



# CHATHAM COUNTY POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURES

**SOP # OPS-019:**  
**JUVENILE OPERATIONS**

**EFFECTIVE: 02/01/18**  
**REVISION: 08/17/23**

### **PURPOSE**

The purpose of this policy is to provide uniform guidelines concerning the intake, detention, and referral of juveniles by Officers of the Chatham County Police Department CCPD.

### **POLICY**

The CCPD is committed to the development and continuation of programs designed to prevent and control juvenile delinquency. As such, all Department employees share the responsibility for participating in and supporting CCPD juvenile operations efforts.

### **PROCEDURES**

#### **I. GENERAL RESPONSIBILITIES**

- A. Department personnel shall cooperate with the Chatham County Juvenile Court, under the direction of a Juvenile Court Judge, to any extent necessary to properly process juveniles who are taken into custody, whether for offenses or because of abuse or neglect.
- B. The Patrol Division Commander shall ensure that all enforcement and prevention programs relating to juveniles (e.g., enforcement of the Juvenile Curfew Ordinance, truancy, etc.) are reviewed at least annually.
- C. All terms and definitions relating to juvenile operations are contained in the Juvenile Proceedings Code (OCGA 15-11-2). Officers should refer to this code whenever questions arise concerning juveniles, which are not addressed by this policy.
- D. The responsibility for participating in and supporting juvenile operations and enforcement is shared by all Officers.
- E. The CCPD may consult with various elements of the justice system when developing policies and procedures relating to investigations and apprehension of juveniles.

#### **II. ALTERNATIVES TO INCARCERATION**

- A. When Officers are confronted with incidents involving juvenile offenders, the least coercive alternative, which is reasonable and consistent with the preservation of public order and safety, shall be utilized. These alternatives include:
  - 1. Releasing the juvenile to a parent or guardian with no further action.
  - 2. Taking the juvenile into custody, and releasing them to a parent or guardian, and referring the case to juvenile court.

3. Taking the juvenile into custody, requesting placement in a juvenile facility by contacting Juvenile Court Intake at 912-429-6616, and referring the case to juvenile court.
  4. Issuing a citation to appear in juvenile court for traffic cases.
- B. The determination of the alternative to be pursued shall be based upon the Officer's evaluation of:
1. The nature of the offense.
  2. The age of the offender.
  3. The offender's record.
  4. The availability of community based rehabilitation programs.
- C. Officers have the authority to take into custody any juvenile who:
1. Is alleged to have committed a status offense/Child In Need of Services (CHINS).
  2. Is alleged to have committed a violation of the law.
  3. Is involved a situation which threatens the welfare or safety of the juvenile or of others.
  4. Is not being provided proper food, care, or shelter.
- D. Complaints involving delinquent, deprived, or unruly juveniles may be made directly to the court.
- E. School truancy should be handled through the Board of Education.

### **III. JURISDICTION OF JUVENILE COURT**

- A. The Chatham County Juvenile Court has exclusive, original jurisdiction of proceedings in which a child is alleged to have committed a delinquent act or violation of law. A child is defined as under the age of 17 years but will be considered 17 years of age one day prior to their actual birthday.
- B. Juveniles who commit serious acts of delinquency shall be referred to Juvenile Court. These acts include all delinquent acts that are felony offenses, involve a weapon, aggravated assaults, and batteries, and those committed by juveniles on probation and all repeated delinquent acts.
- C. The superior court shall have exclusive original jurisdiction over the trial of any child 13 to 17 years of age who is alleged to have committed any of the following offenses: (O.C.G.A. 15-11-560)
1. Murder;
  2. Murder in the second degree;
  3. Voluntary Manslaughter;
  4. Rape;
  5. Aggravated Sodomy;
  6. Aggravated Child Molestation;

7. Aggravated Sexual Battery;
  8. Armed Robbery if committed with a firearm;
  9. Aggravated Assault, if committed with a firearm upon a public safety officer as such acts are prohibited under subsection ( c) of Code Section 16-5-21;
  10. Aggravated Battery upon a public safety officer as such acts are prohibited under subsection (c) of Code Section 16-5-24.
- D. Note: Authorization for detention is not needed for youth taken into custody on the above noted charges, however, it is advised to call Juvenile Court Intake for assistance in admission to the Regional Youth Detention Center (RYDC).

