



# GENERAL ORDER ADM-55 YOUTH SERVICES

EFFECTIVE FEBRUARY 7, 2020

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This General Order contains the following numbered sections:

- I. POLICY
- II. DEFINITIONS
- III. YOUTH SERVICES SECTION RESPONSIBILITIES
- IV. DISTRIBUTION OF JUVENILE ARREST AND CONTACT REPORTS
- V. CHILD IN NEED OF ASSISTANCE
- VI. CANCELLATION

## I. POLICY<sup>1</sup>

The Howard County Department of Police is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. The responsibility for participating in and supporting the juvenile operations is shared by all organizational components and personnel.

## II. DEFINITIONS

- A. Child in Need of Assistance (CINA): A legal status as determined by a court which finds that a child requires the assistance of the court because:
  - 1. The child is mentally handicapped or is not receiving ordinary and proper care and attention; and
  - 2. The child's parents, guardians, or custodians are unable or unwilling to give proper care and attention to the child.
- B. Child in Need of Supervision (CINS): A legal status as determined by a court which finds that a child requires guidance, treatment, or rehabilitation and that the child:
  - 1. Is required by law to attend school and is habitually truant; or
  - 2. Is habitually disobedient, ungovernable, and beyond the control of the person having custody; or
  - 3. Deports himself so as to injure or endanger himself or others; or
  - 4. Has committed an offense applicable only to children (Annotated Code of Maryland, Courts and Judicial Proceedings, Subtitle 8, § 3-801).
- C. Delinquent Act: An act which would be a crime if committed by an adult (Annotated Code of Maryland, Courts and Judicial Proceedings, Subtitle 8, § 3-801).
- D. Delinquent Child: A child who has committed a delinquent act and requires guidance, treatment or rehabilitation (Annotated Code of Maryland, Courts and Judicial Proceedings, Subtitle 8, § 3-801).
- 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 (Annotated Code of Maryland, Courts and Judicial Proceedings, Subtitle 8, § 3-801).

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<sup>1</sup> CALEA 44.1.1

- F. First Offender Program (Diversion Program): A program that is designed to divert youth from the formal juvenile justice system when certain criteria are met. The program attempts to intercede in the early stages of delinquent behavior before a juvenile becomes involved in additional or more serious offenses. Eligibility requirements include:<sup>2</sup>
  - 1. It is a first time, non-violent, minor offense;
  - 2. The juvenile volunteers for the program;
  - 3. He voluntarily admits involvement;
  - 4. The parent or guardian, complainant, and investigating officer consent to the juvenile participating in the program;
  - 5. He is not presently participating in a juvenile treatment program; and
  - 6. He resides in Howard County.
- G. Intake Officer: The person assigned to the court by the Department of Juvenile Services (DJS) to provide intake services (Annotated Code of Maryland, Courts and Judicial Proceedings, Subtitle 8, § 3-801).
- H. Runaway: Any juvenile under the age of eighteen (18) who purposefully leaves home to escape parental custody and/or guidance, and there is concern among family members for the welfare of such individual.
- I. Shelter Care: The temporary care of children in physically unrestricted facilities (Annotated Code of Maryland, Courts and Judicial Proceedings, Subtitle 8, § 3-801).
- J. 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”).

**III. YOUTH SERVICES SECTION RESPONSIBILITIES**<sup>3</sup>

- A. The Youth Services Section shall:
  - 1. Maintain records of all juvenile arrests and juvenile alcohol and tobacco citations issued, and comply with all orders to expunge issued by the District or Circuit Courts when notified by the Records Section.
  - 2. Assist patrol officers and detectives with case coordination and preparation, when requested.
  - 3. Design and implement youth-related programs intended to prevent and control delinquent and criminal behavior.
  - 4. Participate in community-based recreational and prevention programs, and operate:
    - a. Bear Trax Programs;
    - b. Police Explorer Post, as detailed in SOP YD-01, Explorer Program;
    - c. After-School Program; and

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<sup>2</sup> CALEA 1.1.3 and 44.2.1c

