



ARREST PROCEDURES FOR JUVENILES BALTIMORE DETACHMENT

Directive: 16-103.1

Date of Issue: July 2013 Amends/Cancel: 14-113

I. PURPOSE

The purpose of this Directive is to provide guidance to Department of General Services Maryland Capitol 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. The BCJJC is classified as a secure custody detention area; therefore, *(do not bring status offenders to BCJJC)*.

III. PROCEDURES

A. General Information

- 1. The Baltimore City Juvenile Justice Center (BCJJC) is a centralized processing entity for juveniles taken into custody by law enforcement agencies within the city of Baltimore. The BCJJC will only accept juveniles taken into custody for Delinquent Acts and those wanted on warrants. Juveniles taken into custody for a Status Offense with a pending Delinquent Act shall be processed at BCJJC because the Delinquent Act takes over the status offense.
- 2. Baltimore City Juvenile Justice Center
300 N. Gay Street
Baltimore, Maryland 21202

B. Required Action

1. Whenever a juvenile is taken 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 departmental vehicle.
 - d. When required by law, obtain and properly utilize a child safety seat.
 - e. Prior to start of the 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 Maryland Capitol Police New Case Report prior to transporting juvenile to BCJJC.
Important: Make sure to check Juvenile Related when completing New Case Report.
 - h. Upon arrival obtain custody number from Baltimore City Hot Desk. (In-house phone ext 2680)
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 BCJJC. Upon arrival to BCJJC 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. Contact Baltimore City Police Central Records Section (in-house phone ext. 2680) to obtain:
 - a. A Juvenile Custody Number which starts with the letter "Y."
 - b. The juvenile's previous custody record entitled, "List of Priors."
 - c. The results of a warrant check of the juvenile in custody.

6. 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 BCJJC. 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.”
7. When requested by the staff at BCJJC 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 BCJJC. Obtain discharge documents prior to returning the juvenile to BCJJC.

C. Warrants

1. The Baltimore City Juvenile Justice Center (BCJJC) will only accept juvenile warrants issued in Baltimore 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 BCJJC. Once at BCJJC, 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 BCJJC 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 BCJJC 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

1. The BCJJC 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:

1. Murder - 1st Degree, attempted or conspiracies.
2. Rape – 1st Degree, attempted or conspiracies.
3. 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

1. Abduction.
2. Assault – 1st Degree (CL, §3-202).
3. Carjacking and armed carjacking (CL, §3-405)
4. Kidnapping.
5. Murder – 2nd Degree
6. Attempted murder – 2nd Degree (CL, §2-206).
7. Rape 2nd
8. Attempted rape (CL, §3-310).
9. Robbery with dangerous weapon.
10. Attempt robbery with dangerous weapon (CL, §3-310).
11. Sex offense – (CL, §3-306(a)(1) and sex offense – 3rd Degree (CL, §3-307a 1 if force, a weapon, or threat of force used.
12. Attempted sex offense – 2nd Degree (CL, §3-312).
13. Voluntary manslaughter. (Not involuntary manslaughter).

Firearms Offenses

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

Miscellaneous

1. Any felony if prior adult felony conviction.
2. Non-incarcerable traffic and boating offenses.
3. 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. BCJJC Procedures

