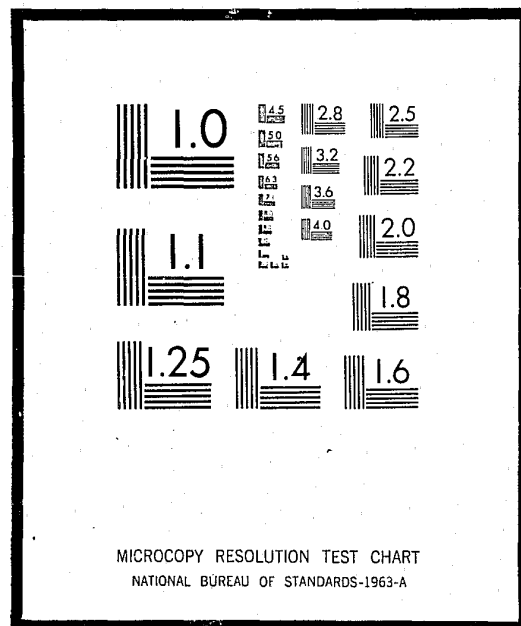


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UNIVERSITY OF NEBRASKA
AT OMAHA

JUVENILE INTAKE PROCEDURES —
DES MOINES, OMAHA, DENVER

Independent Study
For

JAMES C. KANE
DEPARTMENT OF CRIMINAL JUSTICE

MICHAEL J. FABEL
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JUVENILE INTAKE PROCEDURES

DES MOINES, OMAHA, DENVER

Children who engage in acts which would be criminal if committed by adults, present a different problem for the community than the problem of adult criminal behavior.¹ In our legal system the age of the offender is a factor in determining criminal responsibility. Although age helps determine responsibility, the separation of criminal processing varies widely between youth and adults. The separate legal system which evolved in America to protect its youth was informal and private, so that the judge might act as the benevolent parent.² The proceedings were not subject to the glare of publicity which could follow the child through the rest of his life.

The protective nature of such systems however, are administered differently in various parts of the country. The processing and handling of juveniles in three cities will be investigated.

This study of Juvenile Intake procedures will deal with procedures and screening in Des Moines, Iowa, Omaha, Nebraska and Denver, Colorado.

Des Moines, Iowa

At the scene, the subjects are visually checked for weapons, and the boys are separated from the girls. Evidence is taken and inventoried while one officer watches the group. The station is contacted to locate policewomen for the girls. At headquarters, detectives are notified of the possibility of juveniles being brought in. The policewomen search the females, and then bring them back to the "Bull Pen" to await further processing.³

¹ Liauin, Irving, "Police Encounters with Juveniles", American Journal of Sociology, Vol. 70 (Sept. 64), pp. 206-214.

² Wells, Kenneth, and Paul B. Weston, Justice for Juveniles, (Pacific Palisades: Goodyear Publishing Co., 1972), p. 223.

³ Des Moines, Iowa, Police Dept., Personal Field Observation, 8-24-74 to 11-2-74.

In Des Moines, the Detective Division has responsibility for Juvenile Intake and processing. The only contact a juvenile should have is with an officer of the Uniform Division.

When the Uniformed Officer has contact with a juvenile, the officer in the field must make a determination if the youth is to be processed internally. If the nature of the offense is minor, the youth may be "Street Released". Street release keeps the juvenile out of the police station, thereby eliminating complete juvenile processing. The intake procedure described below may only be instituted after a field officer has filed his preliminary information report. The Detective Division then begins the procedure below.

The initial processing consists of the following:

Intake Ledger Containing:

1. Date
2. Child's name
3. Address
4. Parent's name
5. Age
6. Case Number
7. Charges
8. Released to
9. Authority

Requests for information on those Division Records which come from other agencies shall be honored on a need-to-know-basis. Lacking final juvenile court case dispositional dates, the request shall be referred to Polk County Juvenile Court for reply.

Force in Arrest of Juveniles. Personnel shall be extra careful to use only the force absolutely necessary in the arrest of a juvenile. In those cases where use of force is necessary the entire details of the force used and reason shall be fully explained in the preliminary report. If the case does not call for a preliminary report, then full details shall be reported in memorandum to the Section Commander.

