



## ARREST PROCEDURES FOR JUVENILES ANNAPOLIS DETACHMENT

**Directive: 14 – 112**

Date of Issue: July 2013    Amends/Cancel: S.O. 08-46

---

### **I. PURPOSE**

The purpose of this Directive is to provide guidance to DGS-MCP Police Officers for processing juvenile offenders.

### **II. POLICY**

- A. It is the policy of DGS-MCP to ensure the safety of juveniles taken into custody, and when appropriate, to process them in accordance with federal, state, and local laws, and the rules and regulations of the Department.
- B. Members of the Department shall comply with the guidelines established in the Juvenile Justice and delinquency Prevention Act by the Office of Juvenile Justice and Delinquency Prevention, United States Department of Justice.
- C. The Office of Juvenile Justice and Delinquency Prevention mandates that juveniles in custody for delinquent acts shall be held in a secure custody status while at police-owned facilities and juveniles in custody for investigative purposes and for status offenses shall be held in a non-secure custody status at police-owned facilities.

### **III. PROCEDURES**

#### **A. General Information**

- 1. The Annapolis City Police Department will accept juveniles taken into custody for Delinquent Acts and those wanted on warrants and juveniles taken into custody for a Status Offense.
- 2. Annapolis City Police Department  
199 Taylor Ave.  
Annapolis Maryland 21401

#### **B. Required Action**

- 1. Whenever a juvenile is taken into custody either for a criminal or a non-criminal purpose:

- a. Provide medical care if necessary. Any injury or medical care issues shall be accompanied by discharge documents from a medical facility.
  - b. Notify the juvenile's parent/guardian of the custody as soon as practical.
  - c. When necessary, transport the juvenile in a department vehicle.
  - d. When required by law, obtain and properly utilize a child safety seat.
  - e. Prior to start of transport, provide the dispatcher with the sex, race of juvenile and the vehicle's beginning mileage.
  - f. Upon arrival at the destination, advise the dispatcher with vehicle's ending mileage.
  - g. Complete a DGS-MCP New Case Report after the juvenile has been processed and disposition has been made on what is to be done with the juvenile by DJS.  
***Important: Make sure to check Juvenile Related when completing New Case Report.***
  - h. Upon arrival DGS-MCP officers must complete an Annapolis City Police juvenile detention form.
2. Prior to taking a juvenile into custody, consider the:
    - a. Nature and seriousness of the offense. (A juvenile in violation of any Part I crime, Domestic Violence, Handgun, and Controlled Dangerous Substances related offenses shall be immediately taken into custody and processed.)
    - b. Number of violations involved.
    - c. Age and record, if known, of the juvenile offender.
    - d. Circumstances surrounding the juvenile offender.
  3. At times, it may be reasonable to give a juvenile offender a warning instead of taking the juvenile into custody. Consider the aforementioned prior to such a decision.
  4. When the decision to take the juvenile into custody is made, transport the juvenile in a departmental vehicle to Annapolis City Police. Upon arrival to Annapolis City Police complete a Juvenile Custody Report (supplied at facility) to include a detailed narrative and charges. If there is more than one charge, each charge shall be itemized and specific.
  5. For violations of The Maryland Vehicle Law Annotated/Transportation Articles:
    - a. If the violation is incarcerable, take the juvenile into custody and transport the juvenile to Annapolis City Police. Enter the charges on the Juvenile Custody Report, and explain the probable cause in the accompanying Incident Report.
    - b. If ~~the~~ violation is non-incarcerable, issue the appropriate traffic citations. For alcohol and/or drug related subtitles of the Transportation Article, "DUI/DWI Arrest Procedures."
  6. When requested by the staff at Annapolis City Police to return for medical care of juvenile, immediately respond.
    - a. Transport the juvenile to a medical facility.
    - b. Only discharge documents from the medical facility will be accepted by Annapolis City Police. Obtain discharge documents prior to returning the juvenile to ANNAPOLIS CITY POLICE.

