



Cincinnati Police Department  
**STAFF NOTES**

February 17, 2009

*Colonel Thomas H. Streicher, Jr., Police Chief*

**I N S I D E**

**Planning Section**

- [Revision to Procedure 12.900, Processing Juvenile Offenders, New Form 527J, Juvenile Case Investigation Jacket, and Other Juvenile Court Issues](#)
- [Fingerprinting and Photographing Juveniles](#)

**Internal Investigations Section**

- [Citizen Complaint Authority Implements Paperless Notification Process](#)

**Police Communications Section**

- [Car Number Changes for City Officials](#)

**1. REVISION TO [PROCEDURE 12.900](#), PROCESSING JUVENILE OFFENDERS, NEW FORM 527J, JUVENILE CASE INVESTIGATION JACKET, AND OTHER JUVENILE COURT ISSUES**

A revision to Procedure 12.900, Processing Juvenile Offenders, has been made. A new form, Form 527J, Juvenile Case Investigation Jacket, and a 527J log book have been created in order to improve the speed at which case information flows from officers to the Juvenile Court Prosecutors.

An officer making an original arrest or signing an active warrant on a juvenile for a felony or reportable misdemeanor offense will complete a 527J, containing a detailed 527B, Trial Preparation Form, and all other documents pertinent to the case. The 527J will be hand carried to the Hamilton County Prosecutor's Office, located at 230 East 9<sup>th</sup> Street, 4<sup>th</sup> floor, by the officer assigned to the property run the next business day.

Updated criminal complaints are available for use by officers on the Juvenile Court Management System (JCMS) and should be used when signing charges on juvenile offenders. Complaints can also be prepared by the Juvenile Court Clerk. [Attached](#) to these Staff Notes is an informational flyer describing all of the information which can be accessed using JCMS.

Additionally, references to Truancy Enforcement have been removed from Procedure 12.900. Juveniles found out in a public place, when they should be in school, should be charged with CMC Section 910-1, Attendance at School. These revisions are effective immediately. Personnel should review Procedure 12.900 in its entirety. The revised procedure is available on the Intranet and on the Department web page.

**2. FINGERPRINTING AND PHOTOGRAPHING JUVENILES**

[Attached](#) to these Staff Notes is a memorandum from the Hamilton County Juvenile Court, advising when a juvenile can be fingerprinted and photographed. Officers are also reminded to review [Procedure 12.905](#), Fingerprinting and Photographing Juveniles, in its entirety.

**3. CITIZEN COMPLAINT AUTHORITY IMPLEMENTS PAPERLESS NOTIFICATION PROCESS**

The Citizen Complaint Authority (CCA) has implemented an electronic recording and notification process. Effective immediately, CCA notifications and correspondence to police officers regarding interviews, hearings, meetings, reports, etc. will be sent electronically by utilizing e-mail. Internal Investigations Section (IIS) will serve as the Department's point of contact and liaison with the CCA to ensure personnel receive notifications in a timely manner. The following guidelines are to be followed:

- CCA will electronically send notifications to IIS
- IIS will electronically forward the notification directly to the Captain of the district/section/unit of assignment for the affected personnel (The administrative assistant of the district/section/unit commander will also receive a copy of the CCA notification). CCA notifications will be forwarded from IIS to the respective district section unit commanders by Chris Simon, CT3, at the direction of the IIS Commander
- All notifications of scheduled interviews, hearings, meetings, etc. received from CCA are to be entered into the blotter by a supervisor to record the proper notification of the affected employee

CCA Completed Investigation Reports, and Board Meetings (should an employee elect to attend to contest a CCA finding) in which a case will be reviewed, and final decisions by the City Manager in disputed CCA cases will also be electronically sent to the affected personnel in the same manner as outlined above.

The district/section/unit commander is responsible for ensuring the Department employee assigned to their command receives the CCA reports by having the reports printed in a hardcopy format and given to the affected personnel. The captain of the district/section/unit will ensure there is a follow-up plan for completing e-mail notifications in the event of his/her absence.

#### **4. CAR NUMBER CHANGES FOR CITY OFFICIALS**

The car numbers used for top level City of Cincinnati Officials and their security personnel have changed. The changes are outlined as follows:

- Mayor Mark Mallory, formerly car 9901, now car 9900
- City Manager Milton Dohoney, formerly car 9902, now car 9901
- PS Scott Johnson, PS352, formerly car 8821, now car 9902

They may identify themselves on the radio as “car 9900 Mayor” or “car 9901 Manager.” This change is effective immediately. Any questions may be directed to ESDS Stephanie Brewer, Police Communications Section, at 263-8104.