#### **IV. DETENTION GUIDELINES**

- A. A child taken into custody shall not be detained or placed in shelter care prior to the hearing on the petition unless:
  1. Their detention or care is required to protect the person or property of others, or of the child.
  2. The child may abscond or be removed from the jurisdiction of the court.
  3. The child has no parent, guardian, custodian, or other person able to provide supervision and care for them and return them to the court when required.
  4. An order for the child's detention or shelter care has been issued by the court pursuant to this Georgia Criminal Code.
- B. The arresting Officer shall personally notify the Intake Officer at (912) 429-6616 of the needed detention and give one of the above four reasons as to why the child is to be detained at the Regional Youth Detention Center (RYDC).
- C. Only the Juvenile Court Intake Officer or Juvenile Court Judge can authorize the detention of a juvenile at the Regional Youth Detention Facility.
- D. If the juvenile appears to be suffering from a Mental Health crisis, including but not limited to making suicidal threats, or under the influence of drugs or alcohol, the juvenile may have to be cleared by a medical facility prior to being accepted into the Regional Youth Detention Center (RYDC).
- E. An Officer shall transport the juvenile to the RYDC and leave a copy of the juvenile complaint and Juvenile Court intake form with the on-duty staff.
- F. The arresting Officer shall make a reasonable, documented effort to notify the juvenile's parent(s), guardian, or legal custodian of the detention and the circumstances surrounding the detention. If the officer is unable to notify the juvenile's parent of the detention, this information should be relayed to the Juvenile Court Intake Officer and RYDC Staff.
- G. A CCPD Juvenile Apprehension Form shall be filled out and forwarded to the-Detective Unit.

## **V. TAKING JUVENILES INTO CUSTODY DURING THE COMMISSION OF A CRIME**

- A. When an Officer takes a juvenile into custody, the Officer shall determine if the juvenile is alleged to have engaged in non-criminal misbehavior such as a CHINS/status offense.
- B. The Officer shall also determine whether the juvenile is alleged to have been harmed or is in danger of being harmed. (i.e., runaway to escape a violent home, etc.)
- C. When taking a juvenile into custody, the Officer shall determine the name, age, and address of the juvenile and advise them of the charges against them.
- D. Dependent upon the age of the juvenile and/or the offense, the Officer shall follow normal rules of search (see ADM-018 Search and Seizure) and handcuffing (see OPS-015 Arrest Protocol).
- E. When transporting a juvenile, the Communications Specialist shall be notified as soon as possible of the arrest, and the proper log notations shall be made, including mileage and destination on the radio.
- F. The juvenile shall be transported to the precinct, headquarters, the juvenile's school, the juvenile's home, or other juvenile facility without unnecessary delay.
- G. Either prior to or as soon as possible after any custodial interrogation, the arresting Officer shall make a reasonable, documented effort to notify the juvenile's parent(s), guardian, or custodian of the arrest, the circumstances surrounding the arrest, and charges.
  - 1. Officers shall also explain the procedures of the CCPD and Chatham County Juvenile Court.
    - a. Chatham County Juvenile Court will:
      - (1) Contact them within 48 hours to advise them of the scheduled court hearing.
- H. If the juvenile is to be questioned about the crime committed, the juvenile shall be advised of their constitutional rights and the proper forms filled out and signed prior to questioning.
  - 1. At no time shall there be more than two Officers in the room while a juvenile is being interviewed.
  - 2. The amount of time it takes to interview a juvenile shall be reasonable and the basic needs of the offender shall be seen to.
  - 3. Whenever feasible and possible the juvenile's parent/guardian should be present for any interviews.
- I. If taken to a police facility, the juvenile shall be held in a room separate from adult offenders or where Officers congregate until the parent(s), custodian, or guardian arrives.
- J. Juveniles shall not be placed in a jail cell unless they are being held as an adult.

