

<p>NINTH JUDICIAL DISTRICT, COLORADO Court Address: Pitkin County Courthouse 506 East Main Street Aspen, Colorado 81611</p> <p>Phone Number: 970-925-7635</p> <hr/> <p>ADMINISTRATIVE ORDER</p>	<p><input type="checkbox"/> COURT USE ONLY <input type="checkbox"/></p>
<p>The Honorable James B. Boyd</p>	<p>Administrative Order 10-01</p>
<p style="text-align: center;">JUVENILE INTAKE PROTOCOL</p>	

The following protocol shall govern intake screening for juvenile detention in the 9th Judicial District:

9th Judicial District Intake Screening Protocol

Intake Screening Protocol

The Senate Bill 94 designees of YouthZone, the Pitkin County Sheriff's office and the Rio Blanco Sheriff's office are authorized to conduct juvenile intake screenings 24 hours a day, seven days a week (per administrative order 08-06).

Law enforcement officers within Garfield, Pitkin, and Rio Blanco Counties will contact an on-call screener in their area to inform them that a juvenile is in custody and is in need of an intake screening. On-call screeners will conduct intake screenings face to face at the police department where the juvenile is being held, unless circumstances warrant that the screening should be conducted over the phone.

Upon arrest of a juvenile for one of the reasons listed below, law enforcement shall contact the juvenile's parent/guardian notifying them that the juvenile is in custody and is being held at the appropriate law enforcement agency awaiting an intake screening by the Senate Bill 94 program designee. Parent(s)/guardian(s) shall be directed to be present for the intake screening. If law enforcement is unable to locate the parent(s)/guardian(s) or know that the parents are unavailable, the intake screener will conduct the screening.

The screener will continue to make every effort to reach a parent/guardian before any

Administrative Order 10-01
Juvenile Intake Protocol

recommending a placement for the juvenile. If a juvenile is being held for an intake screening, the juvenile will remain in the custody of law enforcement until the juvenile's placement status is determined.

Screenings will be **Mandatory** for the following:

- District court level offenses for which the arresting officer feels the juvenile is a danger to himself or the community.
- Any domestic violence offense (this will not be a mandatory hold but a screen).
- Any district court warrant.
- Any weapons offense (this will not be a mandatory hold but a screen).

Screenings will **Not Be Conducted** for:

- Municipal or County Court Warrants (in or out of state).
- Status Offenses (this includes runaway youth).

Initial Screening

In order for an intake screening to occur, the arresting law enforcement agency must provide the screener with the following documentation depending on the circumstance listed:

New Charges and any Domestic Violence Offense

- Write an affidavit for warrantless arrest noting the allegations for which the juvenile is being held.
- Fill out a promise to appear into juvenile district court.

Administrative Order 10-01
Juvenile Intake Protocol

Warrants

- Provide a print out of the district court warrant.

The intake screener will conduct an intake interview which includes gathering information from the juvenile, parent(s)/guardian(s), law enforcement officer and any other pertinent agency or individual. The intake screener must fill out a crisis intake form and the JDSAG at every screening. Once placement is determined the screener will fill out any additional paperwork that is required. The law enforcement officer does not need to be in the room during the intake unless they are needed due to safety concerns.

Detention Hold

Approval is required by a Judge/Magistrate for any placement or release of a juvenile except in the following two circumstances:

1. If the juvenile has a no bond hold on a district court warrant and a detention placement is appropriate.
2. If the juvenile has a district court warrant from out of the area.

If a juvenile is screened and is to be detained, the intake screener will fill out the appropriate paperwork for placement. Transport of the juvenile to a detention facility will be the responsibility of the sheriff's department in the county where the screening has occurred.

If all detention beds are full and the Judge/Magistrate has authorized the emergency release of another juvenile, it is law enforcement's responsibility to maintain custody of the juvenile until an emergency release is completed and a bed is available. The emergency release process shall not take longer than six hours.

Release to Parent or Guardian/ Home Detention

Administrative Order 10-01
Juvenile Intake Protocol

Any juvenile who is placed on house arrest with a home detention contract will also be required to sign a PR bond (with parent/guardian serving as surety) as a condition of the contract. The YouthZone Senate Bill 94 designees are given authority in the 9th Judicial District to write PR bonds to allow release of a juvenile if the bond has been authorized by a Judge/Magistrate or if the bond is attached to a home detention contract which has been authorized by a Judge/Magistrate.

The home detention contract is approved as a legal document to act as an alternative placement for a juvenile other than a detention hold. Any provisions noted in the document will serve as “court ordered” provisions.

In Pitkin and Rio Blanco Counties, sheriff deputies serving as intake screeners will be given authority to write home detention contracts along with providing PR bonds for the contracts.