## 12.900 PROCESSING JUVENILE OFFENDERS

### **Reference:**

Procedure 12.205, Traffic Enforcement  
 Procedure 12.215, Cincinnati Parking Infraction (CPI)  
 Procedure 12.235, Operating a Vehicle Under the Influence (OVI): Processing and Arrest  
 Procedure 12.315, Investigation of Rape and Other Sexual Assault Offenses  
 Procedure 12.430, Endangering Children Offenses  
 Procedure 12.545, Use of Force  
 Procedure 12.600, Prisoners: Securing, Handling, and Transporting  
 Procedure 12.610, Prisoners: Guarding Hospitalized  
 Procedure 12.905, Fingerprinting and Photographing of Juveniles  
 Procedure 12.910, Missing Persons  
 Cincinnati Municipal Code 910-1, Attendance at School  
 Ohio Rules of Juvenile Procedure Rule 6, Taking into custody  
 Ohio Rules of Juvenile Procedure Rule 7, Detention and shelter care  
 Ohio Revised Code 2151.022, Unruly child defined  
 Ohio Revised Code 2151.23, Jurisdiction of juvenile court  
 Ohio Revised Code 2151.31, Apprehension, custody, and detention  
 Ohio Revised Code 2151.311, Procedure upon apprehension  
 Ohio Revised Code 2151.312, Place where unruly child may or may not be held  
 Ohio Revised Code 2919.21, Nonsupport or contributing to nonsupport of dependents  
 Ohio Revised Code 2919.22, Endangering children  
 Ohio Revised Code 2919.23, Interference with custody  
 Ohio Revised Code 2919.24, Contributing to unruliness or delinquency of a child

### **Policy:**

When dealing with juvenile offenders, it is the policy of the Police Department to employ the least coercive of the enforcement directives available to properly address the situation.

### **Information:**

Community safety depends primarily upon voluntary individual restraint conditioned by community norms that control harmful behavior and reinforce conventional productive behavior. Youth who are not bonded to conventional community institutions such as school, work, religious and recreational organizations are more likely to engage in criminal behavior.

The emerging direction of juvenile justice is towards a balanced and restorative system of justice. Restorative justice focuses on crime as harm and justice as repairing harm, in part, by sanctioning juveniles based upon accountability measures which attempt to restore victims and clearly denounce and provide meaningful consequences for illegal behavior.

The following enforcement directives are designed to hold juveniles accountable for illegal behavior. Employing these directives will allow the court to appropriately intervene in incidents of juvenile offenses through formal and informal action, to effectively address victim, offender and community needs in a balanced manner which enhances public safety.

In all cases where there is doubt as to the proper disposition of juvenile cases, the officer will contact Youth Services Section (YSS) for assistance. If YSS personnel are unavailable, contact a supervisor for assistance in arriving at the proper juvenile disposition.

**Procedure:**

A. Unofficial Complaints/Hearings

1. An officer who perceives that an informal intervention by Juvenile Court is preferable to merely releasing the juvenile to a parent/guardian without contact with Juvenile Court may sign an unofficial complaint against first time non-violent misdemeanor offenders.
  - a. Unofficial complaints are processed through the Hamilton County Juvenile Court (HCJC) and result in a scheduled Unofficial Hearing.
  - b. Unofficial Hearings provide an opportunity for the juvenile and the victim to arrive at a solution.
2. Criteria and guidelines for Unofficial Complaints/Hearings are established by the HCJC.
  - a. Unofficial complaints can only be signed for first time delinquent or unruly offenders with a minor offense.
  - b. Unofficial complaints can only be signed when a juvenile admits guilt to the offense.
  - c. Unofficial complaints are **not** permitted for the following cases:
    - 1) Any use of a gun (real or toy)
    - 2) Domestic Violence or assault against a parent, custodian, guardian, or family member
    - 3) Threat or serious physical harm or death (Menacing and Aggravated Menacing)
    - 4) Unrecovered or damaged property over \$300
    - 5) Drugs
    - 6) Sexual Offenses

- 7) Traffic violations
      - 8) Any weapon on school grounds
    - d. HCJC has the final say in determining which juvenile contacts qualify to proceed with an unofficial hearing.
  3. Complete a Form 314, Notice to Appear, indicating referral for unofficial hearings.
    - a. Write in bold letters across the bottom of the Form 314, "Unofficial Hearing" and check the block marked "Juvenile Court (When Notified)".
    - b. Sign an "Unofficial Complaint" at the Hamilton County Juvenile Court Youth Center (HCJCYC) Intake Office.
      - 1) Verify if the offense meets the guidelines for an unofficial hearing with a HCJCYC Intake Office clerk.
    - c. A citizen issued a Form 655R, Cincinnati Police Citizen Referral, may sign an "Unofficial Complaint".
- B. Issuance of a Form 314, Notice to Appear - Closed Referral
1. In cases where an unofficial hearing is not perceived as the proper action, a closed referral may be issued for any non-violent misdemeanor offense, excluding alcohol or drug offenses, provided the juvenile has not been previously issued a closed referral for any criminal offense.
    - a. Before issuing a closed referral, perform a computer query to determine the juvenile's criminal history and wanted status.
      - 1) Computer queries QHW, QW, QJN, QJO, and QJH access juvenile history and wanted entries.
      - 2) Verify an outstanding warrant for a juvenile's arrest by calling the HCJCYC Intake Office clerk (24 hours a day).
    - b. Note the title of the offense, section number, and facts of the offense on all closed referrals.
      - 1) List the type of offense in the "Title of Offense" space of the Form 314.
      - 2) Enter the facts of the offense in the "Describe Violation" space of the Form 314.

