



# Charleston County Sheriff's Office Policy and Procedures Manual

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**Sheriff Carl Ritchie**

## 12-01 JUVENILE OPERATIONS

- ☐ NEW
- ☒ REVISED
- ☒ REVIEWED

ACA Standards Reference:

CALEA Standards Reference: 1.1.3, 1.2.5, 1.2.6, 1.2.7, 44.1.1, 44.1.2, 44.1.3, 44.2.1, 44.2.2, 44.2.3, 44.2.4, 44.2.5, 61.1.3, 82.1.2, 82.2.4

NCCHC Standards Reference:

SCLEA Standards Reference:

SC Minimum Standards:

*This policy dated 1/29/2025 replaces prior policies cited above and supersedes all previously issued directives.*

I. Purpose:

To establish procedures for juvenile operations, including citation, apprehension, processing, and referral to social agencies; and to prescribe guidelines by which a determination may be made to release, cite, or detain juvenile offenders.

II. Policy:

The Charleston County Sheriff's Office is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. The responsibility for maintaining a positive relationship with juveniles and supporting the agency's juvenile operations function will be shared by all Sheriff's Office components and personnel. (Ref: CALEA 44.1.1)

III. Definitions:

A. For purposes of this procedure, the word "deputy" applies to all agency employees with a certification classification of Class I, Class II, or Class III, as defined by the South Carolina Criminal Justice Academy.

The following terms are used interchangeably; however, they carry guidance to specific employees based on usage of the term:

1. Deputy, deputy sheriff, detention deputy, sworn employee, uniformed sworn employee, sworn administrative employee, and
2. civilian, non-sworn employee.

B. *Employee:* When used without further clarification, the term employee is inclusive of all agency members (sworn and non-sworn).

C. *Child:*

On July 1, 2019, SC statute was amended to change the definition of a Child / Juvenile. The following applies to a youth whose date of offense is before July 1, 2019.

1. "Child" or "juvenile" means a person less than 17 years of age.
2. "Child" or "juvenile" does not mean a person 16 years of age or older who is charged with a Class A, B, C, or D felony as defined in [§16-1-20 of the Code of Laws of South Carolina, 1976, as amended](#) (hereafter the S.C. Code), or a felony which provides for a maximum term of

imprisonment of fifteen years or more. However, a person 16 years of age who is charged with a Class A, B, C, or D felony as defined in [§16-1-20](#) or a felony which provides for maximum term of imprisonment of fifteen years or more may be remanded to the Family Court for disposition of the charge at the discretion of the circuit solicitor.

The Following applies to youth whose date of offense is on or after July 1, 2019:

3. "Child" or "juvenile" means a person less than 18 years of age.
  4. "Child" or "juvenile" does not mean a person 17 years of age or older who is charged with a Class A, B, C, or D felony as defined in [§16-1-20 of the Code of Laws of South Carolina, 1976, as amended](#) (hereafter the S.C. Code), or a felony which provides for a maximum term of imprisonment of fifteen years or more. However, a person 17 years of age who is charged with a Class A, B, C, or D felony as defined in [§16-1-20](#) or a felony which provides for maximum term of imprisonment of fifteen years or more may be remanded to the Family Court for disposition of the charge at the discretion of the circuit solicitor.
  4. "Child" means a person under the age of 18 when dealt with as an "abused or neglected" child.
- D. *Delinquent*: Any juvenile who violates a criminal law. The offender's age at the time the offense was committed, rather than the offender's age at the time of arrest, will determine whether the offender will be charged as a juvenile and what procedures must be followed.
- E. *Status Offense*: Any offense when committed by a juvenile which would not be a misdemeanor or felony if committed by an adult, such as, but not limited to, incorrigibility (beyond the control of parents/guardian), truancy, and running away.
- F. *Dependent*: Any juvenile suspected of being the victim of abuse, including sexual, physical, or emotional abuse/neglect.
- G. *Children's Code*: Section of the S.C. Code that deals with both dependent and delinquent juveniles. These statutes are found in [Chapter 19 of Title 63 of the S.C. Code](#).
- H. *Risk Assessment Instrument (RAI)*: An instrument used to reduce unnecessary or inappropriate secure confinement of juvenile offenders.

