

WEBER COUNTY SHERIFF'S OFFICE		POLICY AND PROCEDURES	
SUBJECT: Juveniles in Custody		CHAPTER/SECTION NO.: 31.6,31.7	
EFFECTIVE DATE:10/7/03		REVIEW DATE:	
AMENDS/SUPERSEDES:		APPROVED: <u>** See Master File</u> Sheriff	
STANDARD NUMBER: 44.2.2			

31.6 Policy

31.6.1 The Weber County Sheriff's Office, in addition to handling juvenile offenders, handles juveniles in crisis (non-criminal). It is the policy of the office to handle these individuals in a manner that establishes trust between the individual and the system with the primary goal being the protection of the juvenile. Juveniles in crisis will be handled according to the appropriate state statutes and juvenile court rules when taken into custody.

A. Deputies will:

1. Determine if the juvenile is a status offender (non-criminal behavior) such as ungovernable or runaway; or if the juvenile has committed a criminal offense, and,
2. Determine if the juvenile has been harmed or is in any danger, and,
3. Ensure the Constitutional Rights of the juvenile are protected, and,
4. If the juvenile is taken into custody upon arrest or for protection, bring the juvenile to an authorized intake facility without delay (except for emergency medical treatment), and,
5. Notify a parent or legal guardian of the juvenile's status and circumstances.

B. Runaway Juveniles

1. The Weber County Sheriff's Office will, on notification of a runaway, complete a full report.
2. To assist preliminary and/or follow up investigations the following procedures should be followed:
 - a. Always respond to the home and take a report.
 - b. In your initial report list the condition of the home such as: Does the home appear to be in disarray? What is the general attitude of the parent? Is there something you have observed which may lead you to believe that the family life is dysfunctional?
 - c. Detectives will follow up the case with a debrief after the juvenile is located. This may help to avoid repeat occurrences by dealing with conditions (if any) within the home environment that may be contributing to the problem.
 - d. If there is reason to believe the juvenile has left, or is planning to leave the State, the juvenile must be listed on NCIC as soon as possible through dispatch (WACDC). This is Federal Law and can be instrumental in locating juveniles out of state in a timely fashion.
 - e. If there is no reason to believe the juvenile has left or is planning to leave the state then the deputy will fill out an NCIC form and attach it to the incident report. The NCIC entry will be made by office personnel when the report is processed.

- f. A Weber County Sheriff's Office form for listing juveniles on NCIC is available that will make the process simple and expedient.
- 3. A copy of the completed approved case will be routed to the Youth Services supervisor who will assign the case to an officer if the runaway is still at large.
- 4. A follow-up investigation will be conducted on each runaway case in logical progression and as soon as practical.

31.6.2 "Child At Risk" Cases

- A. The Weber County Sheriff's Office will investigate all cases of child abuse or neglect occurring within the county limits, except those cases being investigated by City Law Enforcement agencies within the county.
- B. The reporting officer will immediately take into custody any child whose safety is in jeopardy and will contact the Division of Child and Family Services (DCFS) as soon as possible. The child will be turned over to the case worker from DCFS who will then determine if the child should be put into protective custody. If an officer is unsure about taking a child into custody, a case worker from DCFS will be contacted and advised of the circumstances of the case. The case worker will then make the decision as to protective custody or not.
- C. All reported incidents require a written report. A copy of each case will be routed to the Youth Services Section who will coordinate or complete follow-up if necessary.

31.6.3 Suicidal Juveniles

- A. Weber County Sheriff's deputies occasionally deal with youth who, without being involved

in criminal conduct, are a danger to themselves or others due to their mental state. The office's purpose is to assist in providing immediate professional outreach resources to these individuals.

- B. In cases where outreach resources are unavailable and the juvenile is suicidal, deputies shall take the juvenile into custody and transport them to the McKay Dee Hospital emergency room. Suicidal juveniles are treated the same as suicidal adults and a pink slip should be used. Juveniles who have attempted suicide or are credible in their threats to harm themselves should not be taken to Archway or Weber Valley Detention Center.

31.7 Procedure - Custody and Interviews

31.7.1 The following procedures will be adhered to when taking juveniles into custody.

- A. When arresting a juvenile, the arresting officer should (when practical) immediately advise the juvenile of the offense committed.
- B. Prior to conducting an interview of a suspect in custody, the juvenile should be advised of his/her constitutional rights.
- C. If the juvenile is under 14 years of age, a parent, guardian or legal custodian must be present during the waiver of rights before an interview can be conducted. A juvenile under 14 years can be interviewed alone after getting parent, guardian or custodian permission. If a parent, guardian or custodian wants to be present during the interview, he/she must be allowed to be present. (See Juvenile Court Rule 27A)
- D. There are no differences between adults and juveniles when giving Miranda rights and when the rights need to be read, except as outlined in sub section "C" above. The wording of the Miranda rights is the same.

31.7.2 Detention and/or Notification of Parents or Guardians

- A. If a juvenile has been charged with a felony or three or more misdemeanors, and it has been determined the juvenile will not be released to parents or guardians, the juvenile should be placed into the Weber Valley Detention Facility without delay.
- B. Juveniles arrested on less serious charges who are not to be released to a parent or legal guardian will be taken without delay to the Archway Facility. The juvenile will remain there until a parent or legal guardian can take custody of the juvenile.
- C. In all cases the deputy must make a reasonable effort to notify the juveniles' parents or guardian, and based on the nature of offense and circumstances of arrest, make a decision to release the juvenile as quickly as possible to the parents or guardian or place the juvenile into a juvenile detention facility without undue delay.

31.7.3 Interview/Interrogation of Minors in Detention Facility
(See Juvenile Court Rule 8)

- A. A minor under the age of 14 may only be interviewed by a deputy in a detention facility such as Weber Valley or Archway Detention Facilities, if:
 - 1. a parent, guardian or custodian has given written permission for the interview outside of his/her presence or is present during the interview,
 - 2. the parent, guardian or custodian has been advised of the rights of the minor and has knowingly and voluntarily waived such rights, and
 - 3. the minor has been advised of his/her rights and has knowingly and voluntarily waived those rights.

- B. A minor 14 years of age or older may only be interviewed in a detention facility by a Deputy if:
1. The minor AND his/her parent, guardian or custodian have consented to the interview (written permission is not required), and
 2. The minor has been advised of his/her rights and those rights have been waived knowingly and voluntarily.