Mental Health Evaluations / Intoxicated Juveniles

In the event a juvenile is determined to be at imminent risk for suicide upon arrest or during the intake screening, law enforcement will contact the Colorado West Mental Health crisis line and seek a suicide evaluation. An intake screening can only occur after the juvenile has been cleared by the mental health screener as having no suicidal or homicidal ideations which would warrant a mental health hold.

Intake screenings will not be conducted if the juvenile is under the influence of alcohol and/or drugs. Upon contact with a juvenile who is under the influence of alcohol and/or other drugs and meets the above criteria for screening, law enforcement shall be responsible for taking the juvenile to a medical facility for a medical clearance. Once the juvenile has been medically cleared, the intake screener will provide the required screening.

Protocol for the use of Detention Beds

Emergency Release Transfer

- This court further authorizes the SB94 designees of YouthZone to have authority to move a child from a secure to staff secure detention setting as required for safety reasons or to remain in compliance with bed allocation caps for the district. Such a transfer will not require prior authorization of a judicial officer.
- Authority is given to the SB94 coordinator or designated on-call screener to emergency release or move Ninth Judicial youth to appropriate placements without a judge's order in a pandemic situation.

Municipal Court Sentences

1. Juveniles ordered to detention by municipal court judges within the 9th Judicial District shall be placed on a waiting list and will be the last priority for detention placement.
2. Municipal court staff must contact the SB94 coordinator/staff in order to secure a place on the waiting list. The court must supply a court order noting contempt of court and the charge(s) for which the juvenile is to be detained.
3. Municipal court youth will only be placed in detention if there exists more than one available detention bed designated for the 9th Judicial District use.
4. Municipal court youth cannot be placed in detention if it would require another youth be emergency released in order to open a bed.

Truancy Cases

Juveniles will not be placed in detention for contempt in truancy cases.

Administrative Order 10-01
Juvenile Intake Protocol

Runaways

Juveniles with status offenses (i.e. runaways) will not be placed in detention unless there is an extenuating circumstance and a bed is available within the district.

County Court Sentences

1. Juveniles ordered to detention by county court judges within the 9th Judicial District shall be placed on a waiting list and will be second to last priority for detention placement.
2. County court staff must contact the SB94 coordinator/staff in order to secure a place on the waiting list. The court must supply a court order noting contempt of court and the charge(s) for which the juvenile is to be detained.
3. County court youth will only be placed in detention if there exists more than one available detention bed designated for the 9th Judicial District use.
4. County court youth cannot be placed in detention if it would require another youth be emergency released in order to open a bed.

Protocol for the use of Detention Beds (cont)

Municipal and County Court Warrants

Municipal and County Court warrants from within or outside the district will not be eligible for a detention hold. It will be up to the arresting law enforcement agency to take appropriate steps on resolving the return of the juvenile to the required court.

State and National Warrants on Ninth Judicial District Juveniles

If a juvenile is taken into custody on a statewide or nationwide warrant from the Ninth Judicial District, it shall be the responsibility of the District Attorney's office to determine the appropriateness of extradition or release. The SB94 coordinator or designee will coordinate the return of the juvenile with the D.A. office and holding agency. If appropriate, the intake screener will make arrangements for the juvenile to be placed on a detention hold.

Out of District Warrants

Any district level warrant will be subject to an intake screen. Juveniles from out of the district who are taken into custody in the Ninth Judicial District and have a district level warrant will be

Administrative Order 10-01
Juvenile Intake Protocol

held in detention as a courtesy until it can be determined if the juvenile will be extradited back the state or county where the warrant was issued. SB94 will work to assist in the return of the juvenile on the warrant.

Transportation of Juveniles

- The sheriff department within the county where the juvenile was taken into custody (Garfield, Pitkin or Rio Blanco) shall be responsible for transport of the juvenile to a detention facility, if placement is required.
- Any juvenile within a detention facility requiring appearance at district court will be transported to court by the sheriff department within the jurisdiction of the court where the appearance is required.
- Juveniles receiving Municipal Court sentences will be transported to the detention facility by their parents unless the Municipal judge orders transport of the juvenile by a city police department.
- Juveniles receiving County Court sentences will be transported to the detention facility by sheriff transport.

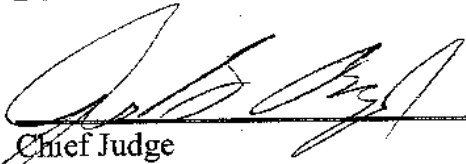
Judicial Officer Authority

- Nothing in this protocol limits the authority of a judicial officer presiding over an individual case to enter orders which expand upon, limit or vary the requirements of this protocol. In the absence of such a court order, this protocol shall control.

Done on March 2, 2010.

Administrative Order 10-01
Juvenile Intake Protocol

BY THE COURT



Chief Judge