

<p>MESA POLICE</p> <p>Department Policy Manual</p>	<p>Protocols for Offenses Committed by Juveniles</p>	<p>DPM 3.5.10 Effective 04/06/2012 Revised 10/22/2025</p>
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1. PURPOSE [\[ALEAP 18.1\]](#)

This policy provides Mesa Police Department (MPD) members with guidelines for the lawful investigation, detention, transport, and processing of juveniles in compliance with state and federal law. It ensures the protection of juveniles' rights, prioritizes their safety and welfare, and encourages alternatives to custody when appropriate, while maintaining public safety.

2. INVESTIGATION OF OFFENSES COMMITTED BY JUVENILES

2.1 Constitutional Rights [\[ALEAP 18.6A\]](#)

- A. A juvenile has the same constitutional rights to counsel and privilege against self-incrimination as an adult.
- B. When taking a juvenile into temporary custody and prior to questioning, [ARS 8-303](#) requires members to: [\[ALEAP 18.6C\]](#)
 1. Make a good faith effort (i.e., phone call) to notify the juvenile's parent or guardian of custody before interviewing the juvenile suspect, unless doing so would pose a risk to the juvenile; and
 2. Advise the parent or guardian of the juvenile's Juvenile Miranda Warnings.
 - a. Members are not required to ask the parent to be present during the interrogation; the only requirement is to advise the parent of the Juvenile Miranda Warnings.
 3. If the juvenile is a ward of the state, the member shall notify the Department of Child Safety (DCS).
- C. If the member cannot reach the parent or guardian after a good faith effort is made, they may proceed with the interview of the juvenile.
- D. The member shall advise the juvenile of their constitutional rights prior to interviewing.
 1. The right to waive Miranda resides with the juvenile.
 - a. Parental consent is not required to obtain a juvenile's waiver of Miranda.
 - b. A parent or guardian cannot invoke on behalf of the juvenile.
 - c. Parents and guardians do not have a right to speak to their child prior to the interview.
 2. Complete [DPM 3.5F2 Juvenile Miranda Warnings](#) to ensure the juvenile understands their constitutional rights. Ensure the juvenile has signed the form, the case number is written on the top right-hand side of the form and submit with the report.

2.2 Custodial Interviews

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- A. Custodial interviews should **not exceed two hours** without supervisor approval.
- B. Members must obtain supervisor's approval **if more than two members** are to be present at an interview.
- C. A member may explain Department and juvenile justice system procedures during a custodial interview.
- D. If a parent or guardian requests to be present for the interview, reasonable accommodation should be afforded.
 - 1. A member may confer with the juvenile's parent(s), legal guardian(s), or custodian(s) during the interview if it will not interfere with the investigation.
- E. If a parent or guardian objects to the interview, and a juvenile desires to waive their rights, the member will defer to their chain of command to determine how to proceed.
 - 1. It is recommended to obtain a waiver in writing from the juvenile or end the interrogation depending on how willing or capable the juvenile is (i.e., age, education, experience, etc. should be considered).
 - 2. If the interview is continued, ensure the juvenile clearly understands their parent does **not** want them to speak, and the juvenile is speaking on their own free will.
 - a. Document this voluntariness over the parent's or guardian's objection in the departmental report (GO).
- F. If a parent or guardian advises they do not wish to be present for the interview or fails to mention if they wish to be present, the interview may proceed post Miranda waiver.
- G. Confessions made by the juvenile must be made voluntarily, knowingly, and intelligently.

2.3 Evidence

- A. Gather all things of an evidentiary nature pertaining to a juvenile arrest and maintain in the same manner as an adult arrest.

2.4 Victims' Rights

- A. Follow procedures in [DPM 2.4.55 Victims' Rights Protocols](#).

