



GENERAL ORDER OPS-04J JUVENILE ARREST AND CONTACT PROCEDURES

EFFECTIVE JULY 29, 2022

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I. POLICY

All citizens have basic rights set forth in common law, statutory law, and the Constitution. Members of the Howard County Department of Police (HCPD) shall exercise the power of arrest in compliance with the Federal and State Constitutions and the laws of the United States and the State of Maryland.

It is the responsibility of all members of the Department to participate in and support the efforts of the Youth Division in the control and prevention of juvenile delinquency.

II. STATUTORY PROVISIONS

Unless otherwise provided, all statutory citations are to Title 3, Subtitle 8A of the Courts and Judicial Proceedings Article of the Maryland Annotated Code.

III. DEFINITIONS

- A. Delinquent Act: "An act which would be a crime if committed by an adult." (Subtitle 8A, § 3-8A-01)
- B. Delinquent Juvenile: "A child who has committed a delinquent act and requires guidance, treatment or rehabilitation." (Subtitle 8A, § 3-8A-01)
- C. Department of Juvenile Services (DJS): The state agency responsible for the supervision and treatment of youth who are involved in the juvenile justice system in Maryland, and for the emergency detention or shelter of juveniles, if needed, after in-custody arrests.
- D. Department of Social Services (DSS): The agency responsible for providing protective services to children through Child Protective Services (CPS) and for determining the proper care and shelter of juveniles who need to be taken into protective custody.
- E. Detention: "The temporary care of children who, pending court disposition, require secure custody for the protection of themselves or the community, in physically restricting facilities." (Subtitle 8A, § 3-8A-01)
- F. Guardian: An adult who is legally responsible for the care, custody, and management of the juvenile until the juvenile reaches the age of majority.
- G. Habitual Offender: "A juvenile who has been adjudicated delinquent in two (2) prior felony cases in the previous eighteen (18) months; and/or has been committed to a Department of Juvenile Justice (DJS) institution in the previous eighteen (18) months." (DJS, "The Hickey School Admissions Criteria").

- H. Intake Officer: "The person assigned to the court by the Department of Juvenile Services to provide the intake services set forth in this subtitle." (Subtitle 8A, § 3-8A-01)
- I. Juvenile: A person who has not attained their eighteenth (18) birthday.
- J. Juvenile Arrest: The actual physical arrest of a juvenile.
- K. Multiple Offender: "A juvenile who is adjudicated on three or more felony cases, with separate findings of each offense." (Department of Juvenile Justice, "The Hickey School Admissions Criteria").
- L. Referral for Charges: The process for charging a juvenile with a delinquent act (crime) after a police investigation, absent a physical custodial arrest. The juvenile is released to the parent or guardian.
- M. Serious Bodily Injury: "Bodily injury, which creates a substantial risk of death or which causes permanent disfigurement or protracted loss or impairment of the function of a bodily member or organ," (DJS, "The Hickey School Admissions Criteria").
- N. Status Offense: "An act or conduct declared by statute to be an offense, but only when committed or engaged in by a juvenile, and that can be adjudicated only by a juvenile court" (Standards for Law Enforcement Agencies, "The Standards Manual of the Law Enforcement Agency Accreditation Program").

IV. JUVENILE CONTACTS

- A. Officers shall record all significant encounters with juveniles on Incident Reports, Arrest Reports, or Field Contact Reports (FIR), as appropriate.
- B. Any officer having contact with a juvenile that involves the detention and/or questioning of the juvenile as a suspect, witness, or victim relating to criminal activity or civil offenses, i.e. alcohol violations, etc. or the investigation thereof, shall contact the juvenile's parent/guardian to explain the contact.¹
 - 1. This notification requirement does not apply to contact with juveniles during FIRS and routine traffic stops, except as provided in General Order OPS-23, Traffic Enforcement Procedures.
 - 2. If the juvenile is found to be in possession of 10 grams or less of marijuana, a civil citation shall be written.
 - 3. An officer shall write an Incident Report detailing the circumstances of the contact:
 - a. Whether the juvenile is a victim, witness, or suspect;
 - b. Any citations issued;
 - c. The name, address, and telephone number of each juvenile and their parent or guardian; and
 - d. The juvenile and parental notification(s) made.
- C. Alternatives to Arrest²
 - 1. Officers shall use the least coercive among reasonable legal alternatives when dealing with juvenile offenders. Factors to be considered when determining appropriate alternatives include:³
 - a. The nature of the alleged offense;

