

GENERAL ORDER



DISTRICT OF COLUMBIA

Subject Interacting with Juveniles		
Topic	Series	Number
OPS	305	01
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Rescinds: Listed in Part IV. Rescission		

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I. PURPOSE

It is the policy of the Metropolitan Police Department (MPD) to protect and serve the residents of the District of Columbia. This includes juveniles, regardless of whether they are crime suspects, victims, or witnesses. MPD members shall make every effort to protect and secure the health and welfare of juveniles by investigating truancy, neglect or abuse, delinquency and absconding from homes and institutions, and any other incident that may properly come within the scope of police authority. MPD officers shall engage in developmentally appropriate communication when interacting with juveniles, deescalate situations whenever possible, and avoid making arrests based primarily upon the juvenile's response to the stop itself. Whenever possible, members shall

consider alternatives to formal arrest while considering the safety of the community, MPD members, and the juvenile involved in the incident. In all instances, members shall protect the constitutional rights of juveniles. The purpose of this order is to provide procedures specific to handling matters involving juveniles as a supplement to the investigative and reporting requirements already imposed by law and written directives. To the extent that provisions in this general order conflict with existing directives, the provisions set forth in this general order shall prevail.

II. PROCEDURES

A. General

1. Members shall consider several principal factors when interacting with juveniles. These factors include age, behavior, prior criminal involvement, nature of committed offenses, and seriousness of any subject complaints. When there is conflicting evidence as to whether or not a subject is a juvenile, members shall assume the subject is a juvenile until the member can reasonably verify the subject's actual age.
2. Whenever a question arises as to the proper course of action to take in the handling of a juvenile matter, members shall contact a Youth and Family Services Division (YFSD) official.
3. If a juvenile has committed a status offense and it is in the best interest of the juvenile or the public in general, members shall return the juvenile to his or her parents with a warning or diversion referral.
4. Juvenile offenders taken into custody may be eligible for diversion. YFSD Juvenile Processing Center (JPC) personnel shall make diversion decisions in accordance with the established criteria provided by law, as outlined in this order.
5. The arrest of a juvenile shall be limited to cases where members make all reasonable efforts to divert the juvenile from entry into the juvenile justice system, while recognizing that certain crimes require taking juveniles into immediate custody. When possible, and in cases where there are no immediate public safety concerns, members shall prepare an affidavit for an arrest warrant or custody order in lieu of an on-scene arrest.
6. Members shall notify YFSD during incidents involving or suspected of involving juveniles who are criminally neglected, in immediate danger, battered, abandoned, physically or sexually abused, considered a critical missing person, involved in human trafficking or child pornography, and persons in need of supervision (PINS). Members shall also notify YFSD any time that a follow up investigation may be required.
7. Members shall consider whether a juvenile is in danger of harm or the victim of a crime. Members shall adhere to the procedures set forth in GO-OPS-304.11 (Intrafamily Offenses) and GO-SPT-309.05 (Child Abuse and Neglect) when responding to domestic violence, child abuse, or child neglect calls for service.

8. Members shall pay particular attention to juveniles with an apparent need of medical attention or under the influence of intoxicants to determine whether to request emergency medical services. If a juvenile ingested alcohol or drugs or needs any other medical treatment, members shall ensure transport of the juvenile to a medical facility for evaluation prior to processing.

9. Parental Notification

When practical, members shall contact the juvenile’s parent or guardian to inform them of the juvenile’s status and offer them the opportunity to respond to the juvenile’s location.

B. Curfew Violations

1. Curfew enforcement applies to juveniles aged 16 and younger who remain in any public place or on the premises of an establishment within the District during the months of July and August from 0001 hours until 0600 hours and during all other months on any Sunday through Thursday from 2300 hours until 0600 hours the following day and from 0001 hours until 0600 hours on any Friday or Saturday.

2. Juveniles are exempt from curfew when:

Curfew Exemptions	
Accompanied by a parent or legal guardian	Involved in an emergency
Engaged in or in transit to lawful employment, without any detour or stop	In a motor vehicle, train, or bus involved in interstate travel
On a sidewalk that abuts the juvenile’s or a next-door neighbor’s residence, provided the neighbor does not complain to MPD about the juvenile’s presence	Attending an official school, religious, or other recreational activity sponsored by the District or other entity that takes responsibility for the juvenile
On an errand at the direction of a parent or legal guardian, without any detour or stop	Exercising First Amendment rights protected by the United States Constitution

3. Members enforcing a curfew violation shall initiate a stop in order to determine if the individual is a curfew violator. Members shall conduct a WALES check to determine if the juvenile is the subject of an outstanding custody order or missing person report.