Search. A search of the juvenile arrested is essential to the safety of personnel and the public. The age of the offender has little bearing upon the decision to search. Personnel shall base their decision to search upon the nature

of the offense and the need to immediately relieve the arrested person of weapons and evidence. Those youths arrested for marijuana, drugs or Narcotics shall be fingerprinted.⁴

The detectives in Des Moines are the only police officials to usually process the Juveniles after they are brought to the station. After the intake procedures and initial investigation are completed, the detective has guidelines for determining options open for custody of the youth.

Personnel shall use the below criteria in determining disposition based on their judgment and experience, factors surrounding both the nature of the offense and the youth himself:

- a. The age of the youth.
- b. The nature and severity of the offense.
- c. Prior contact with this Department.
- d. Attitude toward acceptance and cooperating with efforts to help rehabilitate him.
- e. The youth's need for professional assistance as determined by his physical and mental characteristics.
- f. The ability of the youth's parents or guardian to acknowledge their awareness of the seriousness of their child's involvement with this department and to control and discipline their child.
- g. The rights of the victim or complainant if justice is not to be done to the victim or complainant through over-emphasis on the youth offender, and the social tranquility of the community is not sacrificed because this department failed to deal with delinquents in a positive manner.
- h. The possibility of recidivism on the part of the youth.
- i. The youth has a record of delinquencies committed over a period of time, even though the youth may not have been referred to court for any of these offenses.

- j. The offense itself is not intrinsically serious, but the total circumstances surrounding the commission of the act seem to indicate the youth needs some type of protective actions.
- k. The youth or his parents or guardian are unwilling to cooperate with this department or with other social agencies.
- l. Voluntary agency casework with the youth has failed in the past because the youth was not willing to cooperate with a non-authoritarian agency.
- m. The protective services needed by the youth can best be obtained through the court and its services.
- n. The youth denies that he committed the offense, but investigation has resulted in sufficient evidence for a court referral and believe that a judicial determination is necessary.
- o. The youth is on formal or informal probation for a previous offense.
- p. The degree of criminal sophistication shown in the offense, such as use of burglar tools, criminal jargon, premeditation, a weapon or strong arm methods.
- q. Youth offenders apprehended in a group will be treated on an all-or-none basis.⁵

Occasionally, the public may not perceive the police department's reasoning for the handling of juveniles in the above manner. The legal guidelines stated below, if known to the public, may help the police in their actions.

Legal guidelines:

1. When gathering evidence of an offense, there shall be no differences in procedural operations in an investigation if a youth is involved instead of an adult suspect. A competent investigation shall be conducted, the degree of proof required is no less for a youth than for an adult. Every case shall be exercised to assure the rights of the youth; he shall be guaranteed the same rights as an adult.

⁴ Des Moines, Iowa, Police Dept., Divisional General Order # 3, September 4, 1974. Sec. 1C, 4B, p. 212D

⁵ Ibid., Sec. 2 A-Q P. 212 A,B,C.

2. Personnel taking youth into custody or taking any official action with the youth is responsible to notify the parent or guardian of the youth as soon as possible.
3. Personnel shall inform the parents or guardians of all facts pertaining to the unlawful behavior of their children, but shall also seek the cooperative involvement of the parents in the investigation.

Interview and Interrogations.

1. Personnel shall avoid the practice which could be described as being "inherently coercive" which makes it likely that any person would express cooperation or confess to any unlawful conduct as a result of induced fear.
2. Personnel during interview or interrogations, shall be sensitive and respect the basic legal as well as human rights of all persons, adult and youth.
3. When questioning youth, harsh, abusive language, epithets, profanity and other vulgarities shall not be used. Personnel shall learn to communicate with youth at their level, the same as communicating with adults of various cultural and educational backgrounds at their levels.
4. Personnel shall make the decision based on the light of the totality of the circumstances of each specific case, in determining whether to have parents or guardians present during the interview or interrogation.

As the guidelines state, youth are given every right that an adult has, as well as being separated from the adult procedures.

The youth in Des Moines are offered every opportunity of legal counsel, proceeding, as well as the protection from the adult processing.

Disposition of the youthful offender in Des Moines can take various forms. Basically, there are four methods open.

First, there is the "Street Release" program. The Field Officer determines the seriousness of the offense. If it is a relatively minor offense, the officer fills

out a "Field Contact Card" with name, and other necessary contact information. The officer will then take the youth home if the youth lives in the patrolman's district. If the youth is from a distant district, or from out of town, the patrolman contacts the Detective Division for transportation. If the youth is from out of town, the parents or guardian are contacted and released to them.

