

NINTH JUDICIAL DISTRICT, COLORADO Court Address: Garfield County Courthouse 109 Eighth St., Suite 104 Glenwood Springs, Colorado 81601 Phone Number: 970-945-5075	
ADMINISTRATIVE ORDER	
<input type="checkbox"/> COURT USE ONLY <input type="checkbox"/>	
The Honorable James B. Boyd	Administrative Order 13-05
JUVENILE INTAKE 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 without parents present.

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

- Any district court warrant.
- District court level offenses for which the arresting officer feels the juvenile is a danger to himself or the community. Victim Rights crimes will not be considered a mandatory screen but will be screened if the arresting officer feels juvenile is a danger to himself or the community.

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- All domestic violence offenses (mandatory screen but not a mandatory hold).
- All offenses involving juveniles in possession of weapons (mandatory screen but not a mandatory hold).
- All out-of-area county court warrants.

Screenings will **Not Be Conducted** for:

- Municipal Warrants (in or out of state)
- Status Offenses
- Runaways

District Attorney Office Notification:

The District Attorney from the appropriate County where the charge occurred will be contacted regarding:

1. All Domestic Violence Allegations.
2. A Weapons Allegations where a dangerous or illegal weapon (as defined in 18-12-102*) pursuant to 19-2-508(3)(a)(III)(C) is possessed in the incident.
*Dangerous and illegal weapons include guns, blackjacks, metallic knuckles, gravity knives, switchblades, etc.

The screener shall conduct the intake screening then contact the appropriate District Attorney with the case information. The District Attorney should provide an opinion regarding placement for the case and this opinion will be relayed to the judge by the SB94 screener along with the intake placement information and screener's recommendation.

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:

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New Charges, Domestic Violence Offenses, Weapons Offenses

- An affidavit for warrantless arrest noting the allegations for which the juvenile is being held.

Warrants

- A print out of the district or county court warrant.

For all screenings, 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.

Detention Hold (cont)

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 take no longer than six hours.

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Release to Parent or Guardian/ Home Detention

Any juvenile who is placed on house arrest with a home detention contract will be required to sign a PR bond (with parent/guardian serving as surety) as a condition of the contract. Upon order of the court, 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 approved by a Judge/Magistrate. The dollar amount on the bond must be set by the Judge/Magistrate. No bond will be written by a YouthZone designee without authorization of the court.

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.

In **domestic violence cases**, all home detention contracts and PR bonds will note "no contact with the victim." If a protection order is in place at the time the PR bond or home detention contract is being set, it shall be noted on both "compliance with the protection order."

Mental Health Evaluations / Intoxicated Juveniles

In the event a juvenile is determined to be at imminent risk for suicide upon arrest or displays signs of significant psychological distress during the intake screening, law enforcement or the intake screener will contact the Colorado West Mental Health crisis line and seek a mental health 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.

Mental Health Evaluations / Intoxicated Juveniles (cont)

Intake screenings will not be conducted if the juvenile is significantly under the influence of alcohol and/or drugs. Upon contact with a juvenile who is under the influence of alcohol and/or

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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

- A youth shall only be emergency released per approval of a Judge/Magistrate. This shall occur through a signed emergency release order or verbal approval during an intake screening.
- 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 or in natural disasters.

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 to the 9th Judicial District.
4. Municipal court youth cannot be placed in detention if it would require another youth be emergency released in order to open a bed.
5. Detention beds will not be borrowed to accommodate Municipal Court sentences.
6. State statutes limit a Municipal court sentence to a 48 hour maximum hold per contempt of court.

Ninth Judicial District Juvenile Drug Court

1. If a youth is sentenced to detention per an order from the Juvenile Drug Court, this sentence will be considered similar to a district court order.

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2. In the case all Ninth Judicial District detention beds are full, a drug court sentence will fall into the protocol for emergency release/bed borrowing.

Truancy Cases

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

Runaways

Runaways will not be placed in detention unless there is an extenuating circumstance and a bed is available within the district. There is a 24 hour limit to holding an out-of-state runaway in secure custody. This limit will be adhered to by the SB94 program. After 24 hours, the Department of Human Services will be contacted for determination of any additional placement of the juvenile.

