

Chevy Chase Village Police Department

General Order

Subject: RUNAWAYS FROM OTHER STATES ○ New

CALEA: 1.2.3-a-b-c, 44.2.2-a-b-c-d-e, 81.2.9 ○ Amended

82.2.1-a-b-c-d-e, 82.3.6 • Rescinds 5-54.1

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Roy A. Gordon Chief of Police	3/10/2009	4	5-54.1

I. POLICY

A juvenile taken into custody in this jurisdiction because he/she has been reported as a runaway in another state or the District of Columbia, or other U.S. possession, will be considered and treated as a Status Offender, unless charged with committing a delinquent act.

II. TAKING CUSTODY

- A. Before a juvenile is taken into custody, the juvenile's status will be checked in NCIC to determine if he/she has been reported as a runaway. (CALEA 44.2.2-a)
- B. If the computer check does not reveal the juvenile as a runaway, and he/she is not otherwise "wanted," Maryland law allows the juvenile to be taken into custody **if the juvenile has been harmed and/or is in imminent danger due to their surroundings** and the investigating officer believes this to be the case. (CALEA 44.2.2-b)

If the juvenile is in need of medical attention, he/she will be transported without unnecessary delay to the nearest hospital. (CALEA 44.2.2-d)

- C. If the juvenile is in the computer as a runaway and the computer entry has been confirmed, or the officer's further investigation (through phone calls, faxes, teletypes, etc.) determines that the juvenile is a runaway, the juvenile will be immediately taken into custody and the officer will:
1. Request ECC to enter a "Locate Message" into NCIC so that the computer entry will indicate that the runaway's whereabouts are known; (CALEA 81.2.9)

2. Contact the law enforcement agency that entered the juvenile into the computer to:
 - a. Request that they notify the runaway's parent/guardian; (CALEA 44.2.2-e)
 - b. Ascertain the parent/guardian phone numbers so that the officer taking custody can contact them directly; (CALEA 44.2.2-e)
 - c. Protect the juvenile from harm and ensure that other Constitutional Rights to which the juvenile is entitled are protected. (CALEA 44.2.2-c)
3. Do not handcuff the juvenile (because he/she is a status offender) unless the juvenile is a threat to the officer; and,
4. Immediately notify the Department of Juvenile Services [REDACTED] Monday through Friday, from 0830 to 1700 hours. After hours or on weekends/holidays, have ECC contact the on-call Intake Officer.

This notification is especially important if the juvenile is in need of shelter until his/her parent(s) arrive to pick-up the juvenile, or until DJS can arrange for the juvenile to be transported back to his/her parent/guardian.

5. Transport the juvenile to the shelter facility designated by DJS.

III. PROCESSING PROCEDURES

A. No Pending Criminal Charges

If there are no pending criminal charges to be placed against the juvenile, the officer taking custody of the juvenile will after interviewing the individual: (CALEA 1.2.3-a)

1. Complete, and submit for supervisory approval, a State of Maryland Missing Person Report describing in complete detail the circumstances under which the runaway was encountered and subsequently taken in custody. (CALEA 82.2.1-a-b-c-d-e)
2. Photograph the juvenile.

B. Placing Criminal Charges

1. If the juvenile will be charged criminally as a juvenile (i.e., runaway from another state caught shoplifting or in a stolen vehicle, etc.), the officer taking custody of the juvenile will complete and submit for supervisory approval: (CALEA 82.2.1-a-b-c-e)

- a. An MCP Arrest Report listing the appropriate charge(s) and obtain from MCP Records Section a Juvenile MCP ID Number; (CALEA 82.3.6)
 - b. An MCP Event Report/Village Incident Report to describe the incident that led to the placing of criminal charges;
 - c. A State of Maryland Missing Person Report;
 - d. One Maryland State Police Fingerprint card;
 - e. One MCP palm print card;
 - f. Two MCP fingerprint cards (1 with the fingers rolled and 1 with just the fingertips);
 - g. A State's Attorney's Evidence Information Form;
 - h. A State's Attorney's Witness Information Form;
 - i. Two color photographs of the juvenile; and,
 - j. Notify DJS.
2. If the juvenile has committed an offense for which he/she can be charged as an adult, the officer will:
- a. Obtain an adult MCP ID Number from MCP Records Section; (CALEA 82.3.6)
 - b. Complete a Statement of Charges and all other reports listed in paragraph 1 above;
 - c. Fingerprint the juvenile on an F.B.I. print card, and on all the other print cards listed in paragraph 1 above;
 - d. Notify the juvenile's parent/guardian that the juvenile is in custody and will be charged as an adult; (CALEA 44.2.2-e)
 - e. Take two (2) color photographs of the juvenile;
 - f. Advise the juvenile of his/her rights if he/she is to be interrogated by the officer (do not advise them of their rights if they will be interrogated by an investigator, let the investigator advise them); advise the juvenile of his rights to obtain counsel. (CALEA 1.2.3-b-c, 44.2.2-c)

- g. Take the juvenile and Statement of Charges to the Commissioner for an Initial Appearance;
- h. Inform the Commissioner of the juvenile's "runaway" status.

C. Teletypes/Cancellations

1. The officer who took the juvenile into custody may not cancel the computer entry because only the agency that made the entry can remove it.
2. Because the NCIC "Locate Message" does not automatically cancel the computer entry, the officer who took the juvenile into custody is responsible for ensuring that a "cancellation teletype" is sent to the law enforcement agency that entered the juvenile into the system as a runaway.
3. When the teletype is sent, the following information will be provided to the other agency:
 - a. Juvenile's name,
 - b. The other agency's case number,
 - c. Our report number,
 - d. Status of the juvenile, i.e., in a temporary shelter facility, incarcerated in MCDC or detained at Noyes Center, etc.,
 - e. Whether the parent/guardian was notified by the sending officer, and said parent/guardian's name, and
 - f. What, if any, local charges were placed.
4. A copy of the teletype will be maintained in station files with the report.