- c. To properly identify juveniles and correlate juvenile records, it is imperative closed referrals, arrest reports, and other police reports reflect the names and addresses of natural parents of the juvenile and the names and addresses of the stepparents or guardians who may now have custody of the juvenile.
  - d. Print "Closed Referral" in bold letters across the bottom of the Form 314.
2. Once the closed referral has been completed, the juvenile must be released to an adult in the following order of preference - a parent, adult relative, adult sibling, school administrator, or responsible adult.
    - a. Inform the adult of the nature of the offense and arrange for the release of the juvenile.
      - 1) Indicate the name and relationship of the person notified on the back of the Form 314. The adult assuming custody of the juvenile must sign the front page of the Form 314.
    - b. For minor misdemeanor and traffic offenses, a telephone notification by the officer to the adult is sufficient. The name of the adult notified must be indicated on the back of the Form 314.
  3. When more than one juvenile is involved in one incident, each referral will have complete information and crossed reference notes.
  4. A unit supervisor will review a closed referral for completeness, legibility, accuracy, and appropriateness (nature of offense, policy compliance, etc.).
  5. Police personnel will forward the closed referral (both criminal status and traffic offenses) to the appropriate district Data Entry Operator (DEO).
    - a. The DEO will enter the closed referral into the computer system and forward all copies to the Records Section for filing.

#### C. Issuance of Citations

1. Sign official complaints against juveniles who have committed a felony, violent misdemeanor (per 2902.02 ORC), drug or alcohol offense or for a non-violent misdemeanor (if they have previously been issued a closed referral for a criminal offense), except in the following cases wherein a closed referral is permitted:
  - a. Complainant refuses to prosecute
  - b. Exceptional clearances (multiple case closures)
  - c. Juvenile lives outside of Hamilton County (misdemeanors only)
  - d. Children under the age of seven

2. Sign official complaints processed as citations at the HCJCYC Intake Office.
3. When the complainant in a juvenile investigation wishes to sign a juvenile complaint, the investigating officer will:
  - a. Provide the complainant a completed Form 655R, Citizen Referral, containing the following information:
    - 1) Juvenile's name and address
    - 2) Juvenile's date of birth
    - 3) Parent/guardian's name, if appropriate
    - 4) Recommended charge and section number
  - b. Inform the complainant to file the complaint against the juvenile at the HCJCYC Intake Office.
  - c. Complete a Form 314 for record purposes.
    - 1) Officers are not required to list the Juvenile Court case number or the Juvenile Court identification number on the Form 314.
    - 2) List the name, address, and phone number of the person signing the complaint on the rear of the Prosecutor's Copy of Form 314 under "Witnesses to be notified for court."
    - 3) Check the block titled "Juvenile Court (When Notified)."
    - 4) A unit supervisor will review the Form 314 and forward to the district DEO.
      - a) The district DEO will enter the citation into the computer system and forward all copies to Records Section for filing.
  - d. Release the juvenile to his parent/guardian.
    - 1) Advise the parent/guardian that Juvenile Court will notify them of the court date.
4. In cases where the officer will sign the complaint
  - a. Complete a Form 314 for record purposes.
    - 1) Check the block titled "Juvenile Court (When Notified)."
  - b. Release the juvenile to his parent/guardian.
    - 1) Advise the parent/guardian that Juvenile Court will notify them of the court date.

- c. Sign the official complaint within 16 hours of the citation at the HCJCYC Intake Office.
  - 1) Complete a Hamilton County Juvenile Court Case Summary Form, available at the Intake Office, when signing the complaint.
  - 2) Obtain the Juvenile Court case number and the Juvenile Court identification number from the intake clerk. Record the Juvenile Court case and identification number in the "Describe Violation" space on the Form 314.
  - 3) Officers have the option of completing a Form 555, Juvenile Court Pre-Sentence Probation Information Request, to provide information to the court prior to sentencing. This form may also be completed when making a physical arrest.
    - a) Completion of the Form 555 will generate a pre-sentence probation investigation. The arresting officer(s) will be contacted during this investigation to provide information relevant to the sentencing.
- d. Juvenile Court will notify all witnesses and issue the necessary subpoenas.
- e. A unit supervisor will review the Form 314 and forward to the district DEO.
  - 1) The DEO will enter the citation into the computer system and forward all copies to Records Section for filing.