Protocol for the use of Detention Beds (cont)

Status Offenses

The Juvenile Justice Delinquency Prevention Act of 2002, 93-415, 42 U.S.C. 5601 prohibits status offenders from being held in secure detention (i.e. underage alcohol possession, tobacco violations). This prohibition does not apply to the juvenile in possession of a handgun statute.

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.
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.
4. County court youth cannot be placed in detention if it would require another youth be emergency released in order to open a bed.
5. Detention beds will not be borrowed for a county court sentence.

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Municipal Court Warrants

Municipal warrants 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 court.

County Court Warrants

Law enforcement officers are authorized to release youth upon a promise to appear in the form attached to this order for in-district youth who have a county court warrant. Area judges will note on the warrant if the youth is not allowed to be released without a screening by SB94. In such a case, SB94 will provide a screening and contact a county court judge with recommendations. Out-of-Area County Court Warrants will be a mandatory screen with a judge being called to make the final decision regarding release or a detention hold.

State and National Warrants on Ninth Judicial District Juveniles

If a juvenile is taken into custody on a statewide or nationwide warrant from the 9th 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 it is required that the juvenile be placed in detention.

Protocol for the use of Detention Beds (cont)

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 held in detention as a courtesy until a detention hearing is held. It will be standard practice that the juvenile will be released three days after their detention hearing to an appropriate adult or

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agency if the jurisdiction from which the warrant was issued has not picked up the youth from detention, made arrangements for a detention pick-up, or made arrangements through inter-state compact for extradition of the youth. The release will not occur without a judicial order. SB94 will work to assist in the return of the juvenile to the jurisdiction from which the warrant was issued.

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 (within the Ninth Judicial District) 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 municipal police department.
- Juveniles receiving County Court sentences will be transported to the detention facility by the appropriate sheriff's office.

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.

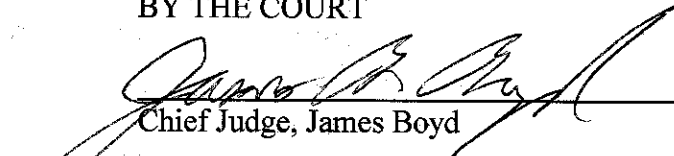
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This Administrative Order supersedes Administrative Order 10-01, which is now vacated.

Done on this 28th day of February, 2013.

BY THE COURT



Chief Judge, James Boyd

NOTICE OF FUTURE COURT APPEARANCE AND PROMISE TO APPEAR

Agency Case No. _____

Fingerprinted () _____

() People of the State of Colorado in the Interest of:

() People of the State of Colorado vs.

(Last Name)		(First Name)		(Middle Name)		(Age)
(Address)				(City/State/Zip Code)		
(DOB)	(Sex)	(Race)	(Height)	(Weight)	(Eyes)	

and concerning: Respondent (Mother/Father/Guardian) for Juvenile Delinquent cases only

(Last Name)	(First Name)	(Middle Name)	(DOB)
(Address)		(City/State/Zip Code)	

On or about the _____ day of _____ 20_____ in the County of Garfield, State of Colorado,

() The Defendant was issued this Promise to Appear on a County Court Warrant for case number(s):

() The Juvenile was issued this Promise to Appear for the following delinquency charges:

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW:

- () Garfield County Courthouse - Juvenile Div, 109 8TH Street, Glenwood Springs, CO
- () Garfield County Courthouse - Div I, 109 8th Street, Glenwood Springs, CO
- () Garfield County Associate Court - Div II, 200 E. 18th St., Suite 103, Rifle, CO

_____ DAY OF _____, 20_____ AT _____

I UNDERSTAND THAT FAILURE TO APPEAR MAY RESULT IN THE ISSUANCE OF A WARRANT FOR MY ARREST (BOTH PARTIES IF APPLICABLE).

Juvenile/Defendant signature

Date

Respondent's signature

Date

Officer Name _____

Agency _____

Officer _____