

402.00 - JUVENILE FORMS AND USAGE

402.01 Juvenile Case Summary, DPD 107

- (1) The Juvenile Case Summary will be completed when a person under eighteen (18) years of age is:
 - a. Arrested for violation of any law other than ordinance violations
 - b. Removed from the custody or control of a parent or guardian and placed in a hospital or shelter.
 - c. In every case where there is reported or suspected child abuse or neglect.
- (2) Every Juvenile Case Summary must have a log number and computer number, obtained from the Juvenile Intake Unit.
- (3) **THE ORIGINAL JUVENILE CASE SUMMARY SHALL BE LEFT OR SENT VIA INTER-DEPARTMENT MAIL TO THE JUVENILE RECORDS UNIT, IN EVERY CIRCUMSTANCE.**
- (4) A copy of the Juvenile Case Summary will accompany the juvenile who is placed in detention, shelter or a medical facility.
- (5) Two (2) copies of the Juvenile Case Summary will be made in all circumstances where a juvenile is arrested on probable cause for a felony or C.R.S. misdemeanor, or pursuant to a probable cause warrant. Distribution of the copies is directed by specific subsections of the Juvenile Procedures.
- (6) Additional copies and directions for distribution are required by some subsections of the Juvenile Procedures.

402.02 Request to Appear, DPD 75. See OMS 407.01

- (1) This form originates with an officer or detective desiring to order a juvenile into an investigative unit for investigation of a suspected law violation other than an ordinance violation.
- (2) The distribution of the order-in is indicated on the face of the form.
- (3) The number three copy of the order-in should accompany all other paperwork documenting the contact with the juvenile and the preliminary investigation. This paperwork should be left at the appropriate investigative bureau, section, or unit or forwarded through inter-department mail.

402.03 Juvenile Advisement/Waiver, DPD 102

- (1) Prior to questioning a juvenile about any suspected offense, the officer must complete the Juvenile Advisement/Waiver.
 - a. A parent or legal guardian must be physically present during the advisement and questioning, except as provided in subparagraph d., below.
 - b. Prior to any questioning, the parent/guardian must be given the opportunity to confer privately with the juvenile.
 - c. The advisement portion of the Juvenile Advisement/Waiver must be signed by the parent or guardian and the juvenile.
 - d. The parent/guardian and the juvenile may agree to waive the presence of the parent or guardian during questioning. If so, both must sign the Waiver of Presence located on the back of the form.
 - e. A bilingual juvenile suspect cannot be used as an interpreter for a non-English speaking parent/guardian for purposes of the Juvenile Advisement/Waiver and parent or guardian consent.
- (2) The Juvenile Advisement/Waiver shall be left with, or sent to, the appropriate investigative bureau, section, or unit. Final disposition of the form and all needed copies will be made by the assigned investigator.

402.04 Juvenile Wanted Information, DPD 109

- (1) This form is completed by the Missing Persons Unit or, after hours, the Juvenile Intake Unit at the Police Administration Building. It records biographical and family data used by Missing Persons Unit detectives to confirm identity of juveniles reported missing or found.

402.05 Request for Apprehension of a Runaway Child, DPD 100

- (1) This form normally originates at the Missing Persons Unit or, after hours, the Juvenile Intake Unit at the Police Administration Building. The form is signed by a parent or guardian when reporting a child as missing or as a runaway. Exception may be required to accommodate a disabled parent or guardian.