3. TAKING A JUVENILE INTO CUSTODY FOR AN OFFENSE

3.1 Arrest/Temporary Custody

- A. As outlined in [ARS 8-303](#), any peace officer **shall** take a child into temporary custody:
 - 1. Pursuant to an order of the Juvenile Court; or

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2. Pursuant to a warrant issued according to the laws of arrest.
- B. Also, as outlined in [ARS 8-303](#), any peace officer **may** take a juvenile into temporary custody:
 1. Pursuant to the laws of arrest, without a warrant, if there are reasonable grounds to believe that the juvenile has committed a delinquent act or is incorrigible.
 2. If there are reasonable grounds to believe that the child has run away from their parents, legal guardian, or other custodian.

3.2 Decision to Arrest/Take Into Custody

- A. The decision to arrest a juvenile will, in most cases, comply with the policy concerning the arrest of adults.
- B. Immediately notify the on-duty supervisor when taking a juvenile into custody.
- C. Notify the parent(s), legal guardian, or custodian a juvenile has been taken into custody following procedures outlined in **Section 2.1**.
- D. For information on detaining juveniles at MPD police facilities, see [DPM 3.5.15 Juveniles Held at MPD Facilities](#).

3.3 Release to Parent, Guardian, or Custodian [ALEAP 18.2]

- A. Disposition alternatives include releasing the juvenile to a parent, legal guardian, or custodian for action. Utilize this alternative when the offense and conditions involved are such that, in the opinion of the member, parental action can correct the child's behavior and Juvenile Court adjudication is not required.
- B. Members may also release the juvenile to a parent, legal guardian, or custodian with a citation or referral (see **Section 3.4 Cite & Release** and **Section 3.5 Non-Detained Juvenile Referrals**). Utilize when parental custody will, in the opinion of the member, be sufficient to ensure proper control of the juvenile pending court action. [ALEAP 18.2] [ALEAP 18.5A]
 1. Generally, for civil and misdemeanor incidents.
 2. Field release to parents.
 3. The juvenile and parent report to the Juvenile Court at the time and date specified in documents mailed to them by the court.

3.4 Cite & Release [ALEAP 18.2] [ALEAP 18.4] [ALEAP 18.5A]

- A. Officers shall only cite juveniles into the Mesa Municipal Court (MMC) for **civil traffic or civil city code violations**.
- B. Per [ARS 8-323](#), a juvenile may be cited into the Maricopa County Juvenile Court located at 1810 S. Lewis Street, Mesa, AZ 85210 for cases that are not classified as felonies and in which a juvenile who is under 18 years of age on the date of the alleged offense is charged with violating any law relating to the following:

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1. Any provision of [Title 28](#) not declared to be a felony.
 - a. DUI is an exception and should be referred.
 2. The purchase, possession or consumption of spirituous liquor by a juvenile.
 3. Boating or game and fish.
 4. Curfew.
 5. Truancy.
 6. The damage or disfigurement of property by graffiti or the purchase or possession of materials with the intent to use the materials for graffiti.
 7. The purchase or possession of tobacco.
 8. Any city, town or political subdivision ordinance.
 9. Interference with judicial proceedings involving disobeying or resisting the lawful order, process or other mandate of a juvenile hearing officer or failure to appear related to any offense in this section.
 10. A civil violation involving the possession and personal use of marijuana, marijuana products and marijuana paraphernalia.
 11. If a juvenile is cited into the Maricopa County Juvenile Court for any of the above offenses, and also will be cited for additional civil violations that would normally be cited into MCC, they must all be included on a single citation to the Maricopa County Juvenile Court.
- C. Civil citations to MMC should be issued electronically via MRE, although paper citations are also acceptable. Citations created via MRE automatically generate the court date and time. If a paper citation is issued:
1. Assign a court date **21 calendar days or more** after the violation, on a Monday or Thursday (excluding holidays) as follows:
 - a. Fiesta: 7:30 a.m.
 - b. Central: 8:30 a.m.
 - c. Red Mountain: 9:30 a.m.
 - d. Superstition: 10:30 a.m.
 - e. Traffic: 1:00 p.m.
- D. Cases cited into the Maricopa County Juvenile Court must be completed via paper citation.
1. Assign a court date **21 to 28 days out** from the day off the offense on Tuesday or Thursday at 8:30 a.m., 10:30 a.m., or 1:30 p.m.
 2. Officers will include citation notes or attach a copy of the GO or CAD report to the court copy of the citation and deposit in the designated basket at their division.
 3. The Administrative Support Assistant (ASA) at the division shall:
 - a. Enter the citation in RMS, then send the law enforcement copy to the Criminal Justice Information Division (CJID).
 - b. Submit the scanned citation through the Juvenile Submittal Portal.
 - Select:

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- **Non-Detained** as the juvenile status;
 - **Citation** as the complaint type; and
 - **Original** as the submission type.
 - Submissions must be completed at least **2 to 3 weeks prior** to the cite-in date and time to ensure proper time for processing of the citation before the hearing.
- E. If the cited juvenile has consumed any alcoholic beverage and/or if the juvenile's behavior is deemed disruptive, release only to parent(s), legal guardian, custodian, or a responsible adult.

3.5 Non-Detained Juvenile Referrals [ALEAP 18.3]

- A. See [CID Filing Process Guide](#) for a quick reference to the Juvenile Referral process.
- B. Non-detained juvenile referrals can only be handled by the Superior Court, Juvenile Department.
- C. The following charges can only be submitted on a referral (cannot be accepted if sent on a citation):
1. All felony offenses.
 2. All Title 13 offenses (with the exception of tobacco).
 3. [ARS 8-309](#) unlawful use of electronic communication device by a minor.
- D. The member must complete a GO and:
1. Add entity/person with arrestee role type.
 2. Add summons.
 - a. Select filing type "J" for Juvenile Referral for each charge.
 - b. Update ARS code, counts, severity code, and offense date.
 3. Add Victims' Rights text template.
- E. The referral must include:
1. First and last name, address, and date of birth of juvenile.
 2. Officer/agency representative signature.
 3. Offense date.
 4. Violation code and description of offense charged.
 5. Notarized affidavit.
 - a. Notaries are located throughout the Department. For a list of current notaries, see the [Rosters](#) SharePoint page.
 6. Police report.
 7. [Form IV](#) (for both misdemeanor and felony charges).
- F. The referral must meet all of the following criteria:
1. All lesser crimes and/or civil violations occurring on the same date/time included on the referral form (not on a citation).
 2. GO number written with a 4-digit year at the beginning.
 3. Referral, notarized affidavit, and police report have the same GO number.
 4. Juvenile's name matches on the referral and notarized affidavit.

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5. Co-defendants are submitted on separate referrals, affidavits, and police reports. Label as codefendants (e.g., GO 2025-12345 D1, GO 2025-12345 D2).
- G. Non-Detained Juvenile Referral Submittal Process:
 1. The referring member will prepare and forward all required paperwork to the CID Clerks by interoffice mail to **MFAC/CID** or email to **PDLongForm**. This includes:
 - a. The [Juvenile Referral](#);
 - b. Notarized [DPM 3.5F1 Juvenile Affidavit](#); and
 - c. [Form IV](#) (for both misdemeanors and felonies).
 2. CID Clerks:
 - a. Enter case management information into RMS and scan a copy of the filing documents into RMS;
 - b. Save the referral, affidavit, and associated documentation into one PDF packet; and
 - c. Visit the Juvenile Submittal Portal and upload the packet. Select:
 - **Non-Detained** as juvenile status;
 - **Referral** as complaint type; and
 - **Original** as submittal type.
- H. If a submission is rejected, the referring member must correct the issues noted on the rejection and re-submit to the CID Clerks. Once received, the CID Clerks will re-submit the packet via the Juvenile Submittal Portal, in its entirety, for the complaint to be processed.