4. Members shall release juveniles who are not in violation of curfew, provided there are no other valid reasons to detain them. If the juvenile is in violation of curfew, the member shall first attempt to release the juvenile to his or her parent or guardian.

a. Members shall transport violators aged 12 and under directly to the district station with notification to the Child and Family Services Agency (CFSA).

- b. Members may transport juveniles aged 13 and older home unless circumstances indicate a lack of parental care and a need for close supervision. In these cases, members may transport juveniles to CFSA and report the unsafe conditions to YFSD.
 - c. Members shall request permission from the watch commander prior to transporting the juvenile to a location in another district.
 - d. In the event that the juvenile lives outside the District of Columbia, members shall transport the juvenile to the district station and contact his or her parent or guardian for pick up. If no parent or guardian is able to pick the juvenile up, members may request permission from the watch commander to transport the juvenile home if the juvenile resides within the DC metro area.
5. Members shall document curfew stops using the PD Form 379-C (Juvenile Incident Report). Members shall submit the PD Form 379-C to the District commander who shall forward a weekly report of the number of curfew violators and copies of all completed PD Forms 379-C to the YFSD commander.
 6. YFSD shall take follow up action in all juvenile curfew cases, including telephone or mail contact with parents or guardians. YFSD shall conduct further investigation or make referrals to CFSA or the DC Superior Court Family Division, as appropriate.

C. Truancy Violations

1. Truancy enforcement applies to students of compulsory school age (five through 17 years of age), who are absent from school on public space without the permission of their parent or guardian, or legal custodian. Truancy enforcement takes place from 0930 hours to 1400 hours during the school day, to include lunch periods when students are required to remain on campus.
2. Members enforcing a truancy violation shall:
 - a. Initiate a stop in order to determine if the individual is truant. Members conducting truancy enforcement may ask students to present their student identification card to verify the student's identity and school enrollment.
 - b. Request an official document authorizing the juvenile's absence from school or verification that the juvenile is traveling from one school to another by the indication on their student identification card. If the juvenile claims suspension from a DC public school, the member shall attempt to verify the suspension through school documents or by contacting the school.
 - c. Conduct a WALES check to determine if the juvenile is the subject of an outstanding custody order or missing person report.

3. Juveniles not truant shall be released provided there are no other valid reasons to detain them. Members shall handle juveniles determined to be truant according to the following procedures:
 - a. Members shall transport juveniles enrolled in a school in the District directly to the school. If the school is outside of the initiating member's district, the member shall request permission from the watch commander prior to transporting the violator to a school in another district. Members shall attempt to confirm that the school is in session prior to transport.
 - b. Members shall release juveniles enrolled in schools outside of the District, if there are no other reasons to detain the juvenile. Members shall not transport juveniles to their school or release them to other law enforcement agencies to return them to school.
 4. Members shall document truancy stops using the PD Form 379-C. Members shall submit the PD Form 379-C to the District commander who shall forward copies to the YFSD commander.
 5. The YFSD commander shall ensure maintenance of a master file of all identified truants and provide a monthly report to DC Public Schools to identify habitual truancy offenders. The YFSD commander shall ensure that YFSD members participate in the DC Public Schools truancy hearings.
- D. Underage Drinking and Alcoholic Beverage Control (ABC) Violations
1. No person shall falsely represent himself or herself, or possess or present as proof of age an identification document that is in any way fraudulent, to procure alcoholic beverages.
 2. In instances where members discover intoxicated persons under the age of 18, the reporting member shall request immediate medical assistance, have the juvenile transported to the nearest hospital and contact the juvenile's parent or guardian. If unable to reach the parent or guardian, members shall notify CFSA and request response to the hospital to take custody of the juvenile until a parent or guardian arrives at the hospital.
 3. Members made aware of a licensed establishment that fails to request proof of age when an individual appears to be under the age of 21 shall prepare an incident report using the classification "ABC Violation or Incident" and submit the incident report to the ABC Board via email at abcdocs@dc.gov.
- E. Traffic Infractions
1. Members shall issue notices of infraction (NOIs) or written warnings to all 16 and 17-year-old juveniles charged with traffic violations. If a member arrests a juvenile for traffic charges only, JPC shall process the juvenile.

