

<b>UTAH DIVISION OF JUVENILE JUSTICE AND YOUTH SERVICES POLICY AND PROCEDURES</b>		
<b>Policy: 05-01</b>	<b>Page 1 of 4</b>	
<b>WARRANTS</b>		
<p><b>RATIONALE:</b> The Division is responsible for the safety and security of all minors in Division custody. Warrants may be issued to address the safety of the community as well as the safety and accountability of the minor.</p> <p><i>Related Policies, Applicable Standards, Statutes: UCA 80-5-201, 80-6-202.</i></p>		
<b>Original Effective: July 2, 2004</b>	<b>Revision: May 18, 2023</b>	<b>Next Review Due: May 18, 2023</b>

**I. DESCRIPTION**

The Division will issue or request that a court issue a warrant whenever a minor in the care of the Division has escaped or gone missing from their placement and who presents a danger to themselves or others, or has violated federal or state law. The appropriate type of warrant is dependent on the status of the minor and purpose of the warrant and include a “Warrant for Detention,” a “Facility Warrant,” or a “Warrant of Retake.”

**II. DEFINITIONS**

The following terms are defined for this policy as:

- A. **Escape :** Refers to a minor leaving without authorization from a detention or secure care facility to which the minor has been committed. It includes leaving during transit to or from such a facility or while participating in sanctioned offsite activities.
- B. **Missing:** Refers to a minor leaving without authorization from a community-based placement. It includes leaving during transit to or from such program or while participating in sanctioned off-site activities.

- C. **Warrant for Detention:** Refers to an order by a judge which commands that a minor under the jurisdiction of the Juvenile Court be detained in a place of confinement, (e.g., juvenile detention or adult detention (jail)). A Warrant for Detention may also be referred to as a “Bench Warrant.”
- D. **Warrant to Return to Placement:** Refers to an order by a judge which commands that a minor under the jurisdiction of the Juvenile Court be detained by law enforcement and returned to the previous community-based placement.
- E. **Facility Warrant:** A warrant issued by the Youth Parole Authority which commands that a minor who is outside of secure confinement be returned to the secure facility.
- F. **Warrant of Retake:** Issued by the Youth Parole Authority (YPA) which commands that a minor under the jurisdiction of the YPA be detained in a place of confinement because the minor committed a violation of the terms of parole, and presents a potential threat to themselves or the community.

### III. POLICY

- A. Warrant for Detention
  - 1. A Warrant for Detention is used for a minor under the jurisdiction of the Juvenile Court.
  - 2. Only a judge may activate a Warrant for Detention.
- B. Warrant for Return to Placement
  - 1. A Warrant for Return to Placement is used for a minor under the jurisdiction of the Juvenile Court.
- C. Facility Warrant
  - 1. A Facility Warrant is used for a minor who is under the direct supervision of a secure care facility and under the jurisdiction of the YPA.
  - 2. A Warrant of Retake is issued by the Youth Parole Authority.
- D. Warrant of Retake
  - 1. A Warrant of Retake is used for a minor who has been paroled from a secure care facility and is under the jurisdiction of the YPA.
  - 2. A Warrant of Retake is issued by the Youth Parole Authority.
- E. Division staff shall request warrants in accordance with program operation manuals.

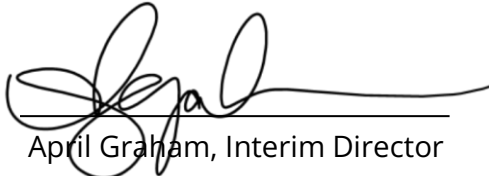
### IV. PROCEDURE

- A. Warrant for Detention
  - 1. The assigned worker and their supervisor are responsible for drafting an application for a Warrant for Detention and submitting it to the Juvenile Court when a minor:
    - A) Is under Court jurisdiction and escapes from detention;
    - B) is missing from a Division community placement, including home placement;
    - C) demonstrates serious or unsafe behavior that violates the terms of the service plan or placement; or
    - D) violates federal, state, or local laws.
- B. Warrant for Return to Placement
  - 1. The case manager and their supervisor are responsible for drafting an application for a Warrant for Return to Placement and submitting it to the Juvenile Court when a minor is missing from a Division community placement, including home-placement.
- C. Facility Warrant
  - 1. A Facility Warrant may be requested by a supervisor, APD in a secure care facility, or a case manager, when a minor escapes from a secure care facility;
- D. Warrant of Retake
  - 1. A Warrant of Retake is used for a minor who has been paroled from a secure care facility and is under the jurisdiction of the YPA. A Warrant of Retake is requested by the case manager when a minor:
    - A) Violates the terms of their parole agreement while on parole from a secure care facility;
    - B) is missing from a community placement, including home-placement,
    - C) demonstrates serious or unsafe behavior that violates the terms of their placement; or,
    - D) violates federal, state, or local laws.
- E. Division staff having knowledge that a minor has escaped or is missing shall follow policy 05-15 Incident Reporting to assure proper notification regarding the incident. The facility APD or designee shall immediately notify the Program Director.
- F. Staff shall complete an incident report for each incident in which a minor escapes or goes missing and shall follow policy 05-15 Incident Reporting to ensure that proper notification, classification and report dissemination has occurred.

**V. Continuous Renewal**

This policy shall be reviewed every three (3) years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Division of Juvenile Justice and Youth Services Executive Management Team, and is approved upon the signature of the director.



April Graham, Interim Director  
Division of Juvenile Justice and Youth Services

05/18/2023

Signature Date