#### D. Physical Arrest (Detention)

- 1. Reasons to admit a juvenile into detention are:
  - a. The seriousness of the offense
    - 1) Priority should be given to offenses involving violence toward a victim(s).
    - 2) A history of minor offenses may also be considered.
  - b. Protection of the juvenile from immediate or threatened physical or emotional harm.
  - c. The juvenile may abscond or be removed from the jurisdiction of the court.
  - d. The juvenile has no parent, guardian, custodian, or other person able to provide supervision and care for the juvenile and return the juvenile to court when required.

- e. An order for placement of the juvenile in detention or shelter care has been made by the court.
2. Approval from a supervisor is required to place juveniles under 12 years of age in detention.
3. Appropriate charges must be determined prior to transport to the HCJCYC.
4. Transportation to HCJCYC (Detention)
  - a. Juveniles will be taken to the appropriate detention facility without delay, unless in need of medical attention.
  - b. Juveniles will remain handcuffed during all phases of transportation and processing.
  - c. Whenever juveniles are transported or processed, separate them from adult offenders.
5. Process all evidence through the arresting officer's district/section/unit to the Court Property Unit. Document on the Form 527, Arrest and Investigation Report, where the property was taken.
  - a. Personal property found on the juvenile will be held at HCJCYC.
6. Prepare a Form 527 when taking a juvenile to the HCJCYC.
  - a. The Form 527 will accompany the juvenile to the HCJCYC and provide the basis for the Receipt for Juvenile Form prepared by intake personnel.
  - b. Notify the HCJCYC intake or youth center officer when an arrested juvenile must obtain medical treatment prior to being transported to the HCJCYC.
7. Upon completion of the juvenile's registration, the arresting officer will file the official complaint with the HCJCYC Intake clerk.
  - a. The Form 527 should contain all pertinent information related to the case including: names of witnesses, injuries to victims, any evidence, etc.
  - b. The transporting officer(s) will enter the identification number and case number(s) obtained from the intake clerk in the "Facts of Arrest" space on the Form 527.
  - c. A unit supervisor will review the Form 527 and forward to the district DEO.
    - 1) The DEO will enter the Form 527 information into the computer and forward all copies to Records Section.

8. Officers will complete a Form 527J, Juvenile Case Investigation Jacket, for all arrests on original felony and original, reportable misdemeanor charges. The only exception is Operating a Vehicle under the Influence (OVI) arrests.
  - a. The Form 527J will include a 527B and copies of all other pertinent paperwork needed to prove the facts of the case, including probable cause, elements of the crime and evidence showing the suspect committed the crime.
  - b. A supervisor must review the contents for accuracy and completeness and sign the Form 527J.
  - c. The completed Form 527J will be entered into the district/section/unit Form 527J log book.
    - 1) **Do not** leave the 527J or 527B with the juvenile clerk.
  - d. The approved Form 527J will be logged out of the log book and hand carried to the Hamilton County Prosecutors Office (Juvenile Division) located at 230 East 9<sup>th</sup> Street, 4<sup>th</sup> floor, by the officer assigned to the property run on the next business day.
9. Notification of parent/guardian
  - a. An officer taking a juvenile into custody will make a reasonable attempt to notify the parent/guardian. Make an entry in the district or unit blotter of the notification or inability to notify.
    - 1) Notify the parent/guardian when detaining a juvenile for "in-custody" questioning.
      - a) "In-custody" means taking a juvenile to a police facility, detention facility, hospital, or other place where the juvenile is not free to leave.
      - b) The detaining of a juvenile for in-custody questioning must be based upon probable cause.
      - c) Notification of the parent/guardian is not necessary for brief field interviews.
      - d) The interviewing officer(s) will explain agency and juvenile justice system procedures to the juvenile and the juvenile's parents or guardians.
        - 1] As part of the explanation, include:
          - what violation the juvenile is being charged with.
          - whether the juvenile will be transported to the HCJCYC or released to the custody of the parent or guardian.

- whether further court proceedings will ensue.

2] Juvenile Court will handle the notifications of when to appear for further court proceedings.

- 2) The length of time for a juvenile interview is best gauged by the investigator's assessment of the juvenile's physical and emotional condition throughout the interview process.
  - a) Never interview juveniles beyond one hour without approval of a supervisor.
- 3) No more than two officers will interview a single juvenile.

#### E. Felony and Reportable Misdemeanor Warrants

1. Refer to Procedure 12.900 section D.8. when signing active juvenile warrants for felony or reportable misdemeanor offenses.

#### F. Runaways

1. Query all runaways to determine if warrants have been signed.
2. Local runaways
  - a. Take the juvenile home. Obtain supervisory approval if the juvenile lives outside Hamilton County, but within reasonable driving distance.
    - 1) If the parent/guardian cannot control the juvenile or the juvenile will run away again, they must sign an official complaint at the HCJCYC Intake Office before the juvenile is placed in detention.
  - b. Juvenile Court will issue a runaway warrant for a juvenile whose whereabouts have been unknown for 12 hours or more. Exceptions are made for a juvenile whose safety is in jeopardy.
  - c. Officers may consider a local runaway for detention if they can justify it on the basis of personal knowledge or when other delinquent acts are involved. Disposition should be made in accordance with Section D.1. of this procedure.
3. Out-of-town runaways
  - a. Take the juvenile who lives 75 miles or less to the district. Notify the parent/guardian to respond for the juvenile. A supervisor will ensure the security of the juvenile until the parent/guardian arrives.
    - 1) If there is any question regarding the cooperation of the juvenile while awaiting release, transport to HCJCYC and sign the appropriate charge as indicated below.

