

403.00 - JUVENILE PROCESSING**403.01 Juvenile Arrest/Custody Processing**

- (1) IN EVERY INSTANCE WHERE AN ARREST/CUSTODY OF A JUVENILE IS MADE, THE JUVENILE INTAKE UNIT MUST BE PHONED AND THE INFORMATION PROVIDED FOR THE JUVENILE INTAKE LOG. THE JUVENILE INTAKE UNIT PHONE NUMBER IS 720-913-6745.
- (2) Juvenile felony arrests (mandatory or discretionary) shall be processed by:
 - a. Taking the arrested juvenile directly to the Juvenile Intake Unit.
 1. After processing, the juvenile will be transported to the Gilliam Youth Services Center, by the Juvenile Intake Unit or arresting officers.
 2. A copy of the Juvenile Case Summary will be taken to the intake Juvenile Probation office at Gilliam.
- (3) Juvenile misdemeanor arrests, for which a hold is sought, shall be processed by taking the arrested juvenile to the Juvenile Intake Unit for processing. The Juvenile Probation officer at the Juvenile Intake Unit shall determine whether the arrested juvenile will be held pursuant to the conditions outlined in OMS 405.04(2)a. and b.
- (4) Arrests for those ordinance violations which are designated by the District Attorney to be handled as filings in Denver Juvenile Court are processed in the same manner as misdemeanor arrests or order-ins. See OMS 402.07(1)a., 403.01(2), and 407.01.
- (5) Juveniles arrested pursuant to warrants will be processed by:
 - a. Taking the arrested juvenile to the Juvenile Intake Unit for warrant verification and processing.
 1. The verified warrant will be:
 - a. Picked up in person at the Identification Section, or
 - b. Received by FAX at any police facility, prior to officers transporting the juvenile to the Juvenile Intake Unit.
- (6) Order-ins may be processed by:
 - a. Having a parent/guardian respond to any police facility to pick up the juvenile and receive the order in.
 - b. Transporting the juvenile home if the parent/guardian is present but cannot respond to pick up the juvenile.
 - c. If a parent/guardian cannot be contacted, refuses to accept the juvenile at home, or refuses to pick up the juvenile, the juvenile will be taken to a shelter designated by the Family Crisis Center, phone 720-944-3000.
- (7) Children taken into protective custody WILL NOT BE BROUGHT TO THE POLICE ADMINISTRATION BUILDING. See OMS 403.03(1). These children will be taken to a shelter designated by the Family Crisis Center (720-944-3000) or to Denver Health Medical Center. See OMS 403.03(4)b.
- (8) Located missing or runaway juveniles.
 - a. When officers locate a missing or runaway juvenile, they shall complete a Juvenile Case Summary, DPD 107.
 - b. Apprehended Denver runaways will be:
 1. Released to a parent or guardian at the scene of apprehension if the parent/guardian accepts custody.
 2. Released to a responding parent/guardian at a police facility.
 3. Taken home if phone contact with the parent/guardian establishes that the parent/guardian will accept custody but lacks transportation or is disabled.