<sup>3</sup> CALEA 44.1.1

- d. Annual Youth Police Academy.
5. Consult with DJS and the State's Attorneys Office (SAO) in the development of policies and procedures relating to juveniles.<sup>4</sup>
6. Review all juvenile arrest reports and screen cases for eligibility for the First Offender, i.e. Diversion, Program. In general, cases not meeting the criteria for the Diversion Program shall be forwarded by the Youth Services Section to DJS. If a juvenile is selected for Diversion:
  - a. The Youth Services Section will conduct an interview with Diversion-eligible families to assess and determine an appropriate course of action. In those cases where Diversion is agreed upon, a formal agreement will be developed. Typical conditions may include:
    - i. Counseling sessions with juvenile and family;
    - ii. Psycho-educational seminars;
    - iii. Written reports, letters of apology, etc.;
    - iv. Community service assignments;
    - v. Mediation and conflict resolution services; and
    - vi. Referral to other agencies for assessment and recommendation
  - b. Youth Services will close a case upon satisfactory completion of Diversion or will forward a copy of the Incident Report to DJS if the juvenile fails to comply with the criteria established for the program.
7. Represent the HCPD at interagency and community committees and conferences to coordinate, modify, develop, implement, and assess extant services and best practices as indicated by delinquency trends.
- B. The Youth Services Section Supervisor shall submit an annual evaluation of all enforcement and prevention programs relating to juveniles to the Chief of Police, through the Chain of Command.
  1. The evaluation will contain both the quantitative and qualitative elements of each program and recommendations regarding whether a specific program should function as is, be modified, or be discontinued.
  2. A copy of the approved evaluation will be provided to the Accreditation Unit.<sup>5</sup>

#### **IV. DISTRIBUTION OF JUVENILE ARREST AND CONTACT REPORTS**

- A. The Youth Section will utilize RIM to obtain copies of juvenile arrest and contact reports for case review and distribution.
- B. Prior to the end of the shift, the Patrol Supervisor will ensure a complete copy of all juvenile arrests and incidents involving juveniles are marked and emailed to the Youth Services Section at [policeyouth@howardcountymd.gov](mailto:policeyouth@howardcountymd.gov) and to the Diversion Coordinator.

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<sup>4</sup> CALEA 44.1.2

<sup>5</sup> CALEA 44.1.3

- C. All records involving juveniles are confidential by law and may not be disclosed except as provided by statute or court order. School Resource Officers (SROs) are reminded they are prohibited from disclosing records relating to juveniles to any person, including any Howard County Public School System employee.
- D. If an emergency hearing for or the detention of a juvenile is authorized, the Arrest or Incident Report will be forwarded to both DJS and the SAO for documentation.

**V. CHILD IN NEED OF ASSISTANCE (CINA)<sup>6</sup>**

- A. An officer shall not take an alleged CINA into protective custody unless there are reasonable grounds to believe the child is in immediate danger from his surroundings and the child's removal is necessary for his protection. Notification shall promptly be made to the Department of Social Services. The officer shall complete the Incident Report by the end of the shift.
- B. If immediate danger does not exist, the officer shall conduct a preliminary investigation and have the report forwarded by the Records Section to the Criminal Investigations Bureau and Social Services for follow-up.
- C. If the officer suspects the child to be a victim of abuse, he shall conduct a preliminary investigation and have the report completed by the end of his shift in accordance with General Order OPS-16, Child Abuse Investigations.
  - 1. The officer's shift supervisor shall review the report and have the Records Section forward a copy to the Child Abuse/Sexual Assault (CASA) Section for follow-up.
  - 2. CASA should receive immediate notification if there is a preponderance of evidence to suggest that the case is serious.
- D. Officers should consult General Order OPS-50, School Issues, when handling any such call at a school.

**VI. CANCELLATION**

This General Order cancels and replaces General Order ADM-55, Youth Services, dated September 1, 2006.

AUTHORITY:

  
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Lisa D. Myers  
Chief of Police

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<sup>6</sup> CALEA 44.2.2b