- b. Take juveniles living in excess of 75 miles from Cincinnati to HCJCYC.
    - 1) The arresting officer will sign an unruly juvenile complaint based on ORC 2151.022, Unruly Juvenile, Defined.
    - 2) Contact 241-KIDS (Hamilton County Department of Human Services) for assistance for juveniles under 12 years of age. Complete a Form 314 and notify Personal Crimes Unit (PCU) by telephone.
  - c. Make a blotter entry indicating the disposition of the juvenile.
4. Runaways from placement centers
- a. Place runaways, 12 years of age or older, from placement services in the HCJCYC unless immediate custody can be transferred to an appropriate authority for the juvenile's return.
    - 1) The arresting officer will complete a Form 527.
  - b. Contact 241-KIDS for a juvenile under 12 years of age if the juvenile cannot be returned to the agency having jurisdiction. Complete a Form 314 and notify PCU by telephone.
- G. Incurable Complaints
- 1. Police officers will not initiate an arrest for incurability without an official complaint signed by a parent/guardian.
- H. Juvenile Traffic Offenders
- 1. Juveniles 12 through 17 years of age inclusive, who commit a minor traffic violation, may be issued an Ohio Multi-Count Uniform Traffic Tag (MUTT) or a closed referral.
    - a. When a closed referral is issued, write "Closed Referral" and the specific charge in the "Offense Charged and Description" block of Form OH-1.
    - b. Juveniles 7 through 11 years of age will receive a closed referral unless one of the following occurs:
      - 1) Operation of a vehicle without a valid driver's license.
      - 2) Operating a Vehicle Under the Influence (OVI) violation.
      - 3) Auto accident with serious injuries or a death to another (excludes pedestrian accidents wherein the juvenile is at fault and injured)
      - 4) Auto accident involving severe property damage

2. If a traffic code violation (for OVI cases, see Section H.3. of this procedure) is committed by a juvenile driving a motor vehicle, and the officer determines a warning (Closed Referral) is not sufficient, the following will apply:
  - a. District officers will cite juvenile traffic offenders on an MUTT to Hamilton County Juvenile Court on the following days except court holidays:
    - 1) Monday - District 1 and District 5
    - 2) Tuesday - District 2
    - 3) Wednesday - District 3
    - 4) Thursday - District 4

NOTE: Other units are not restricted.

    - 5) A minimum of 14 days must elapse between the date the citation is written and the date of the hearing (except juvenile OVI cases - see Section H.3. of this procedure). Write citations for the first hearing date for your district following the 14 days.
    - 6) When necessary, the hearing date can be delayed to a following assigned date.
    - 7) All hearings will be set for 1430 hours.
    - 8) Districts assigned hearing dates that fall on a holiday will schedule the hearing for the indicated day of the following week.
  - b. Citations issued as a result of an auto accident require both parties and witnesses to be informed of the date and time of the hearing.
    - 1) Witnesses may appear at the hearing, but are not required unless subpoenaed.
  - c. Give a juvenile traffic offender the violator's copy of the MUTT, listing the date and time of the court appearance.
    - 1) Check the block advising the juvenile to appear in Hamilton County Juvenile Traffic Court.
3. When a juvenile is cited to court for ORC Sections 4511.19 OVI, or 4511.19.1 - Implied Consent.
  - a. Cite the arrested juvenile on a MUTT for the fifth calendar day following the arrest. If the fifth day is a Saturday, Sunday, or legal holiday, use the next court day.

- b. The time of the court appearance is 1430 hours in Juvenile Court.
    - c. Police personnel will not appear at this hearing.
  - 4. Treat juveniles riding toys as a pedestrian.
  - 5. Issue a Cincinnati Parking Infraction (CPI) when a vehicle parked in violation is known to be owned, or the violation was committed by, a juvenile.
    - a. Cite juveniles operating a vehicle with expired license plates in violation of Cincinnati Municipal Code (CMC) 503-52, Unauthorized License Plates, on a MUTT to Juvenile Court.
- I. Adult Criminal and Traffic Warrants Issued to a Person who is a Juvenile
  - 1. Send an adult criminal or traffic warrant issued for a juvenile to the Hamilton County Sheriff's Office, Central Warrants Processing Unit.
    - a. Accompany the warrant with a complete list of the facts so a Record of Arrest can be prepared and the warrant(s) dismissed.
  - 2. Circumstances consistent with this procedure will determine if:
    - a. The juvenile is issued a MUTT and cited to juvenile court.
    - b. A juvenile complaint is signed and the juvenile is cited to Juvenile Court or placed in the HCJCYC.
- J. Service of Hamilton County Juvenile Court Warrants
  - 1. When a computer check indicates a warrant is on file, telephone the HCJCYC Intake Office and confirm the warrant.
    - a. Complete a Form 527 listing the following information:
      - 1) Date, time, name of the person confirming the warrant, and the Juvenile Court identification number in the space titled "Facts of Arrest"
      - 2) Warrant number(s) in the space titled "Charges"
      - 3) RCIC control number in the space titled "Control Number"
    - b. Complete a Form 527J if information which is pertinent to the warrant is discovered, including new evidence and/or statements made by the arrested.
  - 2. If adults have an active warrant issued by the Hamilton County Juvenile Court when the adults were juveniles, confirm the warrant with the HCJCYC Intake clerk.