Members shall prepare the appropriate arrest packages for the United States Attorney's Office (USAO) or the Office of the Attorney General (OAG) if the offense falls under the papering elimination program (PEP), book the juvenile with adult arrest numbers, and place him or her on the adult lockup list.

2. Members shall refrain from issuing an NOI to juveniles under the age of 16 charged with a minor traffic violation. Members shall notify the juvenile's parent or guardian and prepare a PD Form 379-C for submission to an official prior to the end of his or her shift.
3. JPC shall process juveniles charged with a traffic offense in addition to a non-traffic offense.

F. Handcuffing, Searching, and Transporting Juveniles

Members shall handcuff, search, and transport juveniles in accordance with GO-PCA-502.01 (Transportation and Searches of Prisoners) pursuant to the following requirements.

1. Members shall handcuff juveniles according to the following requirements:
 - a. Members shall not handcuff curfew violators and truants unless the juvenile presents a danger to themselves or others.
 - b. Members shall not handcuff juveniles aged 12 and under unless the juvenile presents a danger to themselves or others.
 - c. Members shall consider the severity of the offense and circumstances of the interaction when determining whether to handcuff juveniles aged 13 through 17.
2. Members shall transport juveniles in a transport-equipped patrol car.
 - a. Members shall not transport male and female juveniles in the same compartment of a transport vehicle.
 - b. Members shall not transport juveniles with adult prisoners.
 - c. Members shall not transport juveniles in a wagon unless exigent circumstances exist. In such cases, members shall request the approval of an official.
3. Members transporting at risk juveniles shall respond to the U.S. Marshal's cellblock inside the courthouse and request a member of the DYRS At-Risk Unit take custody of the juvenile.

G. Juvenile Diversion

1. Juvenile diversion is an alternative to arrest and prosecution in which JPC members release juveniles to their parents or guardians in cases of minor

violations or isolated offenses. JPC members shall process juvenile offenders and determine whether offenders meet the below criteria.

2. The following juveniles arrested for misdemeanor DC Code offenses may be eligible for diversion:

Eligibility Criteria
• Juvenile has no prior arrests (including misdemeanor assault on a police officer)
• Juvenile has not been prosecuted for a delinquent act within the past two years
• Juvenile has not been arrested two or more times for the same offense in the last two years
• Juvenile has not been arrested three or more times for any offense in the last two years

3. The following DC Code offenses and offender criteria cause a juvenile to be ineligible for juvenile diversion:

Ineligible Offenses and Criteria
• Felony arrests
• Possession of a prohibited weapon
• Misdemeanor child abuse
• Misdemeanor child sex abuse
• Juvenile is an absconder from a secure placement
• Juvenile has an open custody order for failure to appear at any court proceeding
• Juvenile resides more than 25 miles outside of the District of Columbia
• Juvenile is a fugitive from another jurisdiction

4. In the arrest of two or more juveniles at the same time, when one or more juveniles satisfy the eligibility criteria, eligible juveniles may participate in the program even if others involved are ineligible.
5. In unusual instances where the circumstances surrounding the case do not warrant court referral, JPC members may divert the case even if the juvenile does not meet the diversion criteria, if the YFSD watch commander provides approval.
6. JPC members shall notify the diverted juvenile’s parent or guardian and allow the parent or guardian reasonable time to pick up the juvenile. If a parent or guardian is unable to respond to YFSD, JPC members shall not divert the juvenile.
7. Members processing diversions shall prepare a juvenile arrest report outside of RMS to prevent the generation of arrest numbers. Members shall write “DIVERSION” on the heading of the arrest report and document the results of inquiries into a juvenile’s background and actions taken to notify the juvenile’s parent or guardian. Members shall submit the arrest report to a JPC member and an official of the district in which the crime occurred for approval.

