



COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **RUNAWAYS FROM OTHER STATES**

NEW REVISED RESCINDS

APPROVED: *GM*

GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

Effective Date 8/22/2018

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 teletype 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 PGPD Juvenile Services at District 3.

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 PGPD Juvenile Services can arrange for the juvenile to be transported back to his/her parent/guardian.

5. Transport the juvenile to the shelter facility designated by PGPD Juvenile Services.

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:

1. Complete, and submit for supervisory approval, a Runaway/Missing Person Report, or "Missing Person/Runaway -Other Jurisdiction," describing in complete detail the circumstances under which the runaway was encountered and subsequently taken into custody.
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:
 - a. A PGPD Arrest Report listing the appropriate charge(s) and obtain from PG PD Records Section a Juvenile PGPD ID Number;
 - b. A PG PD Event Report to describe the incident that led to the placing of criminal charges;
 - c. A (shaded) Runaway/Missing Person Report;
 - d. One Maryland State Police Finger print card;
 - e. One PG PD palm print card;
 - f. Two PG PD fingerprint cards (1with fingers rolled and 1with 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 PGPD ID Number from PGPD Records Section;
 - b. Complete a Statement of Charges and all other reports listed in paragraph 1above;
 - c. Fingerprint the juvenile on an F.B.I. print card, and on all the other print cards listed in paragraph 1above;
 - d. Notify the juvenile's parent/guardian that the juvenile is in custody and will be charged as an adult;
 - 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.
- g. Take the juvenile and the 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 CR Number,
 - d. Status of the juvenile, i.e., in a temporary shelter facility, incarcerated in PG DC or detained, 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.