NOTE: Do not cite adults with juvenile warrants to court.

- a. Take adults with Juvenile Court criminal and parole violation warrants to the HCJC (Hamilton County Justice Center).
    - 1) Take the completed Form 527 to the HCJC with the adult.
    - 2) Advise the HCJCYC Intake clerk the person will be taken to the HCJC.
      - a) The intake clerk will teletype confirmation of the warrant to the HCJC.
  - b. Take adults with Juvenile Court traffic or violation of court order (juvenile probation violation) warrants to the HCJCYC.
    - 1) Take the completed Form 527 to the HCJCYC with the adult.
3. When the HCJCYC Intake clerk is unable to confirm a warrant on a computer hit, the unit supervisor will document on a Form 17 the date, time, name of the clerk, and a full report of the incident. Forward the Form 17 and a teletype printout of the computer hit to the Police Chief.
- a. The Police Chief will forward the Form 17 to the Youth Services Section (YSS) Commander for a follow-up investigation.
  - b. Release the juvenile if the intake clerk cannot confirm the warrant and no new charges are filed.
4. Hamilton County Juvenile Court warrants are distributed to the districts.
- a. The district commander will direct all juvenile warrants received to the warrant control officer.
    - 1) The warrant control officer will complete a Form CW100 (Warrant Control Card) for each warrant.
      - a) Record juvenile warrants separately but in the same manner as adult warrants.
      - b) Process juvenile warrants within a 14 day period.
      - c) The Monthly Warrant Report will include a separate section for juvenile warrants.
  - b. The district commander will determine the assignment for service of juvenile warrants.
- K. Investigations on School Property
1. The primary function of the School Resource Officer (SRO) is enforcement action for any violation of law which occurs on school property.

- a. In many instances, the SRO can identify a wanted juvenile.
  - b. The SRO may also know the background information, address, and other data on a suspect juvenile.
  - c. When SRO's are not readily available to respond, all initial requests for service (e.g., reports, investigations, etc.) should be immediately handled by the police officer on the scene and not referred to an SRO for appropriate action.
2. If an incident occurs on school property in view of a police officer, the officer will file the official complaint.
  3. Contact the school principal to arrange for an interview on the school premises with a juvenile.
    - a. For informational purposes and necessary assistance contact the SRO.
- L. Attendance at School
1. If a juvenile is out in a public place during the hours when the child is required to be in attendance at school and is without parental supervision and not on an emergency errand, complete a Form 314, charging the juvenile with CMC Section 910-1, Attendance at School (also known as Daytime Curfew). If the juvenile is not suspended or expelled from school, return the juvenile to their particular school attendance officer.
  2. If the student is suspended or expelled from school, they may not be returned to school, but must be taken home or to a police facility until a parent or guardian can be contacted.
- M. Curfew for Minors
1. If a juvenile, under the age of 16, is about or upon any place in the city other than their home or usual place of abode between the hours of 10:00 p.m. and 5:00 a.m. of the following day, and exceptions do not apply, charge with CMC Section 911-27b.
  2. If the juvenile is 16 or older but under 18 and is about or upon any place in the city other than their home or usual place of abode between the hours of 12:00 a.m. and 5:00 a.m., and no exceptions apply, charge with CMC Section 911-27c.
  3. In cases of curfew violations, CMC Section 911-27, juveniles may be transported to the following locations, listed in order of preference:
    - a. Home - Officers will transport a curfew violator home if geographically closer than a curfew center.
    - b. Curfew Center