- I. *Taking into Custody*: The term used to denote law enforcement detention of a juvenile. In most cases, taking into custody is equivalent to arrest in the adult criminal justice system. In deciding whether or not to take a juvenile into custody, deputy sheriffs should generally apply the same criteria as when deciding whether or not to arrest an adult. However, taking into custody is not merely synonymous with arrest. Juveniles may be taken into custody for their own protection, or if the deputy sheriff reasonably believes the juvenile is a threat to the community, or if the community is a threat to the juvenile.
  - J. *Counsel, Warn and Release (CWR)*: A method of informal handling of juveniles.
  - K. *Responsible Adult*: A responsible adult is as defined in [§63-7-20 \(18\) of the S.C. Code](#) as a person responsible for a child's welfare including the child's parent, guardian, foster parent, an operator, employee, or caregiver, as defined by [Section 63-13-20](#), of a public or private residential home, institution, agency, or childcare facility, or an adult who has assumed the role or responsibility of a parent or guardian for the child, but who does not necessarily have legal custody of the child. A person whose only role is as a caregiver and whose contact is only incidental with a child, such as a babysitter or a person who has only incidental contact but may not be a caregiver, has not assumed the role or responsibility of a parent or guardian.
- IV. Procedure:
- A. Responsibility:
    - 1. The responsibility for maintaining a positive relationship with juveniles and supporting the agency's juvenile operations function for both criminal and non-criminal situations will be shared by every member of the Sheriff's Office. (Ref: CALEA 44.1.1)
    - 2. All sworn personnel are responsible for maintaining a working knowledge of the Children's Code as found in [Chapter 19 of Title 63 of the S.C. Code](#).
    - 3. The deputy sheriff assuming the primary role in an incident concerning juveniles will assume responsibility for the preparation of *Incident Reports, Statements, Supplemental Reports, RAI Forms (Juvenile Detention Risk Assessment form)*, and *School Notification forms (Law Enforcement Notification to School District of Juvenile Offender form)*.

4. If a deputy sheriff is aware, or on scene, of an incident that may involve any school, notification must be made to the school's School Resource Officer (SRO) or SRO supervisor. The SRO will then notify the proper agency (Charleston County School District, outside agencies, and their school district, etc.), so they can properly prepare for a follow-up investigation.
5. The Criminal Investigations Division (CID) is responsible for the following:
  - a. follow-up processing of juvenile custodies;
  - b. coordination and/or preparation of court cases in which juvenile offenders are involved;
  - c. assisting deputy sheriffs in juvenile cases;
  - d. maintaining liaison with other agencies interested in juvenile matters; and
  - e. act as system administrator for Juvenile on Demand Access (JODA) with DJJ.
    - i. the system administrator will be responsible for granting deputies access to JODA.
6. Referral to social agencies for prolonged programs of voluntary treatment as an alternative to court action will be accomplished by the Ninth Circuit Solicitor's Office. Diverting juvenile offenders out of the juvenile justice system will only be accomplished through that office. (Ref: CALEA 1.1.3 and 44.2.1 item c)

**B. Handling Juveniles:**

1. Juveniles will be handled in a manner consistent with state law. Law enforcement operations regarding juveniles involve a different legal concept and approach than that applied to adults. The approach mandated by the juvenile justice system is that of correcting wrongful behavior rather than punishment. In dealing with juvenile offenders, law enforcement personnel should always use the least coercive among reasonable alternatives consistent with preserving public safety, order, and individual liberty. (Ref: CALEA 44.2.1 item a)

