

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	
ADMINISTRATIVE ORDER 2016-02	↑ COURT USE ONLY ↑ <hr/> Case Number: 2016 CV 01 Division: 1
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. If the juvenile is only detained on a County Court warrant (a Misdemeanor (M) or Traffic (T) case) with a “No P.R. Bond” or “Cash/Surety Only” clause, it shall become a P.R. Bond, co-signed by a parent, legal guardian, or other responsible adult immediately UNLESS the juvenile is charged with:
 - a. Driving Under the Influence by Alcohol/Drugs C.R.S. §42-4-1301(1)(a)
 - b. Driving While Ability Impaired by Alcohol/Drugs C.R.S. §42-4-1301 (1)(b)
 - c. Careless Driving Resulting in Death C.R.S. §42-4-1409

If charged with one of the exceptions, the juvenile shall post the bond that is ordered on the warrant before release. If the juvenile is unable to post the bond, the juvenile shall be brought before the juvenile court for a detention hearing pursuant to C.R.S. §19-2-508 on the next available court date.

In situations where a P.R. Bond is required as set forth above, law enforcement is to:

- contact booking for a return date for the P.R. Bond, and;
- file a copy of the P.R. Bond with booking within 24 hours.

3. If 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,” the juvenile is to be screened into detention.

4. The screening authority shall order secure detention under C.R.S. §19-2-508(3)(c)(I), unless the screener obtains a judicial override on a case-by-case basis, where the juvenile is alleged to have committed:
 - a. A felony enumerated as a Crime of Violence under C.R.S. §18-1.3-406;
 - b. The use or threatened use of a firearm during the commission of a felony against a person;
 - c. Possession of a dangerous or illegal weapon;
 - d. Possession of a defaced firearm;
 - e. Unlawfully carrying a concealed weapon;
 - f. Unlawfully carrying a concealed weapon on school, college, or university grounds;
 - g. Prohibited use of weapons;
 - h. Illegal discharge of a firearm;
 - i. Illegal possession of a handgun by a juvenile.
 - j. The juvenile has been detained pursuant to a court order or mittimus.
 - k. The juvenile was in possession of a firearm at the time of the offense or arrest.
 - l. The juvenile has been taken into custody for vehicular homicide.
 - m. The juvenile is on Juvenile Intensive Supervision Probation (JISP) and is taken into custody for a new criminal offense.
 - n. The juvenile is on probation for a sexual offense and is taken into custody for a new misdemeanor or felony sexual offense.
 - o. The juvenile is arrested for an offense denominated as an act of domestic violence and not to be released until served with a Temporary Protection Order.
 - p. The juvenile is arrested for an allegation of sexual assault on a child.
 - q. The juvenile is presently at liberty on bond for a juvenile case and is alleged to have committed a new misdemeanor or felony offense.
 - r. The juvenile is currently facing adult charges as a result of a direct file or transfer proceedings and is alleged to have committed a new misdemeanor or felony offense.
 - s. The juvenile is under a Division of Youth Corrections commitment in community placement and is alleged to have committed a new misdemeanor or felony offense.

5. 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 C.R.S. §19-2-503(3).
 - 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.

6. 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 the offenses listed in Sections 2(a), 2(b), and 2(c), above.

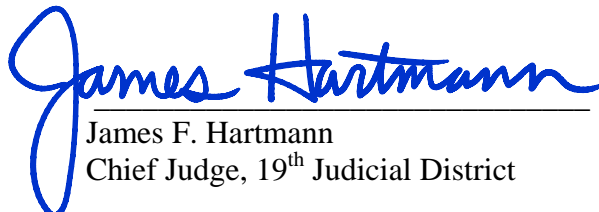
7. If detention is not appropriate the following guidelines shall govern the release of a juvenile to a parent or other responsible adult:
 - a. If a juvenile's parent or parents are available, the juvenile shall be released to such parent or parents.
 - b. If a juvenile's parent or parents are available but refuse to take the juvenile, the juvenile shall be released to the Department of Human 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 Human Services. The department may thereafter, without further order of the court release the juvenile to a parent, relative, or other responsible adult.

8. 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.

This order amends and replaces AO 14-03, entered on June 30, 2014.

DATED: February 17, 2016.

BY THE COURT:


James F. Hartmann
Chief Judge, 19th Judicial District