
Confinement Time and Custody Credits

523.1 PURPOSE AND SCOPE

Agency Content

It is the purpose of this policy to set forth the requirements for establishing the maximum custody time and credits. This policy applies to youth cases.

523.2 DEFINITIONS

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Base Term: the maximum allowable period of confinement set by Court specified by statute for an offense.

Principal Term: the sustained petition or count which carries the highest confinement period (including enhancements). The Court determines which petition or count becomes the principal term.

Enhancement: a term added to the offense term due to activities or factors associated with the offense but not constituting an element of the offense itself. Enhancements are filed by the district attorney's office and must be sustained by the Court pursuant to specific penal code sections.

Subordinate Term: a term consisting of one-third the middle term specified by statute for felony offenses or one-third the maximum allowable term for misdemeanor offenses (plus allowable enhancements). Exceptions will be by court order. The Court determines which counts become subordinate terms and their worth.

Aggregate Term: the total allowable period of confinement resulting from the combination of base and subordinate terms.

523.3 POLICY

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The Court sets the maximum custody time specified by statute for each sustained true finding. It is Probation's policy to provide the Court with an accurate, up-to-date accounting of each youth's overall available confinement time and custody credits.