¹ CALEA 44.2.1b
² CALEA 1.2.6 and 1.2.7
³ CALEA 44.2.1

- b. The circumstances of the incident; and
 - c. The age and past record of the alleged offender.
 - d. Victims must be consulted regarding an officer's intention to seek an alternative to arrest; however, their request or demand shall not be the determining factor.
2. Apart from diverting juveniles to other social service agencies or referring them to the juvenile courts, alternative actions may include but are not limited to the following:⁴
- a. Verbal warnings;
 - b. Informal referrals; and
 - c. Consulting with and arranging for corrective action by a parent/guardian.
3. Alternatives to arrest shall be approved by the officer's supervisor.
- D. If an officer elects not to charge a juvenile and a victim or the parent/guardian of the victim requests or demands the suspect be charged, the officer shall refer the victim or the parent/guardian of the victim to the Department of Juvenile Services to file a complaint. The officer is not required to charge based on the request or demand of a victim or parent/guardian of a victim.
- E. Juvenile interrogations and interviews shall be conducted in accordance with General Order OPS-15, Investigative Protocols.
- F. Officers shall not release any juvenile information unless authorized by law.

V. ARRESTS⁵

- A. Generally, the laws for a warrantless arrest apply to juveniles. Refer to General Order OPS-04A, Adult Arrest Procedures, for additional information.
- B. Juveniles under the age of thirteen (13) will not be subject to the jurisdiction of the Juvenile Court for delinquency proceedings and shall not be charged with a crime, except:
- 1. Juveniles between the ages of ten (10) and twelve (12) years of age may only be charged if they have committed a "crime of violence" as defined in Maryland Criminal Law § 14-101:
 - a. Abduction;
 - b. Arson in the First Degree;
 - c. Kidnapping;
 - d. Manslaughter, except involuntary manslaughter;
 - e. Mayhem;
 - f. Maiming, as previously proscribed under former Article 27 §§ 385 & 386 of the Code;
 - g. Murder;
 - h. Rape;

⁴ CALEA 44.2.1a & c

⁵ CALEA 1.2.5

- i. Robbery under §§ 3-402 or 3-403 of this Article;
 - j. Carjacking;
 - k. Armed Carjacking;
 - l. Sexual Offense in the First Degree;
 - m. Sexual Offense in the Second Degree;
 - n. Use of a Handgun in the Commission of a Felony or other crime of violence;
 - o. An attempt to commit any of the crimes described in items (1) through (14) of this subsection;
 - p. Assault in the First Degree;
 - q. Assault with Intent to Murder;
 - r. Assault with Intent to Rape;
 - s. Assault with Intent to Rob;
 - t. Assault with Intent to Commit a Sexual Offense in the First Degree; and/or
 - u. Assault with Intent to Commit a Sexual Offense in the Second Degree.
- C. Juveniles under ten (10) years of age shall not be charged.
- D. Officers may make warrantless in-custody arrests of qualifying juveniles for delinquent acts (crimes) as described in this section.
- 1. An officer may make the warrantless arrest of a juvenile for a felony when:
 - a. The juvenile commits or attempts to commit a felony in the officer's presence or view;
 - b. The officer has probable cause to believe that the juvenile is committing a felony in the officer's presence or view; or
 - c. The officer has probable cause to believe that a juvenile has committed or has attempted to commit a felony whether or not in the officer's presence or view.
 - 2. An officer may make the warrantless arrest of a juvenile for a misdemeanor committed in their presence or view when:
 - a. The juvenile commits or attempts to commit a misdemeanor in the officer's presence or view; or
 - b. The officer has probable cause to believe that the juvenile is committing a misdemeanor in the officer's presence or view.
 - 3. Prior to making an arrest for a misdemeanor not committed in an officer's presence or view, the officer must have probable cause to believe that the juvenile has committed one of the enumerated misdemeanor offenses listed in OPS-04A, Appendix A, and unless the juvenile is immediately arrested:

- a. The juvenile may not be apprehended;
 - b. The juvenile may cause injury to the person or damage to the property of one or more other persons; or
 - c. The juvenile may tamper with, dispose of, or destroy evidence.
4. A qualifying juvenile shoplifting suspect may be arrested without an arrest warrant if:
- a. The juvenile commits the offense in the officer's presence or view;
 - b. The officer has probable cause to believe the juvenile committed felony theft; or
 - c. The officer has probable cause to believe the juvenile committed misdemeanor theft and unless the juvenile is immediately arrested:
 - i. He may not be apprehended, i.e. the juvenile's identity cannot be reasonably confirmed;
 - ii. He may cause injury to a person or damage to the property of others; or
 - iii. He may tamper with, dispose of, or destroy evidence.
- E. Juveniles arrested with out-of-state extraditable warrants
1. Contact with the out-of-state agency to confirm the extradition will be completed from Howard County.
 2. Contact DJS by telephone at 410-480-7878.
 3. Print the NCIC confirmation and arrange to have a detainer faxed to DJS for the detention of the juvenile.
 4. Juvenile status in Maryland overrides adult-status charges in other jurisdictions and juvenile procedures are to be followed, including having the juvenile being detained by DJS.
- F. Arrest and Processing for Juvenile Arrests
1. Any officer making a juvenile arrest for a delinquent act (crime) shall use the least coercive method to restrain the juvenile, consistent with preserving officer and public safety.
 2. The officer should transport the juvenile without unnecessary delay to the appropriate police facility for booking unless the juvenile needs emergency medical treatment.⁶
 - a. When transported to a police facility, the juvenile shall be fingerprinted and photographed.
 - b. As an alternative to the booking process, supervisors may approve the release of a juvenile to a parent/guardian prior to transporting the juvenile for processing, fingerprinting, or photographing. The supervisor will consider the nature of the crime, the age of the juvenile, and the need for processing.
 3. The arresting officer shall make every reasonable effort to notify the juvenile's parent/guardian after an arrest as soon as possible unless the juvenile is being charged as an adult.⁷

⁶ CALEA 44.2.2d

⁷ CALEA 44.2.2e

4. Officers shall interview and interrogate juveniles in accordance with OPS-15, Investigative Protocols.
 - a. Juveniles shall be notified of their constitutional rights prior to any interrogation or questioning.⁸
 - b. Parent/guardian permission is not required prior to interrogating a juvenile, nor does the officer need to notify the parent/guardian of the intent to conduct an interrogation.
5. The juvenile may be placed in a juvenile cell, if appropriate. The juvenile's detention in a juvenile cell shall be limited to a maximum of six (6) hours. After six hours, members shall seek other options, such as monitoring by the Duty Officer. Adults and juveniles shall never be placed in the same cell. Refer to General Order OPS-73, Temporary Detention Procedures, for additional information.

G. Status Offenses⁹

1. A juvenile taken into custody for a status offense may only be held in the designated area at Southern District.
2. An officer may take a juvenile into custody if the officer has reasonable grounds to believe that he has run away from their parent/guardian. Officers will follow the procedures as outlined in General Order OPS-71, Missing Persons.
3. An officer may not take a juvenile into custody solely based on truancy.
 - a. An officer may attempt to have the juvenile identify themselves, their age, and their school.
 - b. If that information can be obtained, the officer should notify the school principal of the truancy and document the contact in an Incident Report.
4. A juvenile may not be arrested for being incorrigible.
 - a. When an officer is called to a residence for such a juvenile, the officer should initiate an Incident Report and have it forwarded to DJS by the Records Section.
 - b. The officer should consider contacting the Mobile Crisis Team during their hours of operation for assistance with cases of psychiatric or behavioral emergencies.
 - c. The officer may recommend that the parent/guardian contact the DJS for further assistance. The officer may also provide referral information to other resources available within the County.