4. Taken to a shelter if a parent/guardian will not respond, cannot be contacted, or refuses to accept custody. The Family Crisis Center will be contacted at 720-944-3000 for determination of a shelter location. This course of action will be the last course of action considered. The narrative of the Juvenile Case Summary will include full documentation, including names and phone numbers of persons contacted, which caused this last disposition to be reached.
- c. Apprehended non-Denver runaways will be placed in a shelter designated by the Family Crisis Center, 720-944-3000, unless:
1. A parent/guardian or a law enforcement officer from the initiating jurisdiction is present at the scene of apprehension and is willing to take custody of the runaway juvenile.
 2. A law enforcement agency of an adjoining jurisdiction from which the juvenile is being sought agrees to respond to meet Denver officers at any location for transfer of the juvenile.
 3. CCIC/NCIC will notify the originating agency of the apprehension. Officers will not need to make notification to the parent/guardian.
 4. Placing in a shelter will be the last course of action for juveniles sought by law enforcement agencies which adjoin Denver. The Juvenile Case Summary narrative will include full documentation concerning the refusal of the law enforcement agency to meet Denver officers for transfer of the juvenile. The name of the person contacted, if known, will be included.
- d. Apprehended out-of-state runaways will be held in a staff secure detention facility. The juvenile must be processed by the arresting officers who will verify the pickup in person at the Identification Section, and then take the juvenile to the Juvenile Intake Unit. The Juvenile Intake Unit will maintain a list of staff secure detention facilities where juveniles will be placed. A Juvenile Case Summary and pickup verification will go with the juvenile to the facility.
- e. Runaway juveniles now eighteen (18) years of age or older
1. These individuals will be handled as adult missing persons. See OMS 308.10, Located Missing Persons.
 2. The Missing and Exploited Persons Unit (MEP Unit) on-call supervisor or detective should be contacted immediately if there is any evidence that the person is not exercising free will.
- f. Juvenile Runaways from Mental Health Facilities
1. Juveniles, who are certified as mentally ill, will be returned to the mental health facility if that facility is located in the City and County of Denver. If the facility is outside Denver, contact the intake Juvenile Probation officer for assistance.
 2. Juveniles who are not certified as mentally ill may be returned to the facility if that facility accepts custody of the juvenile and if the facility is located in the City and County of Denver. Contact the Intake Juvenile Probation officer for assistance.
 3. In instances where a juvenile runaway from a mental health facility is also apprehended for the commission of an offense:
 - a. A juvenile who is certified mentally ill will be returned to the facility if it is located in the City and County of Denver. The necessary reports will be sent to the appropriate investigative bureau, section, or unit. The narrative of the Juvenile Case Summary will include a notation that the juvenile has been returned to the mental health facility and the name and phone number of a daytime contact person at the facility. Any deviation from this procedure will be by order of a Juvenile Court judge.
 - b. A juvenile who is not certified as mentally ill will be processed in accordance with NORMAL arrest/custody procedures. Return of the juvenile to the mental health facility from which the juvenile ran can take the place of release to parent or shelter dispositions if the facility is located in the City and County of Denver and agrees to accept return of the juvenile.

(9) Juveniles Arrested For Resistance.

