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|  | <b>PARADISE VALLEY POLICE<br/>GENERAL ORDER</b><br><br><b>Disposition of Detained<br/>Juveniles</b> | Order Number<br><br><b>44.4</b> |
|   |   | Date<br><br><b>04-01-14</b>     |

#### 44.4 Disposition of Detained Juveniles

- A. Depending on all of the circumstances, including consideration of the juvenile, the offense and the *victims*, if any, there are a variety of options for the disposition of a juvenile offender, including the following.
1. Parental Referral - The *officer* *may* release the juvenile to their parents. This alternative *may* be appropriate when, in the *officer's* opinion, the parents can correct the juvenile's behavior and the intervention of Juvenile Court is not required. A *DR* will be completed, with the juvenile listed as the arrestee on all paperwork, and the release of the juvenile to the parents *shall* be documented. Parental referral is not an option if the juvenile is taken into custody for any sex-related offense, for *domestic violence*, or for being a runaway.
  2. Paper Referral - The *officer* *may* complete a paper referral, which is a referral of the juvenile to Juvenile Court. This alternative is appropriate when the parents appear to be able and willing to handle the juvenile. This alternative will be utilized when parental custody will, in the opinion of the officer, be sufficient to control the juvenile's behavior pending action by the Juvenile Court
  3. County Juvenile Court Center Detention - *Officers shall* be aware of what crimes constitute status offenses. Status offenders cannot be transported to juvenile court for detention, but *must* be released to a parent or guardian.
  4. Detention in the County Jail - *Arizona law* provides that juveniles who are 15, 16, or 17 years of age and are charged with first degree murder, second degree murder, forcible sexual assault, armed robbery, and violent felony offenses *shall* be booked into the County Jail as adults. Effective Jan. 1, 2017, such juveniles may be housed in a juvenile detention facility if the juvenile is not charged with a dangerous offense and such placement is ordered by the court.
  5. County Juvenile Court Center Detention. If the juvenile has committed a serious crime, or is a repeat offender, or if the parents do not appear able or willing to handle the juvenile the juvenile *may* be transported to the County Juvenile Court Center. A Juvenile Complaint/Referral form and the Affidavit in Support of *Probable Cause* form along with a copy of the *Case Report* and a copy of the *Victim's Rights* Form *shall* be completed prior to any juvenile being incarcerated at the detention facility. Unless medical treatment is required, a juvenile *shall* be transported for detention without delay when he or she is:



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- a. an escapee from a juvenile detention facility or has an outstanding warrant
- b. under age 15 and charged with murder, manslaughter, kidnapping, sexual assault, arson of an occupied structure, armed robbery, or aggravated assault. Juveniles 15 or older *arrested* under these charges *shall* be booked at the County Jail as an adult.
- c. charged with a delinquent offense and there is no less restrictive alternative that *will* reduce the risk of serious harm to the juvenile or others (e.g., DUI with severe intoxication).
- d. charged with a serious property crime or a crime of violence other than listed above, which, if committed by an adult, would be a felony, and the juvenile:
  - i. is already detained or on conditional release in connection with another delinquency proceeding.
  - ii. has a demonstrable record of willful failures to appear in Juvenile Court proceedings.
  - iii. has a demonstrable record of violent conduct resulting in physical injury to others.
  - iv. has a demonstrable record of adjudication for serious property offenses.

When a juvenile is taken to the juvenile detention center, officers shall telephone the parent or guardian of the juvenile, if known, and advise of the location of the juvenile. This notification shall be included in the case report regarding the offense.