H. Release procedures for in-custody juvenile arrests¹⁰

1. Juveniles shall only be released to or with the consent of a parent/guardian. Any adult, taking custody of the juvenile, including a parent/guardian, will be identified and documented in the police report. If an adult other than the parent/guardian takes custody of the juvenile, the parent/guardian's information shall also be documented in the police report.

⁸ CALEA 44.2.2c

⁹ CALEA 44.2.2a

¹⁰ CALEA 44.2.1a

- a. The officer shall advise the juvenile's parent/guardian of the pending charge(s) and request they sign HCPD Form 1237, Notification to Parents or Guardians and Juvenile Release Form.
 - b. The parent/guardian may authorize the release of the juvenile to another responsible adult. This shall be documented in the Incident Report, and the officer shall request the authorized person to sign HCPD 1237.
 - c. If the parent/guardian or other responsible adult refuses to sign the form when taking custody of the juvenile, the officer shall write "Refuse to sign," release the juvenile to the parent/guardian or other adult, and document the refusal to sign in the Incident Report.
2. When the parent/guardian cannot be contacted or refuses to take custody of the juvenile, the officer shall follow the procedures for requesting emergency detention or shelter, as appropriate, through DJS.
- a. Officers shall request emergency detention or shelter through DJS under the following circumstances:
 - i. Detention is necessary to protect the juvenile or person and property of others;
 - ii. The juvenile is likely to leave the jurisdiction of the court;
 - iii. The juvenile is charged with a serious misdemeanor or felony or the detention is approved by a supervisor; or
 - iv. The juvenile is classified by DJS as a habitual offender, multiple offender, or one who has inflicted serious bodily injury.
 - b. The care of juveniles that have been taken into custody by arrest fall under the responsibility of the Department of Juvenile Services (DJS).
 - i. DJS shall be contacted for authorization of emergency detention or placement. Contact numbers for DJS are: 410-480-7878 (phone) and 410-480-7872 (fax).
 - ii. The arresting officer shall give the intake officer details of the probable cause surrounding the arrest and justification for the requested emergency detention. The officer **MUST** have the completed Incident Report ready to give to the Intake Officer at the time of the request or the intake officer will not consider the request.
 - iii. If placement is approved by DJS, the arresting officer shall be responsible for transporting or arranging for transportation for the youth to the designated shelter or detention facility without delay.
 - c. If DJS requests the officer to release the juvenile to an adult other than the parent/guardian:
 - i. A supervisor will determine if the juvenile can be released to the other adult after verifying their identity and that they have no open warrants or criminal history relating to violence, CDS, or sex offenses.
 - ii. When released to another adult, supervisors will require immediate follow-up reports until parent/guardian notification is made. All attempts at notification will be documented in a supplemental report.

3. The supervisor shall review and forward a copy of the officer's report to the Youth Services Section.
4. A copy of the completed Incident Report shall be faxed to DJS and the Assistant State's Attorney for Juvenile Matters by the end of the duty tour whenever authorization for emergency detention has been granted and the juvenile has been placed.