H. Arrests

1. Members who intend to arrest juveniles whom they have probable cause to believe have committed a crime shall first obtain a custody order from the Superior Court Juvenile Section unless the arrest is made in a public place, on public space, or under exigent or emergency circumstances.
2. Prior to arresting juveniles aged 12 and under, members shall contact the YFSD watch commander and be guided by his or her decision.
3. When a member arrests a juvenile, he or she shall immediately notify the parent or guardian. YFSD shall notify diverted juvenile’s parent or guardian. If, for any reason, the member transports the juvenile anywhere other than JPC, the member shall notify JPC with the juvenile’s location.
4. When a member takes a juvenile into custody for a criminal offense, the arresting member shall prepare an arrest report using “Juvenile Processing (JU)” as the “Arrest Processing Organization”, select the “Defendant is a Juvenile” checkbox on the arrest card, and process the case in the same manner as an adult defendant.
5. When a juvenile has been taken into custody and later released without charge, members shall document the release in a PD Form 379-C, except in the case of a juvenile 16 or 17 years of age who was charged as an adult. In these cases, the member shall act in accordance with GO-PCA-502.05 (Use of the Detention Journal).
6. Whenever a juvenile is not released to his or her parent or guardian and the case is referred to court, the JPC member shall make a preliminary determination as to whether or not the child is at-risk. A child is considered at-risk when one of the following conditions exist:

At-Risk Factors	
The juvenile is aged 12 and under, unusually small in size or stature, or is physically disabled.	The juvenile reports a serious contagious disease or other medical condition, is visibly pregnant, or reports that she is six or more months pregnant.
The juvenile or their parent or guardian indicates that, because of their actual or perceived sexual orientation or gender identity or expression, the juvenile might feel vulnerable or unsafe.	The juvenile or their parent or guardian indicates that the juvenile may be at risk due to suicidal thoughts or wishes.

I. Custody Orders

1. Members aware of a custody order in the possession of the Department are authorized to make an arrest for any offense without the custody order in his or her immediate possession. MPD members shall not participate in the service of custody orders with members from other law enforcement agencies unless the member receives prior approval.

2. Obtaining a Custody Order
 - a. Members who intend to arrest a juvenile shall apply for a custody order using arrest warrant criteria pursuant to GO-PCA-702.01 (Arrest Warrants).
 - b. Prior to presenting an affidavit custody order request to the OAG Juvenile Section and DC Superior Court judge, members shall obtain a photo and background information (if available) and query WALES and the National Criminal Information Center (NCIC). If the subject is wanted by another jurisdiction, members shall coordinate the course of action to be taken with the Absconder Branch.
 - c. Members shall present the completed custody order application and supporting documents to a lieutenant or above for approval. Upon approval of a custody order, the member processing the case shall obtain a copy of the juvenile's existing record and provide all supporting documents to the OAG Juvenile Section. Members shall ensure that victims and civilian witnesses accompany them to the Juvenile Section for an interview.
 - d. When the application is approved by the court, members shall deliver the approved custody order to the Juvenile and Neglect Branch Clerk's Office of the DC Superior Court and obtain a copy of the custody order to be placed on file in the detective's office at his or her organizational element.
 - e. During non-business hours, members shall obtain custody orders by contacting the Command Information Center (CIC), who shall contact the on-call emergency judge.
 - f. When it is determined that a respondent is wanted on a previously issued, but current outstanding custody order, members shall make an arrest on the existing custody order and any additional charges shall be added to that order at the time of arrest. Felony and misdemeanor custody orders expire one year from the date of issuance.
 - g. When a judge denies the custody order, members shall document the reasons for denial in the report.
3. Custody Order Service
 - a. Members shall direct custody orders forwarded to this Department from other jurisdictions to the Juvenile and Neglect Branch of the DC Superior Court Clerk's Office.
 - b. The Court Liaison Division (CLD) shall assign all custody orders referred to the Department for service from the courts to the

Absconder Branch. The Absconder Branch shall disseminate the custody orders to the districts.