- K. A juvenile apprehension form must be completed for all arrested juvenile offenders and the disposition noted before the juvenile is released or detained.
- L. Juveniles shall be detained at the Regional Youth Detention Center (RYDC), if not released to parent, guardian, custodian, the Chatham County Juvenile Court, or the juvenile's probation Officer.
- M. If a juvenile is to be detained at the RYDC, the arresting Officer must notify the intake Officer at (912) 429-6616 and request detention.
- N. Juveniles shall be released to their parents if there is no need for detention. If a parent, guardian, or custodian is unavailable, the juvenile may be released to an adult 18 years or older who agrees to assume responsibility.
  - 1. Authorization to release a juvenile to an adult other than a parent, guardian, or custodian must be approved by a shift supervisor.
  - 2. All pertinent/contact information on the adult and the reason for releasing the juvenile(s) to the adult will be documented in a CCPD Preliminary Incident Report.
- O. If a juvenile is released to a party other than their parent(s), guardian, or custodian, the Officer must fill out a juvenile release form and have the responsible party sign the form.
- P. A CCPD Preliminary Incident Report shall be completed every time a juvenile is released or placed in the custody of the juvenile detention center.
- Q. For youth charged with delinquent or CHINS/status offenses, a Juvenile Complaint form shall be completed fully and signed by the investigating officer. Whenever possible, an incident report shall be completed and attached to the Juvenile Complaint. Whenever an incident report is attached to the Juvenile Complaint, the officer should note See Attached Incident Report in the narrative section, and no other documentation is needed for this section unless it is not included on the incident report.
- R. The Juvenile Complaint form, copy of the Incident Report, and other related documentation will be forwarded to the Records Unit.
  - 1. A Precinct/Unit Supervisor will check the forms for accuracy and appropriate signatures prior to forwarding to the Records Unit.
  - 2. The Records Unit will forward the documentation to the Chatham County Juvenile Court system in a timely/as-needed basis.

## **VI. CITATIONS AND ARRESTS FOR TRAFFIC OFFENSES**

- A. A juvenile traffic offense consists of a violation by a person under the age of 17 of:
  - 1. A law or local ordinance governing the operation of a moving motor vehicle upon the streets or highways of Georgia or upon the waterways within or adjoining Georgia.
  - 2. Any other motor vehicle traffic law or local ordinance if the child is taken into custody and detained for its violation or is transferred to the juvenile court hearing the charge.

- B. All traffic citations and reports are to be forwarded to the CCPD Records Unit for proper processing.
  - 1. A court date will be set by the Juvenile Court. Officers are not required to attend the first hearing. If the case is contested, the Officer will be subpoenaed later.
  - 2. The juvenile's home phone number and the name of the juvenile's parent(s) or guardian shall be written in the remarks portion of the citation, so the Court may contact them if necessary.

## **VII. DUI VIOLATIONS**

- A. Juveniles charged with DUI are to be processed through Chatham County Juvenile Court. All traffic citations and reports are to be forwarded to the CCPD Records Unit for proper processing.
- B. Juveniles shall be advised they are under arrest and read the Implied Consent Law prior to any testing in the same manner as adults.
- C. The juvenile's parent(s) should be advised of the arrest as soon as possible. If possible, the parent(s) should be present prior to any alcohol test being administered to help the juvenile understand the Implied Consent Warning.
- D. Juveniles shall be charged with DUI if they have a blood alcohol content of 0.02 grams or higher. A Georgia Department of Driver Services (DDS) Form 1205 shall be completed advising the juvenile that their driver's license will be suspended for one year. The driver's license should be attached to Form 1205 and sent to Atlanta. A DDS Form 1205 shall be completed and sent to the DMVS even if the juvenile is unlicensed.
- E. No court date shall be placed on the DUI citation or any companion citations. The Juvenile Court will notify the juvenile when to appear in court. The juvenile's phone number and parent or guardian's contact name shall be written in the remarks section of the DUI citation so the Court may make contact, if necessary.
- F. The juvenile should be released to their parent(s), guardian or legal custodian if at all possible. If a juvenile is released to the parent(s), a juvenile apprehension form is to be filled out and signed by the parent.
- G. If unable to locate the parent(s), guardian, or custodian, the juvenile may be detained at the RYDC following detention procedures. Detention still has to be requested. If the youth is intoxicated, the youth must be cleared by a medical facility prior to being accepted into detention.