- c. Lighthouse Youth Services Inc., 3330 Jefferson Avenue, when a parent/guardian cannot be located and a curfew center is not available.
    - 1) Officers must make a reasonable attempt (approximately one hour) to locate the parent/guardian of a curfew violator before transporting the violator to the Lighthouse.
    - 2) Curfew violators under the influence of drugs/alcohol, in possession of a weapon, or involved in gang activity will not be accepted.
      - a) Lighthouse staff has the right to refuse admittance to any curfew violator.
    - 3) Officers transporting a curfew violator to the Lighthouse must then respond to the HCJCYC Intake office to sign a complaint for CMC 911-27, even if the violator is a first offender.
    - 4) Curfew violators who leave the Lighthouse before being released to a parent/guardian will not be charged with Escape, O.R.C. 2921.34.
      - a) If located, these violators will be transported to HCJCYC and charged with an additional curfew violation, if appropriate.
    - 5) Officers will contact the District Five Officer In Charge (OIC) if a supervisor is needed to resolve any situation involving curfew violators.
  - d. Hamilton County Juvenile Court Youth Center, 2020 Auburn Avenue.
    - 1) Only transport curfew violators to the HCJCYC if one of the following conditions applies:
      - a) All locations listed above are unavailable to receive the violator.
      - b) Any condition listed in Section D.1 of this procedure is applicable to the violator.
4. Enforcement actions
- a. A Form 314 (closed referral) will be made for an initial curfew violation.
    - 1) A closed referral should not be used on a second contact unless extenuating circumstances are present (e.g., extensive time has expired since last enforcement contact, juvenile will soon be an adult, etc.).

- b. Handle subsequent violations by completing a juvenile complaint signed at either Juvenile Court or Juvenile Detention.
    - 1) Any previous adjudication for **ANY** violation will cause the correct charge for curfew to be a Violation of a Court Order (VCO). Sign a Juvenile Complaint titled "VCO-Curfew" (ORC Section 2152.02).
  - c. If the parent/guardian has previously been issued a written warning, issue the parent/guardian a minor misdemeanor citation for CMC Section 911-27(e).
5. To ensure the appropriate enforcement is being taken, officers must check the juvenile's previous record.
- a. This can be accomplished by making a computer inquiry or calling the Juvenile Court Clerk's office.

#### N. Adult Involvement in Juvenile Court Cases

1. Juvenile Court has original jurisdiction under the Ohio Revised Code to hear and determine all misdemeanor cases charging adults with any act or omission with respect to any juvenile, which act or omission is a violation of any state law or any municipal ordinance.

NOTE: ORC Section 2919.22, Division A - Endangering Children, a misdemeanor of the first degree, is the jurisdiction of the Hamilton County Municipal Court.

2. Police personnel or a parent/guardian wishing to obtain an adult warrant at the Hamilton County Juvenile Court for ORC Sections 2919.21, Division (B) - Nonsupport or contributing to nonsupport of dependents; 2919.22, Division (B)(1) - Endangering Children; 2919.23, Division (B) - Interference with custody; or 2919.24, Contributing to unruliness or delinquency of a juvenile, can:
- a. Consult with a prosecutor on the Hamilton County Juvenile Court's staff during normal business hours.
  - b. File complaints with the HCJCYC Intake clerk when the officer or parent/guardian cannot wait until normal court business hours.
3. Process adult violators arrested and charged with an offense that Juvenile Court has jurisdiction over through the HCJCYC Intake Office and hold at the HCJC.
- a. The arresting officer or the complainant, accompanied by the arresting officer, will sign the official complaint at the HCJCYC Intake Office.
    - 1) The police officer will obtain the necessary paper from the Intake Clerk after the complaint is signed and transport the arrested and the paperwork to the HCJC.

O. Disclosing Identity of Juvenile Offenders

1. Police personnel will not disclose the identity of any juvenile who is the subject of a police contact through detention, citation to court, or by referral to non-criminal justice administration personnel in conformance with the spirit of the Ohio Juvenile Code, except when:
  - a. Identity is required for official purposes.
  - b. The juvenile is wanted as a missing person/runaway and such information is transmitted by Police Communications Section (PCS).
  - c. The juvenile is wanted in the investigation of a felony and such information is transmitted by PCS.
2. Refer private persons or agencies making a request for identity of juvenile offenders at the Records Section, any police unit, or from a member of the Department, to the Hamilton County Juvenile Court. Juvenile Court can better evaluate the total situation regarding the juvenile involved and their records are more complete.

## M E M O R A N D U M

TO: Police Chiefs' Meeting  
FROM: Juvenile  
DATE: November, 2008  
RE: Fingerprints and Photos of Juveniles

---

Pursuant to 2151.313 of the Ohio Revised Code:

### **FELONY INVESTIGATIONS:**

Police officers may take the photo or fingerprints of a juvenile, without prior approval of Juvenile Court, if:

1. the officer has probable cause to believe the juvenile committed a felony  
or
2. the juvenile has been taken into custody or arrested for committing a felony or has previously been adjudicated or convicted of a felony.

### **MISDEMEANOR INVESTIGATIONS:**

Police officers may take photos or fingerprints of juvenile, without prior approval, if:

1. the officer has probable cause to believe the juvenile committed an offense (other than minor misdemeanor or traffic)  
or
2. The juvenile has been taken into custody or arrested for committing an offense (other than minor misdemeanor or traffic)

### **BUT ON A MISDEMEANOR CASE...**

...the Police must inform juvenile court (ASAP via the clerks office 946-2607 and 946-2608 [24/7] or 946-9412 and 946-9413 [800 Broadway]) that the fingerprints or photos were taken, the name of the juvenile, the number of prints or photos taken, and the name and address of each person who has custody/control of the prints or photos or copies of the same.