- c. Members shall complete service of custody orders within 15 days from the date of assignment. Upon receiving a custody order assignment, members shall make all necessary visits to further the possibility of service. When service cannot be made, the reasons for non-service shall be noted.
- d. Members shall not serve custody orders for minor infractions of the law at late or unusual hours unless specifically stated in the custody order. In the event that a member encounters a subject wanted on a custody order at a late or unusual hour, the member shall serve the custody order.
- e. Members shall not serve custody orders within the various court buildings unless prior approval has been obtained from a CLD official or an assistant attorney general.
- f. When a member makes an arrest on an outstanding custody order, the member shall include the circumstances surrounding service of the criminal custody order in the report.
- g. When a member makes an arrest on an outstanding custody order and the arresting member is not the originator of the custody order, the originating member shall complete the necessary reports and for process the case in court.
- h. When a juvenile is arrested for an offense, and further investigation reveals that he or she has an outstanding custody order, the arresting officer shall prepare the necessary reports and contact the watch commander of the originating unit, who shall have the originating member, if available, or another member of his or her command, respond to process the custody order in its entirety.
- i. When an arrest is made by a member of another law enforcement agency acting on the basis of a custody order generated by MPD, it shall be the responsibility of the originating member, or an alternate member selected by the watch commander in charge of the unit, to ensure that the necessary information is captured in the report and the respondent is processed according to this order.
- j. When a member becomes aware that a suspect has fled DC on an outstanding custody order, or when another jurisdiction notifies the Department that a wanted person has been apprehended, the member shall contact the YFSD Absconders Branch for assistance or, in the absence of a member from that unit, the YFSD watch commander.

4. Review and Disposition of Custody Orders

- a. Whenever a custody order is outstanding after 60 days, the member handling the case shall contact the OAG Juvenile Section to request a review of the custody order to determine whether it shall remain in force or be withdrawn. Members shall contact OAG again in six months and upon the expiration date of the custody order.
- b. Prior to responding to OAG, the member handling the case shall ensure that the report is updated to indicate all efforts made to apprehend the named suspect and information regarding the availability and willingness of a complainant or witness.
- c. The member shall note in the report whether OAG determined to permit the custody order to remain in force or whether OAG will request that it be withdrawn.

J. Processing and Housing

1. Members shall ensure that juveniles who are not diverted are referred to the DC Superior Court Family Division and charged with a criminal offense, processed through JPC, photographed, and fingerprinted.
2. Members shall ensure that juveniles in the custody of the Department are processed in the most reasonable time required for the collection of information to positively identify and process the juvenile in custody. In all circumstances, members shall abide by the "Lively" four-hour time period. In the event that "Lively" time requirements are not met, members shall provide justification to the watch commander who shall investigate and document the contributing factors that led to the violation.
3. Members shall house juvenile arrestees at the Department of Youth Rehabilitation Services (DYRS), unless approval is obtained from a DC Superior Court Family Division judge or the CFSA director or the juvenile has been previously charged as an adult by the court.
4. When a juvenile is released, the JPC member shall secure a signature from a parent, guardian, or custodian of the juvenile on a PD Form 694 (Notice to Appear at Family Division, Superior Court).
5. Whenever possible, juvenile prisoners shall be placed in an isolated one-person cell. The juvenile shall **not** be placed within sight and sound of adult prisoners.
6. Members shall ensure that juveniles charged as PINS are not housed with delinquent youths when in MPD custody.

K. Suicidal Tendencies

1. JPC members receiving juvenile arrestees shall ascertain from the arresting member whether the juvenile has displayed suicidal tendencies and conduct a Washington Area Law Enforcement System (WALES)

query to determine the presence of suicidal tendency information or warnings.

2. If the juvenile demonstrates suicidal tendencies or behaviors, JPC shall ensure that the juvenile is transported to Children's National Medical Center. When doubt exists regarding the mental state of the individual in custody, the member shall handle the juvenile as if he or she is suicidal.
3. Whenever the juvenile is transferred to the custody of another person, the transferring member shall ensure that the receiving member is fully and immediately apprised of the juvenile's suicidal tendencies.
4. Members shall immediately notify the watch commander of the element where the juvenile is being detained, in the event the juvenile attempts to commit suicide while in police custody.

L. Hospitalization of Juvenile Arrestees

1. Members shall act in accordance with GO-PCA-502.07 (Medical Treatment and Hospitalization of Prisoners).
2. Members shall ensure that juveniles who have been admitted to a hospital have the opportunity to speak with counsel when requested. If the defense counsel wishes to visit with the juvenile in the hospital, the watch commander of the guard detail shall be immediately notified for authorization. During defense counsel visits, the guarding member shall stay out of earshot so he or she cannot hear the conversation, but shall maintain visual contact with the juvenile to prevent escape.
3. A JPC member shall notify CLD of the hospitalization. The papering member shall ensure that USAO or OAG is notified of the juvenile's status.
4. The guarding member shall **not** give access to the parent or guardian of the juvenile while he or she is hospitalized. A parent or guardian may speak to the juvenile by telephone after the attorney-client communication. The watch commander or YFSD commander shall be notified for authorization. Exceptions may be made by the watch commander or YFSD commander for a parent or guardian to have access to the juvenile at the hospital in exigent circumstances after security considerations have been made and authorization for the parent or guardian to enter the hospital room has been granted.
5. Custodial interrogations and interviews of hospitalized juveniles shall be conducted by a detective. Members who are not detectives shall request YFSD detectives to conduct the interviews and interrogations.