3.6 Juvenile In-Custody [ALEAP 18.3]

- A. See [CID Filing Process Guide](#) for a quick reference to the Juvenile In-Custody process.
- B. If an arrested juvenile meets one or more of the following criteria, the juvenile may be transported to the Durango Juvenile Detention Center located at 3131 W. Durango St., Phoenix, AZ 85209:
 1. A juvenile, under the age of 18 years, with new charges, a valid arrest warrant (local, out of county, or out of state), or a runaway from out of county or out of state (FOJ).
 2. A juvenile, under the age of 19 years, with extended jurisdiction who is arrested on a valid juvenile court warrant only.
 3. A juvenile, under the age of 18 years, who has been direct filed to or sentenced by the adult court, who is arrested on new charges, a grand jury warrant, or a valid warrant issued for an adult violation of probation (cannot accept a paperless arrest warrant).
- C. Keep the juvenile sight and sound separate from any adult inmate, detainee, or trustee.

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- D. Detained referrals must be prepared and brought as paper hard copies along with the juvenile to detention. For all juvenile in-custodies:
1. The member must complete a GO and:
 - a. Add entity/person with arrestee role type.
 - b. Add summons.
 - Select filing type “I” for Juvenile In-Custody for each charge.
 - Update ARS code, counts, severity code, and offense date.
 - c. Add Victims’ Rights text template.
 2. Complete a [Form IV](#) (for both misdemeanor and felony charges).
 3. Have the case reviewed and approved by a supervisor.
 - a. Once approved, contact CJID QA to initiate the report transcription process.
- E. When transporting a juvenile to the detention facility, bring the following documentation:
1. Original signed [Juvenile Referral](#).
 2. Original notarized [DPM 3.5F1 Juvenile Affidavit](#).
 - a. Notaries are located throughout the Department. For a list of current notaries, see the [Rosters](#) SharePoint page.
 3. [Form IV](#).
 4. Copy of the GO, supplements, and Victims’ Rights.
 - a. A working copy of the report is sufficient and can be printed from MRE.
- F. After transporting the juvenile to the detention facility:
1. The member will forward copies of the following required paperwork to the CID Clerks or email copies to **PDLongForm**:
 - a. [Juvenile Referral](#);
 - b. Notarized [DPM 3.5F1 Juvenile Affidavit](#); and
 - c. [Form IV](#).
 2. The CID Clerks will:
 - a. Enter case management information into RMS; and
 - b. Scan a copy of the filing documents into RMS.
- G. Officers will adhere to Maricopa County Attorney and Maricopa County Juvenile Court Center guidelines and procedures when requesting detention at Juvenile Court Detention Centers.
- H. Any delay between arrest and delivery to juvenile authorities at the detention facility must be authorized by a juvenile probation officer (e.g., for necessary paperwork or medical clearance). Such delays will be avoided whenever possible.

3.7 Possession of Marijuana Violations

- A. All marijuana violations of juveniles submitted under [ARS 36-2853\(B1-3\)](#) must be submitted to the Superior Court, Juvenile Department, as they are not eligible to be handled in Municipal or Justice Courts.

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B. Marijuana violations can be submitted on either a citation or a referral.

3.8 Page Two Process for Juveniles (To Add or “Rush” Other Charges/Cases)

- A. The arresting/charging member will complete the [Juvenile Referral](#), notarized [DPM 3.5F1 Juvenile Affidavit](#), and [Form IV](#) (which is required for a Page Two).
- B. The GO must be completed and printed for the Juvenile Division.
 1. Member may obtain a copy of the report from CJID.
- C. The arresting/charging member will take the completed paperwork to the receptionist at the Maricopa County Attorney’s Office – Juvenile Division located on the 2nd floor at 3131 W. Durango, Phoenix, AZ 85009.
 1. Note: This is not the same location where the juvenile was initially booked.
- D. When delivering the packet to the receptionist, notify them that it’s a “rush case” and provide them with the prosecutor’s name.
 1. The receptionist will not accept the paperwork without the prosecutor’s name.
 - a. If the prosecutor’s name is unknown, contact the Juvenile Division at **(602) 372-4000**.
- E. The arresting/charging member will notify the CID Clerks of filing completion through email at PDCIDClerks@mesaaz.gov.
 1. Include copies of the submitted filing paperwork in the email.
 2. The CID Clerks will update RMS Case Management and attach copies of the filing paperwork to the GO attachments.