### **ALL OTHER INVESTIGATIONS PRIOR TO PROBABLE CAUSE:**

Police **MUST** obtain prior consent to photograph or fingerprint a juvenile. The threshold is very low: "is there articulable and specific basis in fact for suspecting criminal activity, the intrusion is justified by substantial law enforcement interests and the intrusion is limited in scope, purpose and duration." In re Order Requiring Fingerprinting of a Juvenile 42 Ohio St. 3d 124 (1989).

To obtain such consent from the juvenile judge, Police can call:

946-2607 or 946-2608 (24/7) 20/20 Auburn Avenue

946-9412 or 946-9213 (during normal court hours) 800 Broadway

All prints or photos taken pursuant to the judge's consent or the misdemeanor probable cause exception are subject to the time, retention, and disposal provisions outlined in the B section of 2151.313.



# Hamilton County Juvenile Court

800 BROADWAY  
CINCINNATI, OHIO 45202-1332

(513) 946-9200  
(513) 946-9340 TTD

**THOMAS R. LIPPS, JUDGE**  
(513) 946-9212  
(513) 946-9216 FAX

**KARLA J. GRADY, JUDGE**  
(513) 946-9201  
(513) 946-9207 FAX

**Mark H. Reed**  
Court Administrator  
(513) 946-9220  
(513) 946-9217 Fax

**Robert J. Gruber**  
Director of Information Services  
(513) 946-9310  
(513) 946-9311 Fax

The Hamilton County Juvenile Court has created an application that we believe will be of benefit to your agency; the Hamilton County Juvenile Court Law Enforcement Server.

The Hamilton County Juvenile Court Law Enforcement Server allows the secure access of Court information on juveniles to police and other law enforcement agencies via the public Internet and a standard browser (e.g., Internet Explorer, Netscape, etc). This application is accessible via standard Internet connectivity, or via RCC networked terminals.

A lot of time was spent in working on the user interface, in order to keep it simple, intuitive, and informational. The application consists of seven main areas.

**SEARCH:** The Search functionality allows searching on Name, Social Security Number, or our internal Juvenile ID. Users can narrow their search by specifying additional criteria.

**JUVENILE DEMOGRAPHICS:** Hyperlinked from the search results is the Juvenile Information page, in which standard demographic data, aliases, family information, DNA, and mug shots may be displayed. Information on which of the Court entities, if any, has care, custody, control of the youth is also shown.

**COURT HISTORY:** Additionally, the Juvenile Information page shows the youth's court history, any co-defendants, and stay-away orders. Also shown are any associated court parties, caution warnings, and upcoming court dates with hyperlinks to case information.

**CASE INFORMATION:** Linked from the Juvenile Information page is the Case Listing page on which case summary information and ITN is displayed. A case's full journal entries can be accessed through a hyper link on this page. Regardless of the case type (i.e., delinquency, traffic, dependency), if the youth has been involved with the Juvenile Court, detailed information about such involvement is readily accessible.

**WARRANTS:** Warrant information, including Possible Whereabouts and Bond information, is also available from the application.

**POLICE ALERTS:** Police Departments can place emergency alerts on youths by contacting Dottie Branson at the Prosecutor's Office at 946-3284. This use is for high profile alerts only. These alerts are then shown when the youth is selected in the system. Please contact Dottie Branson, of the Prosecutor's office, at 946-3284, or Melinda Klenk, of the Juvenile Court, at 946-9455 to remove an alert.

**COMPLAINT CREATION:** The application allows for the easy creation of a complaint form that can be used instead of the complaint disks sent to all agencies. All complaint forms used by the Court are available in MS Word format and linked to each Section Code used by Juvenile Court. Complaint forms must still be physically filed with the court, but this functionality aids law enforcement officers with choosing the correct complaint form.

Due to the sensitivity of the information being provided, Hamilton County Juvenile Court requires that each individual needing access fill out a usage policy and request for access form. The forms are provided with this letter.

Also, to ensure a high level of security, we are restricting access to the physical server based on Internet Protocol address. What this means is that each facility wishing access via the Internet must have static IP address(es), and the information will only be available to that facility. If you have Internet access in your home, you will not be able to access this information. Once this application is available via RCC terminals, organizations may utilize those terminals to reach the HCJC Law Enforcement Server.

We want to invite those parties interested in using this application using standard Internet connectivity to fill out the enclosed agreement and request forms. If you will want to only access the information from an RCC terminal, please request access from RCC. Please return the application to:

Hamilton County Juvenile Court  
Attn: Sam McCoy – Upper Basement  
800 Broadway  
Cincinnati, OH 45202

Fax: (513) 946-9301

Sincerely,

Sam McCoy  
Analyst  
(513) 946-9317