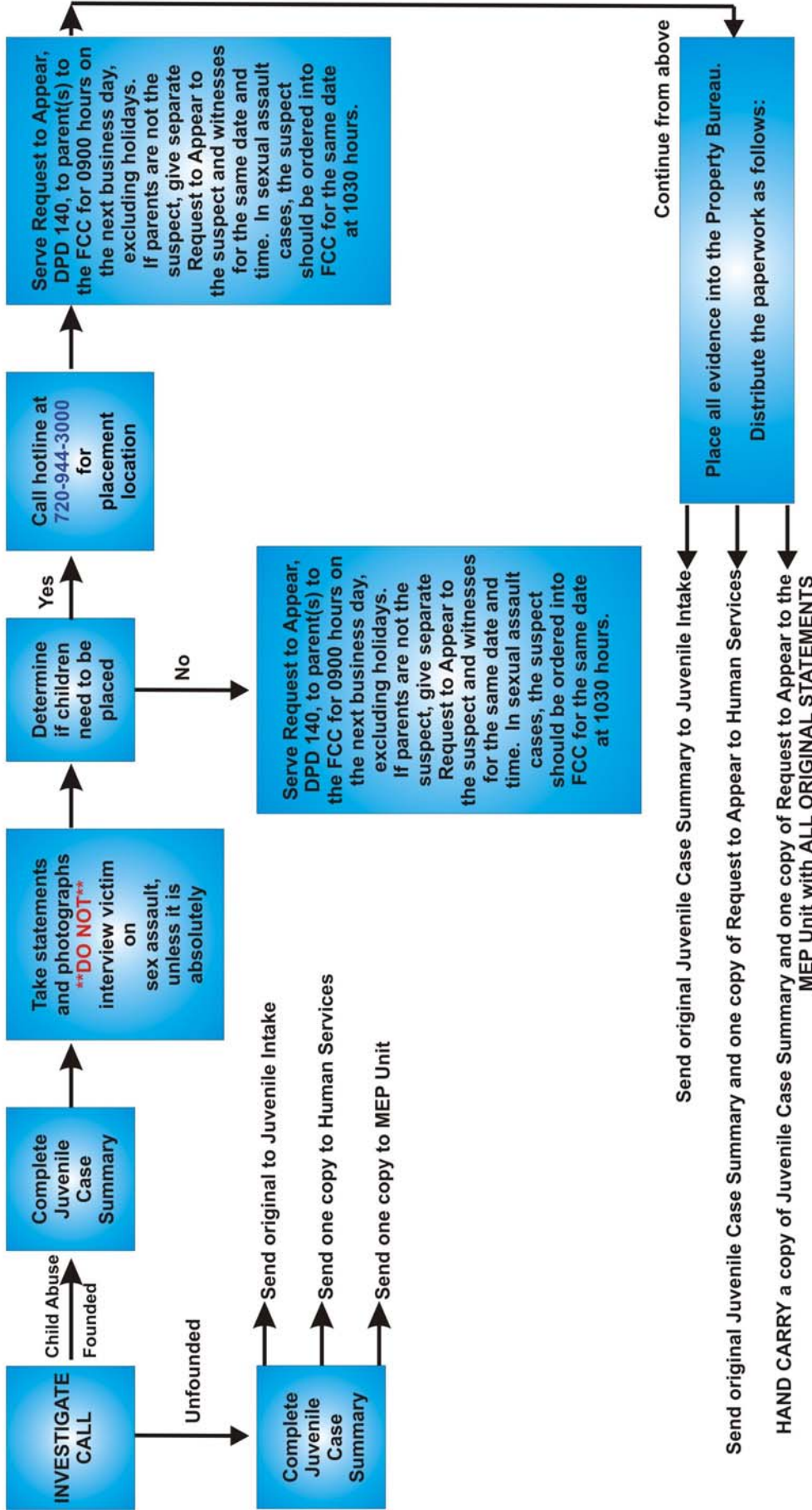
- a. Juveniles arrested for resisting arrest shall be charged with state statute violation C.R.S. §18-8-103, Resisting Arrest, a class two misdemeanor, when any of the following are committed by the juvenile during the resistance:
 1. Any intentional behavior during the resistance that could cause injury to the officer(s).
 2. Any use of a weapon by the juvenile during the course of the resistance.
 3. Any attempt by the juvenile to gain control of the officer's firearm.
 4. Damage to police vehicles and/or other police property.
 5. Significant damage to any other private or public property.
- b. Officers charging juveniles with the state statute violation for resisting arrest must complete the necessary paperwork including a General Offense report, DPD 250, Juvenile Case Summary, DPD 140, and Statement forms, DPD 366.
 1. The officer's supervisor shall approve and sign the General Offense report, DPD 250, paying careful attention to the required elements as listed in OMS 403.01(9)(a).
 2. Officers shall transport the juvenile to the Juvenile Intake Unit for processing.
 3. Juveniles charged with the state statute violation for resisting arrest shall have mandatory holds placed and shall be held in secure detention.
- c. Juveniles arrested for resisting arrest who do not commit any of the behaviors listed under OMS 403.01(9)(a) shall be cited with City Ordinance Violation 38-32 on a Juvenile Summons and Complaint (only as permitted in OMS 402.07) and be ordered into Courtroom 191J with an appropriate court date.

403.02 Children Ten (10) Years of Age and Younger

- (1) Children ten (10) years of age and younger cannot be held for a crime. Officers shall not complete a General Offense report, DPD 250, if the suspect is ten (10) years of age and younger.
- (2) Children ten (10) years of age and younger who are considered suspects in an investigation will be:
 - a. Taken home to their parent or guardian
 - b. If no parent or legal guardian can be located, officers shall contact the Denver Department of Human Services hotline at 720-944-3000 for placement of the child.
 1. Officers shall complete a Juvenile Case Summary, DPD 107, titled Child Neglect.
 2. A copy of Request to Appear and/or Protective Custody Notice, DPD 140, will be left at the juvenile's residence. Refer to OMS 308.05 for paperwork distribution.
- (3) In all case where a suspect in a crime is ten (10) years of age and younger, officer shall complete a Juvenile Case Summary, DPD 107, and distribute as follows:
 - a. The original Juvenile Case Summary, DPD 107, shall be sent to the Juvenile Intake Unit.
 - b. One copy of the Juvenile Case Summary, DPD 107, shall be sent to the Denver Department of Human Services.
 - c. If the crime involves offenses **other than** city ordinance violations, one copy of the Juvenile Case Summary, DPD 107, will be let at or sent to the appropriate investigative bureau, section, or unit by inter-departmental mail. Officers shall not complete a General Offense report, DPD 250, if the suspect is ten (10) years of age and younger.
 - d. If a child is placed with the Denver Department of Human Services, refer to OMS 403.02(2).