2. The primary deputy sheriff will be responsible for completing the Charleston County [Juvenile Detention Risk Assessment Instrument](#) (RAI) to aid in the determination of the level of detention of the juvenile.
3. A deputy sheriff taking a juvenile into custody for any reason will be responsible for notifying a parent or guardian as soon as possible.  
(Ref: CALEA 44.2.2 item e)
4. The Miranda Rule applies to juveniles taken into custody the same as it does for adults. A parent or guardian cannot make the decision for a juvenile to invoke or waive the juvenile's constitutional rights. If the juvenile does decide to waive their rights and consent to a custodial interview, this waiver should, if possible, be supported by an [Advisement of Rights and Waiver Form](#).  
(Ref: CALEA 1.2.5 and 44.2.2 item c)
5. In addition to Miranda warnings, agency procedures, and any anticipated juvenile justice system requirements will also be explained to juveniles and the parents or guardians of the juvenile being interviewed.  
(Ref: CALEA 44.2.3 item a)
6. No more than two deputy sheriffs will be involved in the interview of a juvenile at any given time. Deputy sheriffs must limit the duration of the questioning to no more than 2 hours without a break, no more than 4 hours without a meal and no more than 6 hours in a 24-hour period unless approved by a supervisor.  
(Ref: CALEA 44.2.3)
7. Under no circumstances will any juvenile be compelled to answer questions either by physical force, psychological pressure, or coercion.
8. If at any time prior to or during questioning the juvenile requests an attorney, all questioning is to stop. If a child asks for a parent, that is not the same as a request for an attorney.
9. A request from a juvenile that a parent or guardian be present during questioning should be referred to a supervisor or CID.  
(Ref: CALEA 44.2.3 item a)
10. A deputy sheriff is free to ask questions of a juvenile if the juvenile is not in custody or being detained.
11. When a juvenile offender is administered a breath analysis test or

being fingerprinted in the I.D. Section of the Detention Center, all affected personnel will cooperate in order to move the juvenile efficiently through the processing with no more than incidental contact with adult offenders.

12. A person 17 years of age, except as provided for in Section III, paragraph C(1-2) supra, who may be tried as an adult for a Class A, B, C, or D felony or a felony which provides a maximum term of imprisonment of fifteen years or more will be booked into the Charleston County Juvenile Detention Center. The deputy sheriff taking a juvenile into custody will be responsible for assuring the juvenile receives a bond hearing.
13. Whenever a deputy sheriff transports a juvenile for whatever reason, the deputy sheriff will notify Charleston County Consolidated 9-1-1 Center (9-1-1 Center) and provide them with the starting location and intended destination along with the starting and ending mileage. Vehicles equipped with recording devices will be activated during juvenile transports.
14. At no time will juvenile offenders be transported in the same vehicle with adult offenders.

C. Guidelines to complete the RAI form for Juvenile Dispositions:

Deputy sheriffs must exercise discretion when determining dispositions in juvenile matters. However, this discretion should be predicated upon uniform standards. Uniform standards will be accomplished by use of the RAI. The RAI provides objective criteria for evaluating the need to detain juveniles suspected of committing a status or criminal offense. The following guidelines are not intended to limit discretion, but simply to make the exercise of it consistent, appropriate, and defensible. Therefore, when choosing among the alternatives available to deal with a juvenile offender, each of the following factors should be considered according to the scoring factors of the RAI:

1. Presence of a court order;
2. Most serious offense;
3. Additional presenting offenses;
4. The following may be researched with DJJ through the website JODA;

- a. prior adjudication of delinquency or guilt;
  - b. current legal status; and
  - c. flight risk
5. Recommendation and/or endorsement by the complainant or victim, if any. (Ref: CALEA 1.2.7)

Any of the above scoring factors may be overridden for more restrictive or less restrictive reasons. If a deputy sheriff overrides the method of detention, a supervisor's approval is required.