402.06 Deleted

402.07 Juvenile Summons and Complaint/Warrant, DPD 386

- (1) The Juvenile Summons & Complaint, JS&C, DPD 386, may be used to order a juvenile offender directly into County Court. It may also be used to apply for an arrest warrant for certain violations of the Revised Municipal Code of the City and County of Denver when completed and attached to a Wanted Person Form, DPD 252. The wrap-around cover of each booklet of the JS&C forms contains the District Attorney's filing guidelines for juvenile offenses. DPD policies and the District Attorney's guidelines must always be followed.
 - a. A supervisory officer shall review all JS&C forms and JS&C Warrants BEFORE forwarding them to the Juvenile Intake Unit to ensure compliance with this policy. D&R 8.12 for Supervisory Officers states, "They shall see that their subordinates make all required reports promptly and such reports shall be accurate, complete and on the proper forms."
 - b. Supervisors shall immediately return JS&C forms or JS&C Warrants to the issuing officer that are not in compliance with this policy and ensure that the required reports are completed.
 - c. All completed JS&C forms and JS&C Warrants will be sent to the Records Bureau in an Inter-Department envelope in the daily mail. The Records Bureau will make copies of any JS&C form or JS&C Warrant marked, "On Probation" and forward those JS&C copies to the Probation Department to serve as notification that a juvenile on probation has been issued a JS&C. The probation officer will then decide if the juvenile's probation should be revoked.
 - d. Judges or prosecutors assigned to Courtroom 191J may return a JS&C form or JS&C Warrant to the Juvenile Intake Unit if it is not properly completed and in full compliance with this policy. (Refer to section (3) of this policy.)
 - e. The Juvenile Intake Unit will log the returned JS&C forms or JS&C Warrants and hand carry the returned JS&Cs or JS&C Warrants to the Division Chief of the officer who completed the forms.
 - f. The appropriate Division Chief will immediately forward JS&C forms or JS&C Warrants returned from Courtroom 191J to the Commander of the officer who prepared them. The officer's Commander will ensure that the necessary reports are properly completed. (Refer to section (3) c of this policy.)
 - g. The completed paperwork and a copy of the returned JS&C form or JS&C Warrant will be hand carried to the Juvenile Intake Unit within 48 hours. The Juvenile Intake Unit will log the case as "Returned" and coordinate the processing of the correct paperwork with the appropriate investigative unit.
 - h. The supervisor of the Juvenile Intake Unit will notify the appropriate Division Chief if the completed paperwork is not returned within 48 hours.
 - i. If necessary, a detective will investigate the case and present it to the District Attorney for determination of applicable charges. The returned JS&C form or JS&C Warrant will be attached to the case filing. If necessary, the assigned detective will ensure that the charges associated with the JS&C form are dismissed.

- j. Questions about this policy should be immediately addressed with the Juvenile Intake Unit (24/7) at 720-913-6745.
- (2) The JSS&C Warrant may be used when:
- a. A juvenile's identity and date of birth can be verified.
 - b. A juvenile is charged with a non-traffic violation designated by the District Attorney to be filed in County Court.
 - 1. If an incident involves both a traffic charge, which is classified as a Criminal or Designated Criminal Violation and another ordinance violation, the Juvenile Summons & Complaint/Warrant will be used for all charges.
 - 2. If the incident also involves a traffic charge, which is classified as an Infraction, both a JS&C/Warrant and a Uniform Traffic Summons and Complaint/Penalty Assessment Notice will be issued.
- (3) The JS&C / Warrant shall not be issued to a juvenile
- a. As an order-in to an investigative bureau, section, or unit.
 - b. When the juvenile's identity cannot be verified.
 - c. In cases involving the following violations, officers will complete an Offense/Incident Report, victim and witness statements, and a Juvenile Case Summary.
 - 1. Domestic Violence (C.R.S. §18-6-800.3)
 - 2. Weapons violations, including possession of a firearm by a juvenile. This also includes ALL KNIVES, BB guns, pellet guns, and all other devices that throw or project a missile.
 - 3. Offenses committed by a juvenile while in a detention center, halfway house treatment facility, shelter, or any other place used to confine juveniles
 - 4. Assaults or threats to a school administrator, teacher, or other staff member
 - 5. Prostitution or soliciting for prostitution
 - 6. Sex Crimes including Indecent Exposure
 - 7. Assaults that cause injury to the victim which requires medical treatment (including x-rays or stitches)
 - 8. Graffiti cases with the exception of Possession of Graffiti Materials. (Most cases will be charged as C.R.S. §18-4-509 Defacing Property.)
 - d. When charging offenses for which the District Attorney's Office directs a filing in Denver Juvenile Court, designated offenses and circumstances will be addressed in accordance with the provisions of OMS 405.04 - Non-Felony Discretionary Holds.
- (4) Completing the Juvenile Summons and Complaint (JS&C Form)
- a. Before issuing a JS&C, an arresting officer must contact the clearance channel to determine if the juvenile is wanted on other charges or is on probation. The box labeled "On Probation" must be marked "yes" or "no" on the JS&C.
 - b. The top half of the form is completed and processed in the same manner as the General Session Summons and Complaint, although some unique information is required, namely:
 - 1. The name and address of the parent or guardian
 - 2. The juvenile's school and grade
 - 3. If the offense occurred in a park, the name and address of the park must be indicated in the "location of offense" section.
 - 4. The probation status of the juvenile
- (5) Using the form as a summons