The second most common disposition is release to custody of parents. Juvenile Offenders that are processed and found to be "good risks" are released under this plan. The basic guidelines for this plan consider previous case history, degree of offense, amount of criminality shown in offense, as well as procedural guidelines. After intake and initial investigation, the youth is released to custody of parents or guardian, with a referral to the Polk County Juvenile Court. The juvenile is required to appear on the next day court is regularly scheduled. i.e., Monday night offense, Tuesday morning Juvenile Court appearance. If a weekend occurrence, Monday morning is a busy day in court.

If the offender has had a number of police agency contacts, the parental release is not open to him. In these instances, the youth may already be under court supervision. If the youth is under court or agency supervision, the court officer for the youth is contacted. If after conferring with the court officer, it is decided to retain custody of the youth, it must be done with the permission of the court. In most cases, the youth is transferred to the Polk County Detention Center. In the event that the Center can not control the juvenile, or due to extenuating circumstances, the juvenile may remain in the police juvenile lock-up. This can only be instituted upon request of the detention center or court officer. In all cases requiring detention, the juvenile court must be informed prior to incarceration.

⁶ Iowa Law Review, Juvenile Court Intake, Des Moines, Vol. 55, No. 4 (April, '70) Sec. II, P. 14.

Omaha, Nebraska

The processing of youthful offenders in Omaha, Nebraska, varies from that of Des Moines, in significant ways. In instances involving juveniles fourteen years and older, but less than eighteen years, the following rules shall apply.

Juveniles in this category may only be booked for felony charges in the detention area by permission of the County Attorney whose name must be on the Record of Arrest. In the case of an arrest in this age group, the following fingerprint cards shall be taken:

1. The F.B.I. fingerprint card to be stamped "Juvenile - No Distribution" and is to be held in the jacket until a felony conviction is reported from the court.
2. State fingerprint card to be stamped "Juvenile - Distribution" and is to be held in the jacket until a conviction comes in from the court.
3. Master print file card to be given routine distribution.
4. The card for the jacket, either JSR or B of I jacket, goes into regular distribution.

Misdemeanor Juveniles Booked At Jail Detention Level:

The only juveniles who are booked into the detention area are juveniles sixteen and seventeen years old who are arrested for misdemeanor possession of marijuana and misdemeanor possession of alcoholic beverages.

In neither case, shall any full print card or photographs be taken of these juveniles. As in all Records of Arrest, a single fingerprint of the right index finger shall be placed on the original Record of Arrest and on the second, yellow copy or identification copy.

No juvenile under the age of fourteen shall be fingerprinted, either a single print for identification or print cards, or photographed for any reason.

If it is specifically felt by the Criminal Investigation Bureau that a juvenile under fourteen years old should be fingerprinted for some specific purpose, a Court Order must be obtained from the District

Court of the Fourth Judicial District and/or Separate Juvenile Court of Douglas County to allow the fingerprinting.⁷

The Nebraska legislature passed a bill, "LB 60", for an act relating to minors to limit the taking and use of fingerprints except as prescribed, which states:

Section 1. The fingerprints of any child less than fourteen years of age, who has been taken into custody in the investigation of his or her suspected unlawful act, shall not be taken unless the consent of any District, district county, associate county or separate juvenile court judge has first been obtained.

Section 2. If the judge permits the fingerprinting, the fingerprints must be filed by law enforcement officers in files kept separate from those of persons of the age of majority.

Section 3. The fingerprints of any child less than eighteen years of age shall not be sent to a state or Federal depository by a law enforcement agency of this state unless: (1) The child has been convicted of a felony; (2) The child has unlawfully terminated his or her commitment to a Youth Development Center; or (3) The child is a runaway, and a fingerprint check is needed for identification purposes to return the child to his parents.⁸

As one can see, the Nebraska legislature has seen fit to protect the juveniles from processing if they are under the age of fourteen, except where described by Statute and permitted by individual application to the judiciary.

In Omaha, juveniles may be Street Released for misdemeanor offenses. The general purpose of this procedure is to allow the Field Officer who makes an arrest, to take a juvenile directly to his residence, or to an adult who will take custody of him, without the requirement of going through central police headquarters. With proper reporting being done by the field officer making the arrest, it is felt there will result in a saving of time of the field officer.