**D. Informal Handling:**

1. The only informal handling of juveniles within the Sheriff's Office will be in the form of a Counsel, Warn and Release (CWR).
2. CWR will be restricted to magistrate level offenses only, e.g., Simple Assault, Petit Larceny, etc. Formal handling of a juvenile is required for all offenses which would otherwise be General Sessions Court offenses.
3. When handling juveniles informally, all applicable paperwork must be completed, and copies provided to CID. This provides CID as a means of charting the juvenile's behavior patterns. The responding deputy sheriff will initiate a juvenile case file to include an *Incident Report*, an *Arrest & Booking Report* and the *RAI form* to be turned over to CID prior to the end of the deputy sheriff's tour of duty.
4. During an informal handling of a juvenile, the deputy sheriff may either take the juvenile home or require a parent or responsible adult (as defined in Section III, paragraph I, supra) pick up the juvenile. The deputy sheriff should explain the problem to the parent(s) or responsible adult(s) of the child and rely upon them to voluntarily correct the problem in the best interest of the child. The narrative section of the *Arrest & Booking Report* will indicate that the deputy sheriff counseled, warned, and released the juvenile to a parent or other responsible adult. (Ref: CALEA 44.2.1 item a)
5. Should a victim/complainant demand a juvenile be brought before Family Court, and the deputy sheriff believes the matter should be handled informally, a *Custodial Promise* will be completed, and appropriate paperwork forwarded to CID. (Ref: CALEA 1.2.6)



6. Informal handling of a juvenile does not impact the juvenile's constitutional rights. A juvenile has all the constitutional rights that an adult would have in a similar situation. (Ref: CALEA 44.2.2 item c)

E. Magistrate Court:

1. Magistrate and municipal courts have concurrent jurisdiction with the Family Court to try persons under 18 years of age charged with Title 50 and/or Title 56 violations. A juvenile may be cited for violations of these statutes using the Uniform Traffic Ticket as a summons for Magistrate level offenses.
2. As a practical matter, it is preferred that the magistrate and municipal courts handle magistrate level traffic and wildlife code violations since the courts have established fine collections procedures.
3. Traffic citations issued to juveniles 17 years of age and under will be sent to the appropriate county magistrate for adjudication; however, deputy sheriffs should remember that magistrates do not have the authority to issue bench warrants for juveniles who fail to appear for trial.
4. Uniform Traffic Tickets will only be issued to juveniles for traffic and/or wildlife code offenses. Any other criminal offenses, e.g., Shoplifting, Disorderly Conduct, etc., for which a juvenile is cited must be handled via an *Incident Report, Arrest & Booking Report, RAI form* and *Custodial Promise*. (Ref: CALEA 44.2.1 item b)
5. Should the issuance of a traffic citation lead to other criminal charges such as, the possession of drugs, Grand Larceny Auto, etc., the initial citation along with the additional criminal charges will be forwarded to Family Court. This will allow the assistant solicitor in the Family Court to prosecute the offense(s) which gave rise to the probable cause for the stop. (Ref: CALEA 61.1.3 item b)
6. A victim or complainant should not be referred to a county magistrate for a warrant on a juvenile. Procedurally, a juvenile will be brought to court via a petition to the Family Court. Arrest warrants will be obtained by CID for a juvenile when a petition has been filed and granted requiring a juvenile to be tried as an adult.