4. FINGERPRINTING & PHOTOGRAPHING [ALEAP 18.8]

- A. Juveniles who have been arrested for a felony, sex offense, DUI, or for domestic violence will be fingerprinted and photographed.
- B. Juveniles who are arrested on minor charges (i.e., curfew and liquor) will be fingerprinted and photographed if the juvenile has a prior record of the same or similar type charges on file.
- C. Juveniles who are first-time status offenders will not be fingerprinted or photographed unless one of the following criteria is present:
 1. The juvenile has been charged with an additional crime.
 2. The juvenile is identified as a gang affiliate, using approved identification criteria.
 3. There is a significant doubt as to the juvenile’s identity.
 4. The juvenile has a previous curfew arrest.
 5. In the judgement of the member, the current crime or the juvenile’s attitude or demeanor indicates the juvenile could potentially participate in future conduct of a more serious nature.

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- D. Whenever possible, Crime Scene Specialists (CSSs) take ink prints and photographs in the field.
- E. If a juvenile is brought to the Department, contact the Holding Facility for printing and photographing.
- F. Fingerprinting and photographing of juveniles will be handled the same as an adult; with the exception, when fingerprinting or photographing a juvenile, they must not be within sight or sound of an adult that has been detained or arrested.
- G. Photographs of juveniles are stored electronically in EMS and may be available for release upon a Public Records Request. Internal requests for photographs for investigative purposes can be made by submitting a request to CJID by email to **PDRecordsSupvrs**.
- H. Juvenile fingerprints and photographs are retained in accordance with the Arizona State Library Retention Schedule for law enforcement records.
- I. Any other identifying physical characteristics should be obtained lawfully by appropriate court order.

5. ENCOUNTERS WITH JUVENILES ON PROBATION OR PAROLE

5.1 Juvenile Intensive Probation

- A. Juvenile Intensive Probation Supervision (JIPS) is a program to deliver serious, non-violent juvenile offenders from overcrowded institutions.
 - 1. The judge determines who shall be placed into JIPS.
 - 2. Juveniles placed into JIPS will have their names entered into ACJIS/LEJIS along with the name and telephone number of the assigned juvenile probation officer.
- B. Anytime there is contact with a juvenile on JIPS, even when no arrest is made, officers will call the assigned probation officer. This action is requested by the program manager of JIPS and includes contacts during early morning hours as well as late evening hours.

5.2 Juvenile Parole

- A. All juveniles on parole with the Arizona Department of Juvenile Corrections (ADJC) are entered into ACIC/NCIC.
- B. When an officer contacts a juvenile parolee, the officer will receive notification advising them that the juvenile is on parole with ADJC.
 - 1. The officer will notify ADJC about the circumstances of the contact, even when no arrest is made.

REFERENCES

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- [ARS 8-303 Taking into temporary custody](#)
- [ARS 8-309 Unlawful use of an electronic communication device by a minor](#)
- [ARS 36-2853 Violations](#)
- [ARS Title 28](#)
- [CID Filing Process Guide](#)
- [DPM 3.5F1 Juvenile Affidavit](#)
- [DPM 3.5F2 Juvenile Miranda Warnings](#)
- [DPM 2.4.55 Victims' Rights Protocols](#)
- [DPM 3.5.15 Juveniles Held at MPD Facilities](#)
- [Form IV – Release Questionnaire](#)
- [Juvenile Referral](#)