## **VIII. OBTAINING PHOTOGRAPHS & FINGERPRINTS OF JUVENILE OFFENDERS**

- A. In accordance with OCGA 15-11-702, every child charged with an act that would be a felony if committed by an adult, other than those status offender violations as defined in OCGA 15-11-2, shall be fingerprinted and photographed upon being taken into custody.
- B. If the juvenile is arrested for a felony, a Forensic Officer, when available, will respond to the Precinct responsible for the arrest or to the Forensic Unit Office to obtain major case fingerprints, a photograph, and complete an OBTS prior to the juvenile being booked into the RYDC or released.

1. If a Forensic Officer is not available, the arresting officer shall contact an officer from the precinct authorized to collect and complete this information.
2. If no officer is available, the Forensics Officer on call may be summoned.
- C. Fingerprints, OBTS, and photographs taken from juveniles by an authorized patrol officer shall remain at the Precinct in a locked file until they can be retrieved by a Forensic Officer.
- D. Fingerprints, OBTS, and photographs of children shall be filed in the Forensic Unit and kept separate for adult records.

#### **IX. PROCESSING INTOXICATED JUVENILES**

- A. The arresting Officer shall notify the Juvenile Court Intake Officer of the needed detention and obtain approval. Juveniles should not be placed in RYDC merely for being intoxicated; some other detainable charge must be applicable.
- B. Once detention is approved by the Intake Officer, and prior to detention, the juvenile must be taken to a medical facility for medical evaluation and clearance for detention.
- C. Once the juvenile has been cleared for detention by medical personnel, they may be transported to RYDC.

#### **X. PROTECTIVE CUSTODY**

- A. When it is determined that a juvenile(s) should be taken into protective custody, it will be done in compliance with the Child Abuse Protocol.
- B. Before taking a juvenile(s) into protective custody, the following should occur and be documented:
  1. Determined whether the juvenile(s) is alleged to have engaged in non-criminal misbehavior (a status offense.)
  2. Determining whether the juvenile is alleged to have been harmed or to be in danger of harm.
  3. Ensure that the constitutional rights of the juveniles are protected.

#### **XI. CURFEW VIOLATIONS**

- A. Officers of the CCPD shall enforce the provisions of the Chatham County curfew ordinances.
- B. Depending on the circumstances under which the juvenile is encountered, Officers have the option of:
  1. **Warning** the juvenile. In all cases where a warning is given, a Field Interview Report shall be completed.
    - a. A warning may also include advising the parents to contact The Front Porch (Multi-Agency Resource Center) for an assessment and possible referral for other services to support the youth and family. The Front Porch Referral Form will be provided to the parent/guardian and a copy forwarded to The Front Porch.



2. **Citing** the juvenile. A juvenile may be cited by completing an Incident Report and a Juvenile Apprehension Form. The Criminal Investigations Division shall refer such reports to the Juvenile Court for action.
- C. In either case, the juvenile shall be transported home or to a facility designated and approved by the Chief of Police.
- D. The Officer also has the option of citing the parent(s). If the parents are cited, Officers shall issue a Local Ordinance Violation Citation ordering the parent to appear in Recorder's Court.
- E. Arrests shall only be made if there are other, more serious violations of the law.
- F. Court dates shall be scheduled the same as for other misdemeanor arrests.
- G. In all cases when a parent is cited, an Incident Report shall be written and a County Ordinance citation completed.
- H. Juveniles arrested for curfew violations shall not be detained at the RYDC center unless the juvenile is also being charged with additional, more serious charges.
- I. The Special Victims Unit of the Criminal Investigations Division shall:
  1. Refer all incident reports concerning juvenile curfew violations to the Juvenile Court.
  2. Maintain a file on all juvenile curfew violators.
- J. Chatham County Juvenile Court will make disposition of all juvenile curfew violators referred by the Juvenile Unit.
- K. Recorder's Court will make disposition of all parents or guardians who are subpoenaed to court.

**BY ORDER OF:**

*Electronically Signed in PowerDMS on 08/17/2023*

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**Jeffrey M. Hadley**  
**Chief of Police**