- F. The following cases will be referred to Family Court or General Sessions Court, as appropriate:
1. violent crimes, Class A, B, C, or D felonies, or felonies which provide for maximum term of imprisonment of fifteen years or more, as defined in §16-1-60 of the S.C. Code;
  2. delinquent acts that, if committed by adults, would be a felony;
  3. delinquent acts involving weapons;
  4. all serious gang related delinquent acts;
  5. any and all delinquent acts when it is determined that parental or guardian supervision is not effective;
  6. all delinquent acts committed by juveniles already on probation or who have a recent record of violent conduct resulting in injury to others;
  7. crimes which, if committed by an adult, would be a felony other than violent crimes and there is a demonstrable recent record of adjudications for other felonies; and
  8. traffic offenses which would ordinarily be prosecuted in the Court of General Sessions if committed by an adult, e.g., Reckless Homicide, Felony Driving Under the Influence (DUI), DUI Second Offense, Failure to Yield for a Blue Light, etc. (Ref: CALEA 44.2.1 item c and d)
- G. A juvenile may be taken into custody when:
1. the juvenile commits a crime in the presence of the deputy sheriff, or evidence exists to believe that the alleged crime is freshly committed by the juvenile;
  2. the deputy sheriff has probable cause to believe the juvenile has committed a felony;
  3. the deputy sheriff is in possession of a Family Court pick-up order or Department of Juvenile Justice (DJJ) issued bench warrant; or
  4. the juvenile's life is in imminent danger. (Ref: CALEA 1.2.5)

H. Custodial Promise:

1. A *Charleston County Family Court Custodial Promise* form may be used by deputy sheriffs as an alternative to taking a juvenile into custody. Whenever possible, unless ordered by the court, the juvenile will be released to a parent or other responsible adult (as defined in Section III, paragraph I, supra) upon the written promise, signed by that person, to bring the juvenile to court at such time as the court may direct. The *Custodial Promise Form* (CCSO form-123) will be used for this purpose and will be included in the case file.
2. The decision to release a juvenile on a custodial promise should be based upon the determination that the child can be adequately supervised at home or in a less secure setting. Criteria for this decision include and in conjunction with the RAI form:
  - a. the willingness of the parent(s) or legal guardian to accept custody of the juvenile;
  - b. the offense is a misdemeanor;
  - c. the juvenile is not a danger to themselves or to the community;
  - d. consideration of the offender's lack of prior involvement in criminal acts; and
  - e. the offense was non-violent in nature.
3. If the juvenile is to be released to a responsible adult other than a parent, this will only be done with permission of a parent or when a parent is not available. Additionally, a supervisor must also approve the release of a juvenile to a responsible adult other than a parent.
4. The deputy sheriff releasing a juvenile to a responsible adult will obtain the name(s) of the parent(s) and record that information on the *Custodial Promise form*, as well as the name of the responsible adult to whom the juvenile was released. (Ref: CALEA 1.2.6)

I. Age Guidelines for Pretrial Detention:

1. Children ten years of age or younger may never be incarcerated or detained in a jail or detention facility for any reason. When a deputy sheriff takes into custody a juvenile 10 years of age or younger, and a

*Custodial Promise* cannot be secured, the deputy sheriff will transport the juvenile to the reception area of the Juvenile Detention Center where arrangements will be made to release the child to the Department of Social Services (DSS).

2. Children 11 and 12 years of age may only be incarcerated in a jail or detention facility with a court order signed by a Family Court judge. During normal business hours the Solicitor's Office is available to assist in petitioning the Family Court for an Order of Detention. After business hours the juvenile should be transported to the reception area of the Juvenile Detention Center where Detention Center personnel will assist in contacting a Family Court judge for an Order of Detention.
3. Children 13 through 17 years of age may be detained pretrial only under the conditions outlined in of [§63-19-820 of the S.C. Code](#).

J. Juvenile Offender Detention Procedures:

1. Law enforcement personnel make the initial determination to detain or release the offending juvenile.
2. [§63-19-820 of the S.C. Code](#) states that a juvenile is eligible for detention in a secure juvenile detention facility only if the juvenile:
  - a. is charged with a violent crime as defined in [§16-1-60](#);
  - b. is charged with a crime which, if committed by an adult, would be a felony or a misdemeanor other than a violent crime, and the child:
    - i. is already detained or on probation or conditional release in connection with another delinquency proceeding;
    - ii. has a demonstrable recent record of willful failures to appear at court proceedings;
    - iii. has a demonstrable recent record of violent conduct resulting in physical injury to others; or
    - iv. has a demonstrable recent record of adjudications for other felonies or misdemeanors; and