VI. REFERRAL FOR CHARGES¹¹

- A. When a juvenile commits a delinquent act (crime) outside of the officer's presence or view and the delinquent act (crime) is not a felony or an enumerated misdemeanor offense listed in OPS-04A Appendix A, the officer MAY NOT arrest the juvenile. The officer shall charge the juvenile with the delinquent act (crime) through the referral process as described in this section. Because there is no physical detention or arrest, juveniles subject to referral charges are processed differently than those listed in section V.C.
 1. After an investigation, an officer may charge a juvenile with any delinquent act (crime) provided the officer has probable cause for the delinquent acts (crimes) charged by completing HCPD Form 1250, Arrest Report, and checking "Juvenile Referral".
 2. Juvenile information is confidential. Officers cannot refer victims of crimes to District Court commissioners for the filing of charges.
- B. The following procedure is used to charge by referral when a juvenile has been detained for investigation and the crime does not meet the criteria for a warrantless in-custody arrest.
 1. Officers will complete HCPD Form 1250, Arrest Report.
 2. The parent/guardian will be informed the juvenile has been charged with a crime.
 3. The juvenile can be taken into protective custody if they cannot be identified and does not meet the criteria for a warrantless arrest until it can be determined that they are not a runaway and a parent/guardian is contacted.
 - a. In a protective custody situation, the juvenile has not been arrested and shall not be placed in a detention area. The juvenile should be treated similar to a recovered runaway as outlined in General Order OPS-71, Missing Persons.
 - b. Officers and supervisors will follow the release procedures outlined in section D.3.
- C. Charging juveniles for criminal violations following an investigation when the juvenile is not in police custody or otherwise detained
 1. Officers may use HCPD Form 1250, Arrest Report, to charge a juvenile with any delinquent act (crime) provided officers have conducted an appropriate investigation and determined there is probable cause for the charges.
 2. The juvenile being charged does not need to be present; the Arrest Report serves as the charging document to begin the juvenile proceedings process.
 3. Officers shall notify the parent/guardian when a referral for charges is initiated. The parent/guardian will be informed that the juvenile has been charged with a delinquent act (crime). The notification must be documented in the Incident Report.
 4. Officers shall obtain a J-number from the Duty Officer.

¹¹ CALEA 44.2.1d

5. Both the arrest report and Notification to Parent or Guardian and Juvenile Release Form must be completed and submitted with the Incident Report and recommendation for diversion or DJS.
 6. Officers shall not use the referral process when an in-custody arrest is appropriate (see V.B.).
- D. Juveniles detained pursuant to an investigation, released, and charged by referral
1. Officers who have detained a juvenile during an investigation and charged the juvenile through the referral process shall contact a parent/guardian to determine the best course of action for releasing the juvenile to ensure the safety of the juvenile.¹²
 2. The parent/guardian may pick up the juvenile at the scene; request that the officer transport the juvenile to the HCPD or another location; authorize the release of the juvenile to a responsible adult; or authorize the juvenile to be released on their own at the scene or at another location.
 - a. The officer should attempt to honor any reasonable request from the parent/guardian concerning transport of the juvenile.
 - b. Any adult taking custody of the juvenile, including the parent/guardian, will be identified and documented in the police report.
 - c. If the parent/guardian requests that the juvenile be released on their own, officers must determine whether the child can be released on their own and document the parent/guardian request, the determination of why the juvenile was or was not released on their own, and, if released, the circumstances of the release.
 3. When a parent/guardian cannot be contacted or refuses to authorize the juvenile's release and a supervisor determines it is not appropriate to release the juvenile on their own, the officer shall arrange for the juvenile to be taken into protective custody by the Howard County Department of Social Services (DSS), not the DJS.
 - a. Section 3-8A-14 authorizes officers to take a juvenile into protective custody if the officer has reasonable grounds to believe that they are in immediate danger from their surroundings and that their removal is necessary for their protection.¹³
 - b. Supervisors will determine when Child Protective Services (CPS) should be contacted and consulted in situations in which the parent/guardian/s is unable to be reached. CPS can be contacted via Screening at 410-872-4203 from 0830 to 1700 and through Police Communications after hours.
 - c. Prior to arranging for protective custody for the juvenile, supervisors will ensure all reasonable efforts to contact the parent/guardian have been exhausted.
 - d. Supervisors will ensure that since juveniles in these situations have not been arrested, they will be treated similar to runways and not taken into the detention areas.
 - e. The supervisor should take the following into consideration when determining if a juvenile should be placed in protective custody or no longer detained.
 - i. Age;

¹² CALEA 44.2.2b and 44.2.2e

¹³ CALEA 44.2.2b

- ii. Time of day;
- iii. Physical appearance;
- iv. Mental status;
- v. Physical handicaps; and
- vi. Available transportation home.