⁷ Omaha, NE. Police Division, Division General Order # 71-73. (Aug. 30, 1973) p.1, Sec. 1-4.

⁸ Legislature of Nebraska, LB 60, Lincoln, Jan. 73.

All juveniles under the age of eighteen who are taken into custody for any misdemeanor, shall be taken to their residence, or turned over to a parent or guardian, by the patrol officer making the arrest. In the event the juvenile lives outside the patrolman's sergeant's area of patrol, the juvenile unit will be notified to transport the juvenile to his residence.

Exceptions to the juvenile street release program are as follows:

THOSE NOT ELIGIBLE FOR STREET RELEASE:

1. A juvenile who is sixteen years old, or older, taken into custody for the charge of "Minor in Possession of Alcohol" shall be handled in the regular adult booking procedure. They shall be placed on bond and the case shall be scheduled for the Municipal Court.
2. A juvenile who is fifteen years old, or older, taken into custody for a traffic violation shall be handled through the regular traffic citation or booking procedure as though he were an adult.
3. Runaways from other jurisdictions who cannot be taken to their residence shall be brought into the Juvenile Unit office and an Information Report shall be completed by the arresting or accompanying officer.
4. Any juvenile arrested or apprehended who cannot safely or responsibly care for himself due to his age, physical limitations, etc., and in those instances where a parent or guardian cannot be located, shall be brought into the Juvenile Unit office.
5. Juveniles from other jurisdictions who cannot be taken to their residence and who have been arrested for misdemeanor violations within the City of Omaha, shall be brought into the Juvenile Unit office with all proper Crime Reports completed. Further action in these particular cases shall be handled through the Juvenile Unit.
6. In circumstances where a number of juveniles are arrested at the same time for misdemeanor offenses, where it is not reasonable or practical for the Field Officer to handle as a Street Release situation, all parties shall be brought to Central Station to the Juvenile Unit. The field officer will furnish a completed Street Release form PO 70 to the Juvenile Unit for each juvenile arrested and the Juvenile Unit will then be responsible for transporting or releasing the juvenile to a proper adult.

7. A juvenile who is sixteen years old, or older, taken into custody for the charge of "Misdemeanor Possession of Marijuana" shall be handled in the regular adult booking procedure. They shall be placed on bond and the case scheduled for the Municipal Court.
8. Violations of laws pertaining to operating bicycles on the streets of the City of Omaha, and all rules of the road for moving traffic violations shall be enforced by standard traffic tickets for persons sixteen (16) years and over in the same manner as an operator of a motor vehicle. Young persons under the age of sixteen (16) violating moving traffic ordinance shall be handled under the Street Release-Juvenile Program as all other traffic violators of that age group.
9. Cases where a Municipal Court warrant is issued for the person and the proper person has been arrested, regardless of the age of the defendant, he must be booked into the standard adult booking procedure and the case must be forwarded to the Municipal Court via the City Prosecutor's Office.⁹

The Omaha Police Juvenile Unit has established criteria for the detention of juveniles.

Criteria for Detention

- A. Child is almost certain to run away during the period the court is studying his case.
- B. Child is almost certain to commit an offense dangerous to himself or to the community before court disposition.
- C. Child must be held for another jurisdiction, e.g., parole violators, runaways, escapees, from institutions to which they were committed by a court.
- D. The child has been taken into custody by order of the court.
- E. Whereabouts or availability of parent or guardian is unascertainable.

When Not To Retain

Detention should not be authorized in the following instances:

- A. For further questioning to complete a police investigation.
- B. For children apprehended for minor offenses or being wayward who refuse to go home, or parents who refuse to come after them, until all efforts fail on the part of the peace officers to effect the releases.

⁹ Omaha, NE Police Division, Division General Order # 63-71, (June 30, 1971)
P. 3,4 Sec. 1-9 (Amended March 74)

- C. For children unable to make bond set by another court
- D. For children whose parents or guardian request detention for punitive purposes.¹⁰

Juveniles are not automatically referred to the Separate Juvenile Court. The officers shall advise the parent or guardian that it is unknown at this time whether the juvenile will be called into Juvenile Court. If he is to be cited into Juvenile Court for a hearing, his parent or guardian will be properly notified by the separate Juvenile Court. There is no need for them to contact the court or juvenile unit to inquire as to whether the young person is referred to court. They can assume if they do not hear from the juvenile authorities, that the case has not been referred to the juvenile court. There will be no permanent record at central headquarters of the arrest.