M. Incidents Involving New Beginnings Youth Development Center

1. When notified of an incident at the New Beginnings Youth Development Center, members shall notify an official immediately. The notified official

shall ensure the Fifth District watch commander and the CIC watch commander are notified immediately.

2. The Fifth District watch commander shall ensure that MPD responds to the New Beginnings Youth Development Center for all reported deaths, criminal assaults requiring medical treatment, and escapes. The responding member shall complete a report.
3. The CIC watch commander shall ensure that the incident is included in the morning CIC report and that notifications are made to the field commander, Investigative Services Bureau assistant chief, Patrol Services North and South assistant chiefs, School Safety Division commander, Fifth District commander, Criminal Investigations Division commander, and YFSD commander.

N. Absconders, Escapees, and Placement Violations

1. Members receiving reports of absconders from delinquent detention facilities shall immediately notify YFSD by telephone and transmit a lookout.
2. Youth who are 21 years of age and under who have violated their placement at a group home or other court ordered placement facility shall not be classified as a missing person. Runaways from non-delinquent facilities are considered placement violations. In these cases, members shall adhere to the provisions set forth in GO-OPS-304.03 (Missing Persons Reports).
3. Members apprehending juveniles wanted in other jurisdictions as fugitives, runaways, or absconders shall contact YFSD for assistance in ascertaining whether the juvenile comes under the provisions of the Interstate Compact Act on Juveniles.

O. Court Procedures

1. DC Superior Court Juvenile Rule 106 specifies the following juvenile cases must be referred to a Family Division judge for a detention decision:

DC Superior Court Juvenile Rule 106 Cases	
Escape from court-ordered secure custody	Homicide, attempted homicide, and assault with intent to kill
Forcible rape, attempted forcible rape, and assault with intent to commit forcible rape	Armed robbery, attempted armed robbery, assault with intent to commit armed robbery, and burglary one

2. YFSD shall refer juvenile cases involving an alleged delinquent act to the DC Superior Court Family Division when the offense would amount to a serious misdemeanor or felony if committed by an adult. These offenses include, but are not limited to:

DC Superior Court Family Division Offenses	
Weapons offense involving a firearm	Offense which results in significant bodily injury
Simple possession of a schedule I-IV controlled substance (e.g., heroin, mescaline, peyote, codeine, morphine, hashish, methadone, PCP, and cocaine)	All cases of distribution or possession with intent to distribute a controlled substance (including cannabis)
Commercialized sex offense (e.g., soliciting for prostitution, soliciting for lewd and immoral purposes, and violation of the obscenity statute)	DC Official Code violation occurring in or on DC Public School System grounds committed by a juvenile who is not an enrolled student

3. YFSD shall refer a juvenile to the Superior Court Family Division, when the juvenile:

DC Superior Court Family Division Factors	
Has been presented to the Family Division for an alleged delinquent act within the last two years	Has failed casework by a non-authoritative social service agency in the past
Is currently on probation	Has a long-term pattern of being a habitual runaway from a juvenile home
Has had two or more arrests for the same offense within a two-year period and a third arrest for the same offense would trigger a court referral	Has had three or more arrests for any violation of the DC Official Code within a two-year period and a fourth arrest would trigger a court referral

4. In lock-up cases, the arresting member shall appear in the DC Superior Court Family Division in accordance with GO-PCA-701.01 (Courts and Hearings). In other than lock-up cases, members shall appear in court as specifically directed on the PD Form 694 (Notice to Appear at Family Division of the Superior Court/Youth Services Hearing).

