Response	Action
Revise DGO O-3 to accurately indicate which sections of the California Welfare and Institutions Code or other statutes are being used to establish this juvenile disposition policy and accurately reflect the statutory language.	Agree	OPD will conduct a full legal review of DGO O-3 in coordination with the Office of the City Attorney and will revise the policy to accurately cite and reflect the current language of the governing statutes, including WIC §§ 207, 601, 602, 625, 626, and 627 and Title 15 of the California Code of Regulations (Articles 1 and 14). The revised policy will correctly distinguish the criteria for taking a juvenile into temporary custody (WIC § 625) from the disposition options available once a juvenile is in temporary custody (WIC § 626); will distinguish between juveniles 12 to 17 years of age and those under 12 years of age; and will set out the disposition options for each category of juvenile (e.g., wards of the court, status offenders) with a citation to where each requirement is found in state law.

Recommendation 3:

Recommendation	Response	Action
Revise DGO O-3 to exclude reference to the disbanded Youth Services Division (YSD) and indicate the proper entities that should take specific actions.	Agree	OPD will remove all references to the Youth Services Division (YSD) and the "YSD receiving officer" from DGO O-3. OPD will identify the unit(s) and position(s) currently responsible for each duty formerly assigned to YSD. The policy will reflect the updated name of Special Victims Section (SVS). Where a duty is no longer performed by OPD or is now performed by an outside agency (e.g., Alameda County Probation Department), the policy will state so.

Recommendation 4:

Recommendation	Response	Action
Prioritize a complete revision of DGO O-3 to align with constitutional protection for juveniles.	Agree	OPD agrees that DGO O-3 requires a revision and will prioritize it within the Department's policy development schedule. The revision will be an updated rewrite of the policy that consolidates juvenile-related guidance currently contained in separate Special Orders (e.g., SO 9112 and SO 7040), Information Bulletins (e.g., Juvenile Consultation with an Attorney, WIC § 625.6), Training Bulletins, and legal opinions into a single policy, so that officers have the necessary guidance in one place.

CONCLUSION:

The Department concurs with all four recommendations in the Office of the Inspector General's review of DGO O-3 and will incorporate them into a complete policy revision through the Department's policy development process. The Department will provide the OIG with status updates as the revision progresses and is available to discuss the proposed changes further.

Respectfully submitted,

James P. Beere
Chief of Police
Oakland Police Department

Prepared by:



Lisa Ausmus
Deputy Chief of Police
Bureau of Risk Management