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CHILD ABUSE, NEGLECT, AND SEXUAL ASSAULT TO A CHILD FLOW CHART



DO NOT complete an Offense/Incident report, DPD 250, unless the suspect is being jailed. Officers shall not arrest a person for the charge of child abuse or sexual assault on a child by a person in a position of trust, without the prior approval of their supervisor, a supervisor, or detective assigned to the MEP Unit. If extenuating circumstances exist that the arrest of the suspect is needed to ensure the officer's or the public's safety, officers should arrest the suspect, then notify the Child Abuse Unit supervisor through the Communications Bureau.

403.04 Violation of Liquor Code - Juveniles Under Eighteen (18) Years of Age

- (1) When a juvenile is arrested for a violation of the Liquor Code, such as the use of false identification to obtain beer or liquor, to gain entry into a place prohibiting his presence, under-age drinking, etc., it is not necessary to process the person through Juvenile Intake unless identification cannot be established or other charges are pending. Issue a Juvenile Summons and Complaint for violation of: C.R.S. §12-47-128(1)(b). Purchase, or attempting to purchase or obtaining alcoholic beverages by misrepresentation of age (minor). Repeat offenders, if known, will be processed as follows:
 - a. The officer will order-in the juvenile and his parent or guardian to the Vice/Drug Control Bureau for 11:30 a.m., Monday through Friday.
 - b. If a juvenile is contacted drinking in a vehicle on a public way, a traffic citation may be issued for Section 54-127 of the R.M.C., "Drinking Alcoholic Beverages Prohibited in Vehicles on a Public Way". A Juvenile Case Summary and an order-in to the Vice/Drug Control Bureau are not required.
- (2) The arresting officer shall complete a Juvenile Case Summary, DPD 107, detailing the circumstances, date, time, place, etc.
- (3) All confiscated liquor and related evidence, false identification, etc., shall be placed in the Property Section.
- (4) Two (2) copies of the Juvenile Case Summary will be left with or sent to the Vice/Drug Control Bureau via inter-department mail.
- (5) It is imperative that all reports reach the Vice/Drug Control Bureau prior to the appearance of the juvenile and parent.

403.05 Escapees from the Department of Corrections, Division of Youth Services Facilities

When an escapee from a Division of Youth Services facility is apprehended by this Department, a Juvenile Case Summary will be completed and the juvenile processed according to OMS 403.01.

403.06 Runaways from the Department of Social Services Facilities

Whenever an officer takes custody of a juvenile wanted as a runaway from a Department of Social Services facility, the officer will first clear the juvenile for warrants and then call the Juvenile Intake Unit for a determination of where the juvenile will be placed (returned to the original facility, taken to another facility or held at the Gilliam Youth Services Center).

403.07 Failure to Appear Warrants from Denver County Court, Juvenile Division

- (1) These warrants are issued for juveniles who have failed to appear on the Juvenile Summons and Complaint, DPD 386.
- (2) Juveniles arrested on County Court Juvenile Division Failure to Appear warrants will be processed as follows:
 - a. Once a juvenile has been determined to be wanted on this type of warrant, the juvenile will be taken to the Juvenile Intake Unit for processing. The arresting officer must verify the warrant through the I.D. Bureau.
 - b. A Juvenile Case Summary will be completed.
 - c. The juvenile will be placed in the Gilliam Youth Services Center or other detention facility.
- (3) Juveniles arrested on County Court Juvenile Division warrants, for which a dollar amount is set will be processed as follows:
 - a. The arrested juvenile will be taken to the Juvenile Intake Unit.
 - b. The arresting officer will initiate the warrant verification.
 - c. The arresting officer will complete a Juvenile Case Summary.

1. The reported offense will read "Hold Juvenile Division FTA WRT # (write in warrant number)"
2. The arresting officer will make the parent or guardian notification. See OMS 403.09.

403.08 Juvenile Traffic Procedures - See OMS 104.01(9) and 204.17

403.09 Notification of Parent or Guardian

- (1) It shall be the responsibility of the arresting officer to notify the parent or guardian of a juvenile under eighteen (18) years of age who has been taken into custody.
 - a. An exception to this requirement is when an off-duty officer apprehends a juvenile and turns him over to on-duty officers. It then becomes the responsibility of the on-duty officers to make notification and to see to the proper distribution of reports and any other paper work.
 - b. If unable to reach the parent or guardian by telephone, a uniformed officer will respond to the juvenile's home address. If the parent or guardian is not at home, a note will be left on the door.
 - c. When the juvenile resides outside the City and County of Denver, the arresting officer will notify the Juvenile Intake Unit and provide the address and phone number of the juvenile's residence. The Juvenile Intake Unit officer will notify the law enforcement jurisdiction in which the juvenile resides and request that notification be made.
 - d. When juveniles are taken into custody and placed in Gilliam Youth Services Center before the parents are contacted, the officer making notification shall advise the parents to call the Intake Juvenile Probation Officer for information.
 - e. Other exceptions to this procedure are contained in the Missing Persons/Runaway OMS 406.00.