- a. there is clear and convincing evidence to establish a risk of flight, or serious harm to others; or
    - b. the offense involved the use of a firearm.
  - c. is a fugitive from another jurisdiction;
  - d. requests protection, in writing, under circumstances that present an immediate threat of physical injury;
  - e. had in their possession a deadly weapon;
  - f. has a demonstrable recent record of willful failure to comply with prior placement orders including, but not limited to, a house arrest order;
  - g. has no suitable alternative placement and it is determined that detention is in the child's best interest or is necessary to protect the child or public, or both; or
  - h. is charged with an Assault and Battery or Assault and Battery of a High and Aggravated Nature (Attempted Murder as defined in §16-1-60) on school grounds or at a school-sponsored event against any person affiliated with the school in an official capacity.
3. Detention is not mandatory for a juvenile meeting the criteria if that juvenile can be supervised adequately at home or in a less secure setting or program. Detention will be used in the best interest of public safety.
  4. If a parent or guardian cannot be located, the juvenile may be transported to the Juvenile Detention Center and DJJ notified.
  5. If a juvenile is to be placed in detention, the juvenile will be transported to the Charleston County Juvenile Detention Center without delay unless the juvenile requires medical attention.  
(Ref: CALEA 44.2.2 item d)
  6. A copy of the *Arrest & Booking Report*, as well as a copy of the agency *Incident Report* must be submitted to the Juvenile Detention Center when the juvenile is detained and processed. (Ref: CALEA 82.2.4)

7. In the narrative section of the *Incident Report*, the reporting deputy sheriff will justify the reason(s) for detaining the juvenile and include the name and address of the juvenile's parent(s) or guardian and whether or not they were advised of the juvenile's detention. All efforts should be made to notify the parent(s)/guardian as soon as possible.
  8. DJJ will be notified if a juvenile is placed in detention.
- K. Completion of Paperwork:
1. Deputy sheriffs are required to submit reports pertaining to juvenile apprehensions prior to the end of their tour of duty. Supervisors are reminded of their responsibility for ensuring that paperwork is properly completed and submitted on time.
  2. All original paperwork on juvenile offenders will be turned over to CID during normal business hours or placed in the CID mailbox in the Law Enforcement Center hallway after business hours for proper dissemination. (Ref: CALEA 82.2.4)
  3. Offenses concerning juveniles 17 years of age and under charged as adults in General Sessions Court are to be handled as adult case files and the paperwork disseminated as usual.
  4. The *School Crime Incident Report* will be turned over to CID regardless of the offender's age.
  5. The *RAI form* will be forwarded to CID regardless of the method of detention.
  6. CID will be responsible for forwarding paperwork on juvenile offenders to the appropriate agencies to include DJJ, Solicitor's Office, School District, the Attorney General's Office, and this agency's Records Section as required. (Ref: CALEA 82.2.4)
  7. The responding deputy sheriff shall be responsible for initiating the juvenile petition and should seek the assistance of a juvenile investigator if necessary.
  8. A complete case file on each juvenile offender must be provided to CID for forwarding to Family Court before the deputy sheriff ends their tour of duty. (Ref: CALEA 82.2.4)

9. In the event of multiple offenders, a separate case file will be prepared for each defendant. CID is authorized to reject reports which are incomplete or do not satisfy standards relating to juvenile apprehension.
10. A juvenile case file will consist of all applicable forms and any other paperwork pertinent to the case, e.g., written acknowledgment of Miranda warnings, etc.

**L. Status Offenses:**

1. Prior to taking a child into custody, the deputy sheriff will determine whether the child is alleged to have engaged in noncriminal misbehavior, i.e., a status offense. (Ref: CALEA 44.2.2 item a)
2. If a child is taken into custody for a status offense the child can be released to a parent or guardian or taken to the Juvenile Detention Center and subsequently released to the custody of a parent, guardian, or DJJ as determined by the scoring factors of the [RAI form](#).