Parents, guardians or custodians of all juveniles under the age of eighteen (18) years of age who are arrested and detained for twenty-four hours must be notified of the arrest of the juvenile.

Notification is not necessary for juveniles who are given traffic citations and are released on a field release form. Notification is not required for those juveniles booked into municipal jail that make bond or are released immediately.

Notification of a parent or guardian is required when:

1. Any juvenile who is arrested and handled through the Juvenile Unit and forwarded to the Intake Office of the Juvenile Court must have had his parents notified by a member of the Omaha Police Division. This shall be the responsibility of the Juvenile Unit of the Criminal Investigation Bureau.
2. Under eighteen (18) year olds who are arrested in felony situations and are being held for arraignment or preliminary hearing must have had their parents notified during this time period of the young persons' arrest and detention. The responsibility for this notification shall be the responsibility of the Detention Section of the Technical Services Bureau.

¹⁰ Omaha, NE Police Division Standard Operating Procedures, Sec. OPS 404, Sec. 1,2 (March, 1974)

3. A juvenile who is arrested for a misdemeanor and is not able to make bond or be released in any other manner shall be the responsibility of the Detention Section for notification of a parent.

The information that will be given shall be:

1. Name of arresting officer.
2. Place of arrest.
3. The charge for which the juvenile was arrested.
4. The date and time of arrest.
5. Amount of bond required.¹¹

On occasion, the Omaha Juvenile Unit recommends that the juvenile be detained in the Youth Center of the City of Omaha. This decision must be made, after police recommendation, by the Intake Officer representing the juvenile court. If the juvenile unit wishes to recommend that the youth be detained, the Juvenile Officer shall transport the youth to the Intake Officer at the Douglas County Court House. If the Intake Officer determines that the youth should be transported to the Youth Center for confinement, the Intake Officer should call the Omaha Police Division for cruiser transportation. Under no circumstances are uniform cruisers to transport a youth from the courthouse to any other destination in the city other than the youth center.¹²

The effect this information can have on the community can be very beneficial to the police. If the public was informed as to the precautions taken for the welfare of the youth, the police role may be viewed with more respect.

¹¹ Ibid., P. 7, Sec. 1-3

¹² Ibid., P. 8, Note 5.

Denver, Colorado

Denver, Colorado approaches the juveniles processing procedures in a different way. All juveniles taken into custody and brought to Delinquency Control Division or Detective Division shall be processed through the identification bureau except those juveniles taken into custody for the following offenses:

1. Runaway
2. Auto theft (first offense)
3. Shoplifting
4. Malicious mischief
5. Ordinance Violation
 - a. Ordinance violations involving use or possession of firearms and use or possession of drugs shall be processed through the identification bureau.
 - b. In any case, regardless of the offense, where the investigator feels that identification bureau processing would be desirable such processing shall be effected.

Identification Bureau Processing shall be handled as follows:

1. Prior to taking any juvenile to the Identification Bureau, the investigator shall check the Juvenile History card to determine if a photograph and fingerprints are on file. If not, the investigator shall notify the Identification Bureau, by phone, of the desired processing.
2. The juvenile to be processed shall then be taken, with the Juvenile Case Summary Sheet, to the Identification Bureau.
- 3.⁹ Identification Bureau personnel shall photograph and fingerprint the juvenile and assign a DPD number. This number shall be stamped on the Juvenile Case Summary sheet.
 - a. The DPD number shall be transcribed to the Juvenile History card by Delinquency Control Division clerks.
 - b. The Identification Bureau personnel will xerox the Juvenile Case Summary sheet and place the right index fingerprint on same to be filed in juvenile arrest file.
4. A photograph and fingerprint file shall be maintained in the Identification Bureau. The file shall be indexed by name and DPD Number.
 - a. Photographs of juveniles will be available to Denver Police Investigators upon request.
 - b. Photographs of juveniles will not be available to the public.¹³

¹³ Denver, Colorado, Police Dept. Standard Operating Procedures, Sec. 404.02, (revised Oct. 73), p. 299.

The existing philosophy of Juvenile Court Law is to give a child a hearing and work out a program for his better adjustment in the community instead of giving him a trial and dealing out punishment.

Juveniles may be arrested (ordered in or incarcerated) for felonies, misdemeanors and ordinance violations upon probable cause.