### C. Warrants

1. The Annapolis City Juvenile Justice Center (ANNAPOLIS CITY POLICE) will only accept juvenile warrants issued in Annapolis City. To verify whether or not a juvenile has an active warrant:

- a. Obtain the juvenile's name, address and age. Accept the response as accurate unless there is good articulable reason to believe the response is not factual.
- b. Relay the juvenile's information to the dispatcher. A further verification may be required by Hot Desk and/or the Department of Juvenile Services (DJS).

2. If the Hot Desk advises the existence of a juvenile warrant, transport the juvenile to the Annapolis City Police. Once at Annapolis City Police, the DJS must verify the warrant on their (more current) database. In the meantime, the member must stay with the juvenile.

If the warrant is confirmed:

- a. Be guided by the directions of the staff at Annapolis City Police and DJS.
- b. Ensure a Juvenile Custody Report and a Supplement Report is completed.

If the warrant no longer exists or the DJS will not accept the juvenile:

- a. Be guided by the directions of the staff at Annapolis City Police and DJS.
- b. Notify your supervisor, and transport the juvenile to their parent/guardian.
- c. Complete a Juvenile Custody Report, and ensure that the narrative captures the details of the release.

3. Forward all reports to supervisor prior to the end of your tour-of duty.

### D. Out-of-Jurisdiction Warrants

- a. The Annapolis City Police does not process out-of-jurisdiction juvenile warrants. Therefore, it is the member's responsibility to verify the warrant with the jurisdiction/agency that issued the warrant, and to obtain transportation for juveniles.

### E. Automatic Adult Jurisdiction Offenses

Age 14 and older committing one of the following offenses shall be charged and processed as an adult:

- a. Murder - 1st Degree, attempted or conspiracies.
- b. Rape - 1st Degree, attempted or conspiracies.
- c. Sex offense - 1st Degree, attempted or conspiracies.

Age 16 and older committing one of the following offenses shall be charged and processed as an adult:

#### Serious/Violent Offenses

- a. Abduction.
- b. Assault – 1st Degree (CL, §3-202).
- c. Carjacking and armed carjacking (CL, §3-405)
- d. Kidnapping.
- e. Murder – 2nd Degree
- f. Attempted murder -2nd Degree (CL, §2-206).
- g. Rape 2<sup>nd</sup> Degree
  
- h. Attempted rape (CL, §3-310).
- i. Robbery with dangerous weapon.
- j. Attempt robbery with dangerous weapon (CL, §3-310).
- k. Sex offense -(CL, §3-306(a)(1) and sex offense- 3rd Degree (CL, §3-307(a)(1) if force, a weapon, or threat of force used).
- l. Attempted sex offense —2nd Degree (CL, §3-312).
- m. Voluntary manslaughter. (Not involuntary manslaughter).

#### Firearms Offenses

- a. Wear, carry or transport handgun (CL, §4-203).
- b. Possession of unregistered short-barrel shotgun or short-barrel rifle (PS, §5-203(a)).
- c. Possession of regulated firearm under (PS, §5-133).
- d. Minor in possession of regulated firearm (PS, §5-133(d)(1)).
- e. Use, wear, carry, transport firearm during drug trafficking crime (CL, §5-621).
- f. Use of handgun in commission of crime of violence or felony (CL, § 4-204).
- g. Possess, own, carry transport firearm by drug felon (CL, §5-622).
- h. Possess, sell, transfer stolen regulated firearm (PS, §138).
- i. Sell, rent, transfer regulated firearm (PS, §5-134(b)).

## Miscellaneous

- a. Any felony if prior adult felony conviction.
- b. Non-incarcerable traffic and boating offenses.
- c. Domestic violence Peace Order where the victim is: the current or former spouse of the respondent; a cohabitant of the respondent; a person related to the respondent or victim who resides or resided with the respondent or victim for at least 90 days within 1 year before the filing of the petition; a vulnerable adult; or an individual who has a child common with the respondent.

## F. Annapolis City Police Procedures

All members of the DGS-MCP will strictly adhere to the policies and procedures set forth by the Annapolis City Police Department in regards to processing juveniles at their facility.