**M. Runaway Children:**

1. If the home situation is such that the child is likely to run away again if released to a parent or guardian, the deputy sheriff will contact DSS for assistance with placement of the child. (Ref: CALEA 44.2.2 item a)
2. The reporting deputy sheriff will inform the child's parent(s) or guardian of the action taken and will furnish the parent(s) or guardian with the contact information for DSS. This notification will be made without delay and may be accomplished by telephone or in person. (Ref: CALEA 44.2.2 item e)
3. Runaway children who have also committed crimes must be treated, not as runaways, but, as a juvenile who is charged with a criminal offense.

**N. Child Neglect, Abuse and Emergency Protective Custody:**

1. [§63-7-620 of the S.C. Code](#) provides that that a law enforcement officer may take a child into emergency protective custody without the consent of parents, guardians, or others exercising temporary or permanent control over the child if:

- a. there is probable cause to believe that by reason of abuse or neglect, there exists an imminent danger to the child's life, health, or physical safety and there is not time to petition the Family Court for an Order of Removal;
  - b. the child's parent(s) or guardian has been arrested, and the parent(s) or guardian does not consent in writing to another person assuming physical custody of the child; or
  - c. the child has become lost accidentally and a search by law enforcement has not located the parent(s) or guardian.
2. The on-duty supervisor will be notified prior to or immediately after taking a child into emergency protective custody, who will notify the on-call CID supervisor to determine whether a detective or Forensic Services Unit investigator are required to respond to the scene for further investigation.
  - a. If a child is the victim of sexual or physical abuse, deputies will limit their questioning of the child to basic information questions. CID will set up an interview with the child, by a trained child psychologist.
  - b. When available, deputies will interview the parents and children separately.
  - c. When a child is taken into emergency protective custody, DSS must be notified immediately, and the deputy sheriff will relinquish custody of the child to DSS. A copy of the *Incident Report* will be left with or forwarded to DSS personnel as soon as possible and will fully detail the reasons for taking the child into protective custody, describe the condition of the child and state whether or not the child's parent(s) or guardian was present.
3. If the parent(s) or guardian was not present, the deputy sheriff will provide assistance, if requested, to DSS in locating the parent(s) or guardian.
4. In no case will a child taken into protective custody be transported to the Juvenile Detention Center. The child will be turned over to DSS custody only. (Ref: CALEA 44.2.2, item b)



O. Procedural Concerns:

1. A juvenile offender who is taken into custody will be searched incidental to being taken into custody and handcuffed behind the back.
2. Photographing of juveniles will be handled by the Charleston County Detention Center. Photographs of juveniles cannot be disseminated without a court order and are kept separate and secure as part of the juvenile offender's case file.

P. Fingerprinting Juveniles:

1. Juveniles who are being charged and lodged at the Juvenile Detention Center must be fingerprinted.
2. If a deputy is conducting a custodial promise on a juvenile, and the juvenile is charged with offenses with maximum sentences of five years or more, the juvenile must be fingerprinted.
3. If a deputy is conducting a custodial promise on a juvenile, and the juvenile is charged with offenses with maximum sentences of less than five years, it will be at the deputy's discretion if the juvenile will be fingerprinted.
4. Fingerprints of juvenile offenders must be kept separate from those of adults.
5. Juveniles will be fingerprinted in the I.D. Section of the Charleston County Detention Center, but only when adult offenders are not present.
6. I.D. Section personnel are responsible for relaying juvenile fingerprints to the South Carolina Law Enforcement Division separately cover from adult prints.(Ref: CALEA 1.2.5 and 82.1.2 item *b*)

Q. Physical Samples:

Search and seizure for a juvenile is the same as for an adult. To obtain physical samples, e.g., hair, blood, urine, nails, or stomach contents, from a juvenile, a court order must be obtained. (Ref: CALEA 1.2.5)