P. Juveniles Charged Under D.C. Official Code Title 16

1. When applying for arrest warrants for juveniles who are 16 and 17 years of age, who may be charged as adults under D.C. Official Code §16-2301, members shall:
 - a. Complete an Affidavit and Request for Custody Order and present the affidavit to a DC Superior Court Grand Jury Intake Section assistant U.S. attorney for approval prior to presenting the affidavit to a judge, in accordance with GO-PCA-702.01 (Arrest Warrants). If approved, the juvenile will be charged as an adult in the warrant.
 - b. If the assistant U.S. attorney declines to approve the arrest warrant or the judge does not issue the warrant, immediately respond to an OAG Juvenile Section assistant attorney general for approval of the custody order using the affidavit as the custody order application. In this instance, the juvenile will not be charged as an adult.
2. In all cases where a 16 or 17 year-old is detained for a criminal offense, and a records check reveals that the juvenile has been previously charged

by the court as an adult for any criminal offense, and the charge is still pending disposition, or the juvenile has been found guilty of the adult charge, or found not guilty by reason of insanity, members shall handle the present and any subsequent arrest in the same manner as an adult arrest, regardless of the new criminal charge.

- a. Members shall prepare all the necessary reports as in an adult case and process the juvenile in the same manner as an adult, including detention and transportation.
 - b. Members shall book the juvenile with adult arrest numbers and place him or her on the adult lockup list.
 - c. The arresting member shall report on the next court day, with all necessary witnesses, to the USAO to paper the case. Such cases will be handled in their entirety in the Adult Branch of the Superior or District Court, as appropriate.
3. In all cases where a 16 or 17-year-old is arrested for homicide, forcible rape, robbery while armed, burglary one, or assault with the intent to commit any of these offenses, members shall adhere to the following procedures:
- a. The arresting member's district or element shall transport and process the arrested person as a juvenile. The arresting member shall report on the next court day, with all necessary witnesses, to the USAO to paper the case. If the assistant U.S. attorney to whom the case is presented determines that the juvenile is to be charged as an adult, the member shall return to his or her element and re-process the juvenile as an adult and transport the juvenile to central cellblock (CCB) where he or she will be detained as an adult.
 - b. If the assistant U.S. attorney decides not to prosecute the defendant as an adult, the arresting member shall immediately report to the OAG Juvenile Section for processing as a juvenile case.

Q. Minors in the Custody of Arrested or Hospitalized Persons

1. Members shall ensure that the needs of minors who have not committed a crime but are in the care or custody of an adult who has been arrested or hospitalized are met, regardless of whether the adult's arrest occurred at the person's home or elsewhere.
2. Members shall remand custody of a minor to another parent or legal guardian, or to CFSA if none are present, when the member has reasonable grounds to believe that the minor is in immediate danger. Minors may be in immediate danger when the minor's parent or guardian has been arrested or hospitalized, and there is no other parent or legal guardian to take custody of the minor.

3. Members shall attempt to determine if a parent or legal guardian is available to take custody of, and responsibility for, the minor.
 - a. If the parent or legal guardian is available, members shall verify the identity of the individual and conduct a WALES check of the minor and any parent or guardian taking custody of the minor.
 - b. Only an on-scene CFSA representative shall determine whether the minor will be released to someone other than a parent or legal guardian.
 - c. Members shall not transport minors residing in another jurisdiction to a location outside of the District. Members shall notify the local law enforcement authorities of the involved jurisdiction and provide them with the CFSA contact information and the circumstances of the event.
4. If the member is unable to locate a parent or legal guardian to take custody of the minor, the member shall complete an incident report containing a description of the physical and emotional condition of the minor and the circumstances surrounding the incident in which the minor was left unattended.
5. In all cases, members shall remand custody of the minor to CFSA if the member is unable to identify the minor, when the minor’s parent or guardian was arrested for charges related to the abuse of the minor or if the minor is left unattended at the home or other location. Members shall ensure that the RMS report details a description of the minor’s physical and emotional appearance, the circumstances that necessitated intervention on behalf of the minor, CFSA notification and response, results of the WALES check, name of the person taking custody of the minor, and names of all MPD members and officials who were notified and responded to the scene.

R. OAG Juvenile Hotline

1. The OAG Juvenile Hotline [(202) 788-2084] is available 24 hours a day, seven days a week, to provide guidance on the following subjects, as needed:

OAG Juvenile Hotline
• Juvenile custody orders or warrants
• Arrest or the sufficiency of evidence pertaining to any charge against a juvenile (including school-related incidents)
• Length of detention when delays before papering or presentment occur

2. The hotline is not intended to assist with statistics, policy questions, case updates, juvenile detention status, or GPS tracking information.