403.10 Placement of Juveniles in the Pre-Arrestment Detention Facility (Jail)

Persons who have not reached their eighteenth (18) birthday will not be confined in the Pre-Arrestment Detention Facility unless ordered by a Juvenile Court Judge.

403.11 Mass Arrests

In the event of a civil disorder or other incidents involving the arrest of a large number of juveniles, the procedures of order-in and holding in custody may not be applicable. The situation commander, or his designee, will coordinate with the Chief Juvenile Probation Officer or his designee, and the regional manager of the Division of Youth Services or his designee, for coordination on arrestee dispositions.

403.12 Transportation of Juveniles in the Scout Car

- (1) Juveniles will not be transported in a scout car under ordinary circumstances. Exceptions may be authorized by a supervisor or commander under unusual circumstances.
- (2) In no instance will juveniles be transported in a scout car containing adult prisoners, unless the scout car is equipped with physical barriers which separate the juvenile from any adults.

403.13 Status Offenders

- (1) Although the term "status offense" is not defined in the Children's Code, it is commonly used to identify non-criminal offenses which can be committed only by juveniles, including:
 - a. Beyond Control of Parent (BCOP)
 - b. Runaway
 - c. Truancy

- d. Curfew
- (2) Processing for BCOP is as follows:
 - a. The juvenile will be taken or accepted into police custody.
 - b. A Juvenile Case Summary will be completed.
 - 1. On the second line of the Juvenile Case Summary, under "Juvenile Placement", check the box "Other" and write Denver Department of Social Services.
 - 2. The "Reported Offense" will be Beyond Control of Parent.
 - 3. The area on the face of the Juvenile Case Summary, "Referred to Juvenile Court", will be checked "Pending".
 - 4. The box "Ref. Other Agency" will be checked and the notation "Denver Department of Social Services" will be entered in the "Other" box.
 - 5. The original Juvenile Case Summary will be mailed to the Juvenile Records Unit.
 - 6. A copy of the Juvenile Case Summary and any original reports or statements will be sent by inter-department mail to the Denver Department of Social Services.
 - 7. The reverse side of the Juvenile Case Summary must outline the circumstances under which the juvenile came into police custody.
 - c. The officer taking custody will call the Denver Department of Social Services twenty-four (24) hour number, 720-944-3000, to determine the place of shelter for the juvenile.
- (3) Processing for Runaway - See OMS 403.01(7) and 406.06(1)
- (4) Processing for truancy - Do not take the juvenile into custody, but return him to the school.

403.14 Placing Juveniles in Temporary Holding Cells

- (1) Juvenile prisoners are not to be detained in District station holding cells that lack separate juvenile facilities (Districts 4, 5, and 6), but are to be transported directly to the Juvenile Intake Unit. Juveniles may be detained in temporary holding cells at newer stations equipped with separate juvenile holding facilities (Districts 1, 2, and 3). See OMS 113.02(7)(d).
- (2) Juveniles will not be handcuffed to any stationary object.
- (3) Juveniles may be placed in a temporary holding cell in the Juvenile Intake Unit as long as certain conditions are met.
 - a. The time the juvenile occupies the temporary holding cell does not exceed six (6) hours.
 - b. Juvenile offenders of different sexes will not occupy the same cell.
 - c. The responsibility for monitoring a juvenile in a temporary holding cell will rest with the placing officer unless:
 - 1. There are procedures at the cell site assigning the responsibility to another officer, or
 - 2. Another officer relieves the placing officer of the responsibility.
 - d. The temporary holding cell is not within sight or sound of an adult prisoner at any time the cell is being occupied by a juvenile.
- (4) These restrictions apply to ALL juvenile arrests, including traffic and DUI.

403.15 Removal of Juveniles from Mental Health Facilities

- (1) No juvenile who has been certified as mentally ill will be removed from a mental health facility without an order from a Juvenile Court judge.
- (2) Any juvenile who is not certified as mentally ill may be taken into custody. The intake Juvenile Probation officer will need to be contacted to determine disposition of the juvenile.