VII. REPORTING REQUIREMENTS

- A. Reporting Requirements for In-custody Juvenile Arrest – Officers Shall:
 - 1. Submit a detailed Incident Report. A copy of the Incident Report must be forwarded to the Youth Services Section with a recommendation for either the Diversion Program or DJS.
 - 2. Complete the Notification to Parent or Guardian and Juvenile Release form.
 - 3. Complete HCPD Form 1250, Arrest Report, with a J-number obtained from the Duty Officer. The Arrest Report is the charging document used for in-custody juvenile arrests.
 - 4. Complete the Temporary Detention Log, if the juvenile is placed into a cell.
 - 5. Complete the fingerprint cards and photographs, when applicable.
- B. Reporting Requirements for juveniles charged by referral – Officers shall:
 - 1. Complete HCPD Form 1250, Arrest Report, check the box indicating it is a Juvenile Referral, and obtain a J-number from the Duty Officer.
 - 2. Submit a detailed Incident Report detailing the basis for the referral charges.
 - a. A copy must be forwarded to the Youth Division with a recommendation included at the end of the report for either the Diversion Program or to DJS for the initiation of juvenile proceedings.
 - i. The Diversion Coordinator shall review the recommendations of the submitting officer and shall make a recommendation as to whether the case should be forwarded to DJS for initiating the juvenile proceedings or remain in the Diversion Program.
 - ii. Once a recommendation has been made by the coordinator, the Commander of the Youth Division shall review the recommendation and make a final disposition as to whether the case shall be forwarded to DJS for initiating the juvenile proceedings or remain in the Diversion Program.
 - 3. Complete the Notification to Parents or Guardians and Juvenile Release Form and submit it with the Incident Report.

VIII. JUVENILE TRAFFIC OFFENSES¹⁴

- A. A juvenile under the age of sixteen (16) who is charged with a traffic offense must be charged on an arrest report or Referral for Charges Form, as appropriate. No citations shall be issued.
- B. Juveniles aged sixteen (16) or older but under eighteen (18)

¹⁴ CALEA 61.1.3b

1. Incarcerable traffic offenses¹⁵
 - a. If any of the incarcerable traffic offenses listed in OPS-04T Appendix A are committed, the officer shall arrest and charge the juvenile on an Arrest Report or Juvenile Referral for charges Report, as appropriate. Officers should make arrests consistent with General Order OPS-04T, Traffic Arrest Procedures.
 - b. If non-incarcerable traffic offenses are to be charged in conjunction with an incarcerable traffic offense, all of the traffic offenses, incarcerable and/or non-incarcerable, shall be charged on an Arrest Report or Juvenile Referral for Charges Report, as appropriate. No citations will be issued.
2. Traffic citations in addition to criminal violations¹⁶
 - a. If a non-incarcerable traffic offense is committed, a traffic citation shall be issued.
 - b. If there are criminal charges in addition to the non-incarcerable traffic offense(s), i.e. CDS, theft, etc., a traffic citation shall be issued for the traffic offense(s) and the criminal charges will be placed on an Arrest Report. Officers shall note on the Arrest Report or Juvenile Referral for Charges Report, as appropriate, and in the Incident Report, that a Maryland State traffic citation was issued and list the offense(s) and citation number(s).
 - c. If there are criminal charges and incarcerable traffic offenses in addition to the non-incarcerable traffic offenses, no citations shall be issued and all violations shall be charged on an Arrest Report along with the criminal violations.
3. Traffic citations in addition to civil violations¹⁷
 - a. If a non-incarcerable traffic offense is committed, a traffic citation shall be issued.
 - b. If there are civil charges in addition to the non-incarcerable traffic offense(s), i.e. alcohol, tobacco, etc., a traffic citation shall be issued for the traffic offense(s) and a juvenile citation for the alcohol/tobacco offense shall be issued.
 - i. No Arrest Report or Juvenile Referral for Charges Report shall be completed.
 - ii. Officers shall note in the Incident Report that a Maryland State traffic citation and alcohol/tobacco citation was issued and list the offense(s) and citation number(s).
 - c. If there are incarcerable traffic citations in addition to the non-incarcerable traffic citations and civil violations, no traffic citations are to be issued and all violations shall be charged on an Arrest Report.