**R. Interaction with Schools:**

1. A deputy sheriff must contact the school administrator before questioning a student or taking a student into custody on school property. Deputy Sheriff's will not take students out of classes or from main areas for service of pick-up orders or interviews. Deputies will coordinate with the SRO, school security, or the administration on facilitating meetings with students without school disruption and security measures in mind.
2. When a child is taken into custody by a deputy sheriff for an offense which would be a misdemeanor or felony if committed by an adult, excluding Title 50 and/or Title 56 offenses over which courts other than Family Court have concurrent jurisdiction, a *School Notification Form* documenting the nature of the offense for the school principal must be completed and submitted with the case file. CID will make all mandatory notifications.
3. CID is required to contact the Attorney General's Office whenever a crime involving a felony, violent offense, weapons offense and/or drug offense occurs on school property or at a school sanctioned or school sponsored event. Additionally, any crime reported to the Sheriff's Office pursuant to §59-24-60 must be reported to the State Attorney General's Office. The arresting deputy will complete the Attorney General's School Crime Incident Report Form and include with the juvenile case package. CID may submit the completed report telephonically, by fax, or mail. Reports should be submitted in a timely manner.

**S. Juvenile Records:**

1. Adult and juvenile arrest records will be maintained separately. Juvenile records will be physically maintained and secured by CID.  
(Ref: CALEA 82.1.2 item a)
2. Juvenile files are maintained within CID until the offender's eighteenth birthday, at which time the files are sealed, labeled as juvenile files, and transferred to the County Records Archive with written instructions to contact CID prior to unsealing.  
(Ref: CALEA 82.1.2 item d)
3. Upon receipt of a court order outlining the exact offense record to be

expunged, all information identifying that juvenile on the specified offense shall promptly be removed from agency records.

(Ref: CALEA 82.1.2 item e)

4. Access to juvenile records shall be done only on a legitimate need-to-know basis. Juvenile Records are not open to public inspection.

(Ref: CALEA: 82.1.2 item c)

T. Review of Operations:

Whenever programs, policies, or procedures relating to juveniles operations are modified, DJJ and/or the Ninth Circuit Solicitor's Office will be contacted for their review and comment regarding the proposed changes.

(Ref: CALEA 44.1.2)

U. Referral for Civil Remedies:

The victim of a crime committed by a minor under the age of 18 years who willfully causes personal injury to the individual or destroys, damages, or steals property, real and/or personal is entitled to recover damages in an amount not to exceed five thousand dollars in a civil action against the parent(s) or legal guardian if the juvenile resides with the parent(s) or guardian. These victims should be referred to Small Claims Court for civil remedies.

V. School Liaison Programs:

1. The Charleston County Sheriff's Office is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. (Ref: CALEA 44.1.1)
2. The agency's school liaison program is represented by School Resource Officers (SRO). (Ref: CALEA 44.2.4)
3. The SRO program is managed by the Community Affairs Unit and involves deputy sheriffs assigned to schools to serve as a liaison between the school and the Sheriff's Office. The SRO will maintain an office at their assigned school during the school year and participate in community outreach programs when school is not in session.
4. Deputy sheriffs assigned to the SRO program are available when needed to participate in school classroom presentations. Deputy sheriffs will also attend school functions and parent-teacher meetings

when available.

5. SRO deputy sheriffs are available and authorized to provide informal, individual counseling to students who seek help and to make appropriate referrals. (Ref: CALEA 44.2.4)
6. The SRO supervisor will conduct an annual review and written evaluation of all SRO functions, and forward to the Sheriff for approval. This evaluation should consider both the quantitative and qualitative elements of each program, lending itself to decisions regarding whether a specific program should function as is, be modified, or be discontinued. (Ref: CALEA 44.1.3)

**W. Participation in Community Recreational Youth Programs:**

The Charleston County Sheriff's Office supports youth interaction and encourages all its members to become active in community recreational youth programs and other youth activities, whether sponsored by Charleston County or other agencies. Deputy sheriffs are permitted to participate in such programs on a voluntary basis. (Ref: CALEA 44.2.5)