1. Security Vestibule (Entrance into the Unit) – A1001
All law enforcement officers with juveniles in custody and in need of processing, and personnel assigned to Juvenile Booking will enter the Juvenile Justice Center through the Security Vestibule – A1001. An investigating officer who has a juvenile to be booked must secure the firearm in a gun locker located in the Security Vestibule – A1001 upon entering the facility. Officers who are only performing investigative functions which do not require entrance into the secure detention area are not required to secure their firearms.
2. Security Foyer (Juvenile Searches) – A1002
A juvenile in custody may be researched by the investigating officer in the security foyer – A1002. An investigating officer, who does not have another officer standing by during the search, should secure his/her firearm in the Gun Room – A1069 prior to the search. Investigating officers waiting for their juveniles to be processed are to be seated in the security foyer.
3. Secure Waiting/Holding – A1003
A secure waiting/holding area is provided in room A1003. Room A1003 is to be used as an overflow area for any period when there are multiple juveniles waiting to be processed. It may also be used to secure juveniles by police officers who need to complete reporting. **The investigating officer's must secure his/her supervisor's approval on all paperwork prior to presenting the juvenile for booking.** The Secure Waiting/Holding area **must be inspected by the investigating officer** prior to placing a juvenile(s) in it and after the removal of the juvenile.
4. Police Work Room – A1065
A Police Work Room is provided in Room A-1065. It is to be used by law enforcement officers for the completion of paperwork. **Under no circumstances can a juvenile be taken into the Police Work Room.**
5. Gun Room – A1069
All personnel assigned to Juvenile Booking are required to surrender their firearm and store them in the Gun Room located in Room A1069 prior to entering the Juvenile Booking secure detention area. Additionally lockers are available for use by law enforcement officers in Room A1069.

6. Booking Circulation Area – A1005
All investigating officers will bring each juvenile they have taken into custody to the Booking Circulation Area and present the juvenile and all paperwork to a Juvenile Booking staff member located at the Booking Counter Area – Room A1007. The Juvenile Booking staff member will perform the Booking Officer functions as indicated in this Standard Operating Procedure.
7. Desk Counter Area – A1007
The Juvenile Booking Desk Officer located at the Desk Counter Area – A1007 will review and copy the paperwork and advise the investigating officer to proceed to the secure detention area.
8. Booking Desk – Secure Booking Area – A1008
The juvenile is taken to the Booking Desk – Secure Booking Area – A1008 where custody data is inputted into the Bookem database, the juvenile's photographs are taken and a holding location is assigned. **Female** juveniles will be held in holding areas **A1015, A1016, A1017, and occasionally holding A1018. Male** juveniles will be held in **A1020, A1021, A1023, A1024, A1025, A1026, and occasionally holding A1018. Male youth 8 – 12 years of age are held in A1213. Youth signed off awaiting an interview are held in A-1227. Youth who are awaiting transfer to detention are held in A1229.**
9. Search Room – A1011
Upon being delivered to secured detention, each juvenile is searched. Searches may be conducted in front of the booking desk, at the table behind the fingerprint station or in the Search Room – A1011. Each juvenile will be fingerprinted in the **Fingerprint Section.**
10. Refrigerator Room – A1012
Meals for youth are stored in the refrigerator located in A1012.
11. Juvenile Property Storage – A1029
All juvenile property will be stored in the Juvenile Property Storage Room – A1029. Property will be marked with the juvenile's name, custody number and holding area.
12. Interview Room – A1006
A Department of Juvenile Services staff member will advise the Juvenile Booking shift supervisor that he/she desires to conduct an interview with a specific juvenile. The D.J.S. staff member will be advised when to respond to Interview Room A1006.
13. Transfer Holding Room – A1031
Juveniles who are being detained will be placed in the Transfer Holding Room A1031 until the Department of Juvenile Services has completed the detention orders.

14. Vestibule – A1062
Only the parents/guardians/custodians of juveniles in custody will be allowed entrance into the Juvenile Booking Unit portion of the Juvenile Justice Center. All parents/guardians/custodians must enter through the Vestibule – A1062.
15. Parent Waiting Room – A1051
Parents/guardians/custodians will be seated in the parent waiting room after checking in with the D.J.S security officer located in the Parent Lobby A1058.
16. Parent Lobby – A1058
The Security Officer will complete a security review of each parent/guardian/custodian entering the Unit, and will ensure each person signs the logbook. The logbook will contain the name of the parent/guardian/custodian, the juvenile's name and the relationship to the juvenile. The desk personnel will advise a Juvenile Booking staff member of the arrival of each individual.
17. Juvenile Restroom – A1203
Any juvenile who indicates a need to use the restroom prior to entering the secure booking area **must immediately** be taken to the Juvenile Restroom – A1203 by the investigating officer, transporting officer or designated officer.