S. Juvenile Records

1. DC Official Code § 16-2333 restricts the inspection and disclosure of police juvenile records to certain persons, including teachers, principals, and school security personnel.
2. Members may share juvenile arrest reports and juvenile crime-related data with law enforcement officers from outside agencies for law enforcement purposes only. Members receiving requests for identifying information of juveniles previously arrested by MPD may offer a copy of a previous arrest report as a means to disseminate the information or provide the requested information itself.

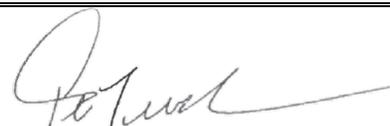
IV. DEFINITIONS

When used in this directive, the following terms shall have the meanings designated.

	Term	Description
1.	Juvenile	Person who is under 18 years of age, unless emancipated by a court.
2.	Minor	Juvenile under 17 years of age, excluding judicially emancipated minors and married minors.

V. RESCISSION

<p>Rescinds: EO-17-030 [Clarification Concerning Juvenile Persons in Need of Supervision (PINS)], Effective Date October 27, 2017 EO-17-033 (Juvenile Diversion), Effective Date December 1, 2017 EO-18-006 (Handling Juveniles), Effective Date March 29, 2018 EO-18-011 (Processing Juveniles Arrested for Adult Traffic Charges), Effective Date July 30, 2018 GO-PCA-702.02 (Juvenile Custody Orders), Effective Date September 21, 1981 GO-PER-305.02 [Truancy Awareness and Prevention Program (TAPP)], Effective Date November 18, 1994 SO-94-15 (Underage Drinking Emergency Amendment Act of 1994), Effective Date June 10, 1994 SO-99-14 (Juvenile Curfew Act of 1995), Effective Date September 7, 1999 SO-99-14A (Supplement to Juvenile Curfew Act of 1995), Effective Date September 22, 1999 SO-00-06 [Supplement to S.O. 99-14 (Juvenile Curfew Act of 1995)], Effective Date February 18, 2000 SO-05-12 (Care of Minors in the Custody of Arrested/Hospitalized Persons), Effective Date March 2, 2006 SO-08-01 (Use of Truancy/Curfew Vans), Effective Date February 29, 2008 SO-12-08 (Required Notifications Regarding Incidents at the New Beginnings Youth Development Center), Effective Date March 12, 2012 TT-04-012-07 (Processing of Juvenile Arrestees), Issue Date April 5, 2003 TT-02-013-05 (PD 360 Juvenile Processing), Issue Date February 4, 2005 TT-04-011-07 (Hospitalized Juveniles Opportunity to Speak with Counsel and Parental Visitation), Issue Date April 5, 2007 TT-04-013-07 (Interview/Interrogation of Hospitalized Children), Issue Date April 5, 2007 TT-12-31-07 (OAG Juvenile Papering), Issue Date December 11, 2007 TT-02-037-08 (Transportation of Juveniles in Need to Mental Health Services), Issue Date February 11, 2008 TT-09-042-08 (Juvenile Papering), Issue Date September 10, 2008 TT-04-010-09 (Processing of Juveniles for Title 16 and Adult Traffic Charges), Issue Date March 30, 2009 TT-05-048-10 (Summer Curfew Initiative 2010), Issue Date May 18, 2010 TT-09-064-10 (Assisting the Department of Youth Rehabilitative Services), Issued Date September 15, 2010 TT-01-052-11 (Handling of Juvenile Arrested as Escapee from Group Homes), Issued Date January 24, 2011 TT-06-073-14 (Summer Curfew Initiative 2014), Issue Date June 23, 2014 TT-08-055-14 (Closing of Curfew Centers), Issue Date August 15, 2014</p>



Peter Newsham
 Chief of Police

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<i>Amendment #</i>	<i>Page #</i>	<i>Description of Change</i>	<i>Effective Date of Change</i>	<i>Name and Title of Authorizing Member</i>
1	3	Revise Part II.B.1.to state "...juveniles aged 16 and younger..."	1/28/2020	Maureen O'Connell, Director, Policy and Standards Branch