¹⁵ CALEA 61.1.2a

¹⁶ CALEA 61.1.2b and 44.2.1b

¹⁷ CALEA 61.1.2b

4. Traffic citations in addition to criminal and civil violations
 - a. If a non-incarcerable traffic offense is committed, a traffic citation shall be issued.
 - b. If there are criminal charges, i.e. theft, and civil charges, i.e. alcohol, tobacco, etc., in addition to the non-incarcerable traffic offense(s), a traffic citation shall be issued for the traffic offense(s) and an Arrest Report shall be completed listing the criminal and alcohol/tobacco offenses.
 - i. No juvenile civil citation shall be issued.
 - ii. Officers shall note on the Arrest Report and in the Incident Report that a Maryland State traffic citation was issued and list the offense(s).
 - c. If there are criminal charges, incarcerable traffic violations, and civil citations in addition to the non-incarcerable traffic citations, no citations are to be issued and violations shall be charged on an Arrest Report along with the criminal and civil violations.
- C. Any officer who takes a juvenile into custody for a traffic offense shall follow the arrest procedures outlined in this Order.

IX. SCHOOL CONTACTS

- A. Officers should review General Order OPS-50, School Issues, for guidance on school contacts.
- B. Juvenile Arrests on School Property
 1. In addition to the requirements listed below, officers must follow the procedures for warrantless juvenile arrests outlined above in section V.
 2. COMAR 13A.08.01.13.C requires that school administrators provide immediate notification to a parent/guardian when a student is arrested on school property during the school day.
 - a. The school administrator must "ascertain the facts from the arresting officer which will enable the school administrator to fully advise the parent/guardian and other school officials of the nature of the charge, the identity of the arresting officer, and the location of the student."
 - b. The arresting officer shall ensure this information is provided to the school administrator.
 3. If a student is arrested during a highly dangerous situation or where a community threat exists, the HCPD may request the Howard County Public School System delay parent/guardian notification in the interest of public health and safety. Requests to delay must be made by a Lieutenant or above.
 4. The arresting officer shall document the following in the Incident Report:
 - a. All contact and attempted contact with the parent/guardian; and
 - b. Notification of the arrest to a specific school official.
- C. Officers may interview students on school premises in connection with a crime committed on the premises or in connection with an investigation that, if not immediately conducted, could compromise the success of that investigation or endanger the lives or safety of the students or other persons. A school official should be present during the interview.

- D. In the absence of an arrest, a student shall not be removed from public school premises without the consent of a parent/guardian.

X. JUVENILES CHARGED AS ADULTS

- A. Juveniles meeting the statutory requirements to be charged as an adult as detailed in OPS-04J, Appendix A, may be charged as adults after consultation with a supervisor.
- B. The following procedures shall be utilized when dealing with juveniles charged as adults:
 - 1. The juvenile shall be held in accordance with the procedures detailed in OPS-73, Temporary Detention Procedures.
 - 2. A notation shall be made on the Detention Log indicating that the juvenile is being charged as an adult.
 - 3. A J-number shall be drawn for booking purposes.
 - 4. A notation shall be made in the narrative portion of the Arrest Report stating, "Arrestee is being charged as an adult".
 - 5. Officers will book the juvenile following Central Booking procedures.
- C. Refer to OPS-04A, Adult Arrest Procedures, for information on adult arrest procedures.

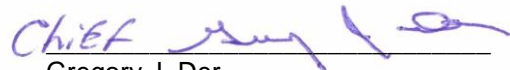
XI. DISTRIBUTION OF JUVENILE ARREST AND CONTACT REPORTS

- A. All juvenile arrests and incidents except detention and emergency hearing cases will be forwarded to the Youth Services Section for review and internal distribution.
- B. The Youth Division will receive Arrest Reports directly from the Records Section. The Commander of the Youth Division will request any reports not received by distribution.

XII. CANCELLATION

This General Order cancels and replaces General Order OPS-04J, Juvenile Arrest Procedures, dated June 14, 2021.

AUTHORITY:



Gregory J. Der
Chief of Police