Persons who have not reached their 18th birthday will not be confined in city jail except for the following conditions:

- A. Those jailable traffic offenses committed by juveniles over the age of 16.
- B. Where the person is ordered to be so confined by a Juvenile Court Judge, the Denver District Attorney or the superintendent of Juvenile Hall.¹⁴

Juvenile Hall will refuse people who have committed serious offenses such as rape, stick-up, or are escapees or parole violators.¹⁵

For those juveniles placed in Juvenile Hall, the judge of the Juvenile Court will hold a hearing daily except Saturday and Sunday. This hearing will determine the need for further detention. If an investigator feels that the juvenile has committed a serious offense, he may request the juvenile be detained until a filing or investigation is completed. The investigator requesting such detention must be present at the hearing and make his wishes known to the judge.

Considerations for incarcerating arrested juveniles are as follows:

- a. Persons on parole shall be detained in City Jail upon notification to Juvenile Hall.
- b. Persons on probation may be detained Juvenile Hall.
- c. Non-local runaways shall be detained.
- d. Local runaways who probably would not stay home if released shall be detained.
- e. Perpetrators of serious and violent crimes such as homicide, rape, aggravated robbery, aggravated assault, etc., shall be detained.

¹⁴ Ibid., p. 300

¹⁵ Ibid., p. 294, para. 7

- f. Persons with extensive and recent arrests may be detained.
- g. Persons whose release would jeopardize the welfare of the juvenile and/or the community shall be detained. In this category would be those cases where a parent or guardian cannot be located, where the parent or guardian is not a responsible person or cannot control the juvenile, in other cases where it is apparent that the released juvenile would not be properly supervised or where the officers feel and can justify that release would, in fact, be detrimental to the juvenile and/or community.

In all cases where the necessity for incarceration is indicated, officers shall bring the juvenile to Room 225, Delinquency Control Division for processing. Here, officers shall be advised and assisted in making proper reports, notifications, etc..

Juvenile Hall will detain, pending the Detention hearing; those juveniles whom the Police Department feel are necessary to detain provided officers meet certain stipulations as follows.

- a. That all juveniles taken into custody be processed through Delinquency Control Division.
- b. That all juveniles whom officers wish detained be adequately screened and that one or more of the following criteria for detention be met.
 - 1. Persons on parole shall be detained (place of detention shall be at the discretion of Juvenile Hall).
 - 2. Persons on probation may be detained in Juvenile Hall.
 - 3. Non-local runaways shall be detained.
 - 4. Local runaways who probably would not stay home if released shall be detained.
 - 5. Perpetrators of serious and violent crimes such as homicide, rape, aggravated robbery, aggravated assault, and other crimes against persons, shall be detained.
 - 6. Persons with extensive and recent arrests may be detained.
 - 7. Persons whose release would jeopardize the welfare of the juvenile and/or the community shall be detained. In this category would be those cases where a parent or guardian is not a responsible person or cannot control the juvenile, in other cases where it is apparent that the released juvenile would not be properly supervised or where the officer feels, and can justify, that release would, in fact, be detrimental to the juvenile and/or community.

- c. That criteria for detention be clearly and completely documented on the Juvenile Case Summary.

1. It shall be the responsibility of the Delinquency Control Division receiving officer to see that the proper criteria for detention is met and documented on the Juvenile Case Summary.

Officers wishing a juvenile detained subsequent to the detention hearing should make such wishes, and reasons for same, known to the hearings officer. This may be done through information on the Juvenile Case Summary or through the Delinquency Control Division officer assigned to Juvenile Hall.

In some cases (such as where parents cannot be contacted, etc.) certain juveniles must be detained even though detention is not required or wished by the Police Department. These releasable cases shall be handled as follows:

- a. When the Juvenile is releasable but appearance with parent is desired at a later time, such information shall be placed on the Juvenile Case Summary and a completed order-in shall accompany the Juvenile to Juvenile Hall. The order-in shall be served by Juvenile Hall personnel in the event of release.
- b. When the juvenile is releasable and no further appearance is necessary, this information shall be placed on the Juvenile Case Summary.
- c. For those juveniles released and ordered in a copy of the order-in shall be returned to Delinquency Control Division by Juvenile Hall indicating that the juvenile has in fact been released. When order-ins are not served they may be discarded.¹⁶

In Denver, a modified form of parental release is in effect. It is referred to as "Order-In". Currently, no formal street release program is available as an option to juveniles.

