

District Court, Weld County, State of Colorado Court Address: 901 9 th Avenue Greeley, CO. 80631 Mailing Address: PO Box 2038, Greeley, CO 80632-2038	<p style="color: red; text-align: center;"> EFILED Document – District Court 2010CV1 CO Weld County District Court 19th JD Filing Date: Apr 6 2010 4:15PM MDT Filing ID: 30438881 </p> <hr/> <p style="text-align: center;"> ↑ COURT USE ONLY ↑ Case Number: 10CV01 Division: 1 </p>
ADMINISTRATIVE ORDER 10-07	
IN THE MATTER OF CRITERIA FOR DETENTION SCREENING IN THE NINETEENTH JUDICIAL DISTRICT	

Good cause appearing, IT IS ORDERED that the following criteria are adopted for the screening of juveniles for detention in the Nineteenth Judicial District:

1. The Juvenile Detention Screening and Assessment Guide shall be applied in all cases where applicable. As a supplement to the Juvenile Detention Screening and Assessment Guide the following criteria shall apply:
2. The following criteria set out in the following sections shall supplement the Juvenile Detention Screening and Assessment Guide.
3. The screening authority shall order secure detention where:
 - a. A hold has been placed by the arresting officer pursuant to 19-2-508(3)(c)(I), C.R.S, where the juvenile is alleged to have: committed a felony crime of violence, as set forth in 16-11-309 C.R.S; threatened to use a firearm during the commission of a felony against a person; possessed a dangerous or illegal weapon; unlawfully carried a concealed weapon on school, college, or university grounds; committed prohibited use of weapons; committed illegal discharge of a firearm; or committed illegal possession of a handgun by a juvenile;
 - b. The Juvenile has been taken into custody on an arrest warrant issued by a District Court which does not have the clause “Promise to Appear Authorized if Deemed Appropriate after Assessment” or a County Court warrant with the clause “No P.R. Bond” or “Cash/Surety only”.
 - c. If the juvenile is detained only on a County Court warrant with a “No P.R. Bond” or “Cash/Surety Only” clause, it shall become a P.R. bond, co-signed by a legal guardian or other responsible adult immediately unless the juvenile is charged with Driving under the Influence of Alcohol/Drugs or Driving While Ability Impaired by Alcohol/Drugs as set out in 42-4-1301(1)(a) and (1)(b) or Careless Driving Resulting in Death 42-4-1409.

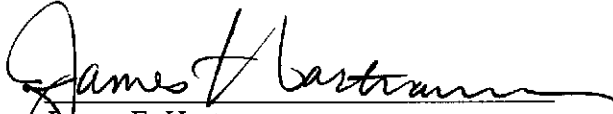
If charged with one of the exceptions, the juvenile shall post the bond that is ordered on the warrant before release.

- d. If the juvenile is not able to post the bond, the juvenile shall be brought before the court for a detention hearing pursuant to C.R.S. 19-2-508 at the next available court date.
 - e. The juvenile has been detained pursuant to a court order or mittimus.
 - f. The juvenile was in possession of a firearm at the time of the offense or arrest.
 - g. The juvenile has been taken into custody for vehicular homicide.
 - h. The juvenile is on Juvenile Intensive Supervision Probation (JISP) and is taken into custody for a new criminal offense.
 - i. The juvenile is on probation for a sexual offense and is taken into custody for a new misdemeanor or felony sexual offense.
 - j. The juvenile is arrested for an offense denominated as an act of domestic violence. (Such juvenile shall not be released until served with a Temporary Restraining Order.)
 - k. The juvenile is arrested for an allegation of sexual assault on a child.
 - l. The juvenile is presently at liberty on bond for a juvenile case and is alleged to have committed a new misdemeanor or felony offense.
 - m. The juvenile is currently facing adult charges as a result of either direct file or transfer proceedings and is alleged to have committed a new misdemeanor or felony offense.
 - n. The juvenile is under D.Y.C. commitment in community placement and is alleged to have committed a new misdemeanor or felony offense.
4. The screening authority may order secure detention where:
- a. The Juvenile has been taken into custody for a felony or misdemeanor offense without a hold by the arresting agency, but is not appropriate for non-secure placement. Examples include, but are not limited to, an offense involving assault, or the juvenile is under the influence of alcohol or drugs.
 - b. The juvenile has been taken into custody by a probation officer pursuant to Section 19-2-503(3), C.R.S.
 - c. The juvenile was in possession of a deadly weapon other than a firearm at the time of the offense or arrest.
 - d. The juvenile is an out-of-state runaway with pending charges.
 - e. The juvenile has pending charges in juvenile court and is alleged to have committed a new misdemeanor or felony offense.
5. The screening authority shall not order detention where:
- a. The child has been taken into protective custody in a Dependency and Neglect matter.
 - b. The juvenile has been taken into custody for an alleged violation of a municipal ordinance.

- c. The juvenile requires medical services before initial intake.
 - d. The juvenile is currently certified to be developmentally disabled or mentally ill.
 - e. The only offense alleged is based on Truancy and there is no active court order for the juvenile's arrest or detention.
 - f. The juvenile has been taken into custody for an alleged violation of Title 42, C.R.S or a fish and game violation, except for 2(A) (2), above.
6. If detention is not appropriate the following guidelines shall govern the release of a juvenile to a parent or other responsible adult:
- a. If a juvenile's parent or parents are available, the juvenile shall be released to such parent or parents.
 - b. If a juvenile's parent or parents are available but refuse to take the juvenile, the juvenile shall be released to the Department of Social Services. The department may thereafter, without further order of the court release the juvenile to a parent, relative or other responsible adult.
 - c. If a juvenile's parent is not available, the child may be released to another responsible adult, or if none is available, to the Department of Social Services. The department may thereafter, without further order of the court release the juvenile to a parent, relative, or other responsible adult.
7. As used in this order, a responsible adult means a person who:
- a) Is at least 21 years of age;
 - b) Is not under the influence of alcohol or drugs;
 - c) Has no outstanding warrants;
 - d) Is mentally competent to accept responsibility for the juvenile; and
 - e) Is able and willing to accept financial responsibility and to provide suitable shelter for the juvenile.
8. This order amends and replaces AO.06-05 entered on March 22, 2006.

DATED: April 6, 2010

BY THE COURT:


James F. Hartmann
Chief Judge, 19th Judicial District