



SEVENTEENTH JUDICIAL DISTRICT
ADAMS COUNTY & THE CITY AND COUNTY OF BROOMFIELD
ADMINISTRATIVE ORDER OF THE CHIEF JUDGE

2008-07
(revised 11.2.16)

Detention Screening and Placement for Juveniles.

Pursuant to this authority, it is hereby ordered that the Juvenile Services Planning Committee, appointed under Section 19-2-211, C.R.S. shall be the persons responsible for detention screening and placement pursuant to Rule 3.7, C.R.J.P. and the Colorado Children's Code. The JSPC is authorized to enter into a contract with an appropriate public or private agency to administer services as described in Section 19-2-508(2) and (7). The person(s) or agency providing these services shall be vested with the authority to screen those juveniles taken into temporary custody to determine the appropriate level of detention for the juvenile, subject to the provisions of this Order and the Colorado Children's Code.

Rule 3.7 of the Colorado Rules of Juvenile Procedure requires the Chief Judge of each judicial district to designate a person or persons as officer(s) of the Court with authority to determine whether a juvenile taken into temporary custody should be released to a parent, guardian or other legal custodian, or admitted to a detention or shelter facility pending notification to the court and a detention hearing.

Persons responsible for detention screening and placement services shall have the following specific responsibilities and authority:

1. Screening and assessment of all juveniles referred by law enforcement to make initial placement decision. In making the placement decision, the screeners shall be guided by the Colorado Children's Code, Section 19-2-508, C.R.S. Juveniles in the following circumstances **shall be detained** in Level 1 secure detention and not released prior to a detention hearing:
 - A. A youth who is alleged to have committed, conspired, or attempted to commit a crime of violence pursuant to C.R.S. 18-1.3-406.

The following crimes are defined as crimes of violence:

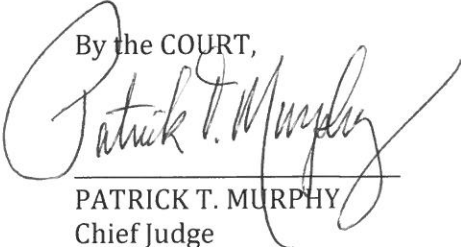
- Any crime to an at risk adult or at risk juvenile (C.R.S. 18-6.5-102):
- Murder: First or Second Degree
- Assault: First or Second Degree
- Kidnapping
- Sex Assault
- Aggravated Robbery
- Arson: First Degree
- Burglary: First Degree
- Escape
- Criminal Extortion
- Unlawful termination of pregnancy: First or Second Degree

OR

- The defendant used, or possessed and threatened the use of, a deadly weapon C.R.S. 18-1-901(3)(e); or
 - Caused serious bodily injury C.R.S. 18-1-901(1)(p) or death to a person (not a participant)
- B. Felony Sex Offense which results in bodily injury or the defendant used force, threats or intimidation.
- C. Juvenile used, possessed or threatened to use, a firearm during the commission of a felony crime against a person. (Pursuant to CRS 18-3-101).
- D. Juvenile commits a weapons offense (Pursuant to CRS 18-12-102 thru 106).
- Possession of a dangerous or illegal weapon
 - Possession of a defaced firearm
 - Unlawfully carrying a concealed weapon
 - Prohibited use of a weapon
 - Illegal discharge of a firearm
 - Illegal possession of a handgun by a juvenile
- E. A youth who is alleged to have committed one of the following crimes designated by order of the court of the Seventeenth Judicial District:
- Second Degree Burglary of a Dwelling
 - Domestic Violence
 - Robbery
 - Distribution of a Schedule 1 Controlled Substance
- F. A youth who has escaped, or is AWOL from a juvenile institution or placement facility and who has been committed to The Division of Youth Corrections.
- G. A youth who has an active District or County Court Warrant for detainable offenses (including warrants for Probation Violations, JD# and DYC# Warrants) or District Temporary Custody Order (TCO) for delinquency matters.
- H. A youth who has been previously designated a serious habitual offender with directed intervention (SHODI) and is taken into custody for delinquent or criminal activity or probation violation.
- I. A youth charged with the specific traffic violation: driving under the influence of alcohol or drugs.
2. Youth who **shall not be detained** in a secure facility or on home detention status through SB94 for the following offenses:
- A. A youth who has violated municipal ordinances, including contempt of court, or is charged with a traffic violation other than Driving Under the Influence of Alcohol or Drugs.
- B. A youth brought in by parents due to lack of parental control.
- C. A youth requested to be held:
- Solely for police investigation or for the purpose of a preliminary investigation.
 - Solely as a temporary corrective or punitive measure
 - Solely because of alleged school truancy
- D. A youth who is brought in on any other status offense (including runaway youth).

- E. A youth who has an active District or County Court warrant for non-detainable offenses (including warrants for Probation Violations and JD#'s) and bond is set.
 - F. If parents/guardians refuse or are unable to post bond or refuse to pick up the juvenile from The Link, the juvenile will be subjected to the agreed-upon process per the IGA (Intergovernmental Agreement) between The Link and the arresting municipality.
3. Based upon the screening information from the Juvenile Detention Screening and Assessment Guide (JDSAG) and subject to the provisions of paragraph 1 above, the screeners have the authority, prior to a detention hearing, to place or refer a juvenile as follows:
- A. If screened to level 5 (release to parent or guardian), the juvenile shall be released upon the juvenile and parent/guardian signing a Promise to Appear for a designated hearing.
 - B. If screened to level 4 (home detention program), the screener shall coordinate the release of the juvenile to a parent or guardian with EHM services through the designated 17th Judicial District SB94 provider. The youth and parent/guardian will be required to sign a Promise to Appear in court the next business day. If the juvenile fails to appear in response to this Promise to Appear, the court shall issue a bench warrant for the arrest of the juvenile. Based on the Juvenile Detention Screening and Assessment Guide, a youth may not screen to level 4 unless a parent is willing and able to supervise the youth. If at any point in the home detention intake process it is determined that the parent is unable to supervise their child, screeners are to re-screen the client to the appropriate level of placement or detention.
 - C. If screened to level 3 (shelter), the screener shall inform the parent/legal guardian of the youth's temporary placement and provide the responsible person(s) with the Promise to Appear paperwork to appear in court the next business day.
 - D. If screened to level 2 (staff secure shelter), the screener may place in a staff secure facility if space is available. In the event that a staff secure bed is not available, the screener shall override to level 1.
 - E. If screened to level 1 (secure detention), the screener shall notify the staff at Adams Youth Services Center of the juvenile's placement.
4. If placement is not available at the level indicated by the assessment, the screener shall determine the next most appropriate level. This does not apply to a situation of detention caps. When detention cap is reached, the 17th Judicial District Emergency Release Policy shall be followed. Overrides from Level 1 to a less secure Level must be approved by an on-call Judge.
5. If circumstances change or a further assessment requires a change in the level of detention prior to a detention hearing, the screeners have the authority to make the necessary change in placement. The juvenile's parent or guardian shall be notified of any change in placement.

EFFECTIVE this 2ND day of November, 2016.

By the COURT,


PATRICK T. MURPHY
Chief Judge
Seventeenth Judicial District