- a. The JS&C form is used as a summons into court when a juvenile identified in a complaint is in custody or when the officer is in contact with a relative of the suspect who is over the age of eighteen.
- b. Complete the top half of the form and check the appropriate probation status box and the type of service box. Indicate the charge(s) by checking the box next to a preprinted violation or write in the violation in the "Other Violations" Section. Enter the court date and time obtained from the clearance channel. If the only charge is curfew, advise the clearance channel so that they may provide the appropriate "Curfew Only" court date and time.
- c. The JS&C may be served in three ways:
 1. Upon the defendant: a juvenile is in custody and is being served.
 2. Upon a parent or relative over the age of eighteen: write in the name and relationship of the person.
 3. By certified mail: a detective has established the identity, age and current address of a juvenile suspect but has been unable to serve the juvenile, the juvenile's parents or an adult member of the juvenile's family.
- d. After the top half of the form is completed, a juvenile will be served and released.
- e. Check the box "Summons & Complaint"
- f. The "Probable Cause" section on the front of the form should be used to establish the elements of the offense.
- g. Witness information or additional notes shall be written on the back of copy #3 – "Investigating Officer's Notes."
- h. Mark through the notary and warrant sections on the bottom of the form.

(6) Using the JS&C Form as a Warrant

- a. The minimal information necessary for the affidavit for an arrest warrant is that sufficient probable cause exists to believe that the named suspect committed the violation, the suspect is identifiable and the officer must have the suspect's name and date of birth.
 1. If the name and date of birth are not available, an Offense/Incident Report must be completed.
 2. If sufficient identifying information is available but the named suspect or family member cannot be located, complete as much of the biographical information as possible and enter the appropriate charge(s).
 3. Do not complete service information or assign a court date.
- b. Check the "Affidavit" box and complete the probable cause section. If additional space is needed, use the Affidavit, cont., DPD 236B.
- c. Have the form notarized and complete DPD F 252/110, Wanted/Missing Person.
- d. Completed paperwork will be sent to the ID Section in the routing envelope, DPD 236A.
- e. Serving the warrant
 1. Juveniles wanted on JS&C Warrants must be processed through Juvenile Intake prior to service of the warrant.
 2. Obtain a court date from the clearance channel, complete the "Service" section on the bottom of the form, serve the defendant and release
 3. Information concerning the arrest should be noted on the back of copy #4, "Arresting Officer's Notes".

(7) Juveniles on probation

- a. Juveniles on probation may not be issued a JS&C in cases involving:
 1. Assault
 2. Domestic Violence

3. Weapons Violations
 4. Offenses committed in a detention center, halfway house, treatment facility, shelter or other places used to confine juveniles
 5. Threats or assaults to school administrators, teachers, or other staff members
 6. Prostitution or soliciting for prostitution
 7. Marijuana use or possession (regardless of amount)
 8. Graffiti cases (Possession of Graffiti Materials may be charged on a JS&C)
- b. Juveniles on probation, charged with any of the above eight offenses, are processed through Juvenile Intake in accordance with the provisions of OMS 405.04, Non-Felony Discretionary holds.

402.08 Order for Release of Juvenile Hold, DPD 111

- (1) This form is used by an investigator to release a police hold on a juvenile held at Denver Health Medical Center or any other hospital.

402.09 Mandatory Hold Withdrawal, DPD 64

- (1) This form is used by an investigator to release a mandatory police hold on a juvenile held at the Gilliam Youth Services Center.
- (2) This form must be hand-carried or faxed to the intake Juvenile Probation Officer at the Gilliam Youth Services Center.

402.10 Denver Police Department Protective Custody Notice/Request to Appear, DPD 140

- (1) This form is prepared by an officer or investigator to advise the parent or guardian that a juvenile has been taken into protective custody by the Denver Police Department, advises the parent or guardian of their parental rights and serves as an order-in to the Family Crisis Center.
- (2) Distribution of the original and copies is directed on the face of the form.

402.11 Juvenile Promise to Appear, DPD 28

- (1) This form will be prepared for a juvenile who is arrested for probable cause or pursuant to a probable cause warrant and is:
- a. Taken to a shelter to be released to a parent/guardian: Copies one through three of the complete Promise to Appear will be left at the shelter for completion of service. The fourth copy will be sent via inter-department mail to the responsible investigative bureau, section, or unit.
 - b. Released to a parent/guardian with an order-in to an investigative bureau, section, or unit: The parent/guardian will be required to sign the Promise to Appear. The #1 copy will be given to the juvenile and the parent/guardian. Remaining copies will be sent via inter-department mail to the responsible investigative bureau, section, or unit.
- (2) The appearance date will be three (3) weeks from the date of service. If this date falls on a Saturday, Sunday, or holiday, the appearance date will be the first working day following the weekend or holiday.