Officers are urged to utilize the order-in to the greatest possible extent. When an arrest is made, the officer shall, in all cases where possible, contact the parent and release the juvenile to the parent with the necessary order-ins. Prior to the release, officers shall obtain sufficient information to identify the juvenile and complete the Juvenile Case Summary. Juvenile Case Summary shall contain details of the release and order-in.

¹⁶ Ibid., p. 296, Para. 1-2

Order-ins shall be made on DPD Form #101, Notice for Appearance of Juveniles. The Delinquency Control Division copy shall be attached to the original Juvenile Case Summary and immediately forwarded to Delinquency Control Division.

Order-ins for the juvenile and his parent, guardian, etc., shall be to Delinquency Control Division, Room 225, Police Building at 8:30 A.M. on the first day following the arrest including Saturdays, Sundays and Holidays.

Delinquency Control Division personnel shall be available on a 24-hour basis in Room 225, 297-2911, to assist and advise officers should they desire such assistance, in regard to such matters as legality of arrest in various incidents, etc..¹⁷

Juveniles in Denver do not have their records maintained in separate files. Photographs will go in file, as there does not appear to be any age restriction. The processing of all subjects without regard to age may leave some permanent scars on the juveniles in the community. The stigma of being processed may be just the starting off point for a "Career" in crime and delinquency. Those youths that were not processed may also go on to crime, but the change of not alienating them might be the break they need.

The Omaha Guidelines and procedures seem to have the most latitude in protecting the rights of juveniles. The guidelines appear fair, and with the best interests of the accused and community in mind.¹⁹

Des Moines' program also appears to have some latitude although the main bulk of decision on processing rests with the commanding officer.²⁰

Denver policies left little room for leeway. All youth were processed in what appeared to be normal adult procedures, except for the exceptions listed in the preceding paragraphs.¹⁸

¹⁸ Lieutenant John McGlaughlin, Personal Interview on Juvenile arrest procedures, Denver, Sept. 20, 1974.

¹⁹ Sgt. Bob Jones, Personal interview on juvenile intake procedures, Omaha, Sept. 27, 1974.

¹⁷ Ibid., p. 295, Para. 1-4.

²⁰ Det. Mark Boyd, Personal interview on juvenile arrest procedures, Des Moines, Aug. 24, 1974.

Our country is built on youth, for they are tomorrow's leaders. We must make every effort to protect them while they are young, so that they may grow up to become useful citizens. Anything we do to them now, may leave a lasting impression on them for life.

B I B L I O G R A P H Y

BOOKS

Coffey, Alan B., etal. Police-Community Relations. Englewood:
Cliffs: Prentice Hall, 1971.

Fox, Sanford J. Juvenile Courts In a Nutshell. St. Paul:
West Publishing Co., 1971.

Giallorbardo, Rose, ed. Juvenile Delinquency, A Book of Readings.
New York: John Wiley and sons, 1966.

Iowa Law Review. Juvenile Court Intake. Des Moines:
Iowa Law Review, 1970.

Steadman, Robert, ed. The Police and the Community.
Baltimore: John Hopkins Univ. Press, 1972.

Wells, Kenneth, and Paul B. Weston. Justice for Juveniles.
Pacific Palisades, Goodyear Publishing Co., 1972

DEPARTMENTAL POLICIES

Denver, Colorado Police Dept. Standard Operating Procedures, Revised October, 1973.

Des Moines, Iowa Police Dept. Divisional General Order. September, 1974.

Omaha, Nebraska Police Division. Division General Order. August 30, 1974.

Legislature of Nebraska, 83rd Legislature. LB 60., Lincoln, Jan. 1973.

PERSONAL INTERVIEWS

Det. Mark Boyd, personal interview, Des Moines, Iowa. Aug. 24, Nov. 2 and Nov. 16, 1974.

Lt. John McGlaughlin, personal interview, Denver, Sept. 20, 1974

Sgt. Bob Jones, personal interview, Omaha, Sept. 20, 1974.

Det. Paul Stone, Personal interview, Omaha, October 24, 1974

PERIODICALS

Clinton, John. "Working with Youth". Law and Order Magazine. Vol. 21, no. 12
New York, 1973

Fester, E. Z. "Juvenile Detention" Fordham Law Review, Vol. XXXVII, No. 2,
December 1969.

END