National Criminal Justice Reference Service



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National Institute of Law Enforcement and Criminal Justice Law Enforcement Assistance Administration United States Department of Justice Washington, D. C. 20531 DATE FILMED

JULY 28, 1980

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Police Department

Baltimore, Maryland

General Order 5-76

3 March 1976

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Index as: Adjustment Program Alternative Handling of Child Offenders Court Sanctioned Pre-Intake Adjustment Program Youth Services Officer

Subject: Court Sanctioned Pre-Intake Adjustment Program

GOALS AND OBJECTIVES

The Baltimore Police Department, in cooperation with the Honorable Robert L. Karwacki, Judge of the Juvenile Division of the Supreme Bench of Baltimore City, has established a program within this agency for pre-intake adjustment in certain cases involving juvenile offenders in lieu of referral to a Juvenile Intake Officer. This adjustment may include referral to community based services.

Prior to the commission of a more serious offense, some rehabilitative mechanism must be developed in order to successfully adjust and divert child offenders.

The goals of this diversion are:

- 1. to address rehabilitative counselling and community referral, where appropriate, to the enrolled child, immediately;
- 2. to impact upon the asocial behavior of the child prior to the commission of violent, criminal acts;
- 3. to channel adolescent time, energy, curiosity and peer association to more socially acceptable activity;

Q-3

GOALS AND OBJECTIVES (Cont'd.)

- 4. to generate an awareness of the responsibility of the community to provide meaningful developmental activities for children;
- 5. provide a satisfactory response to the victims and complainants of child misbehavior;
- 6. to reduce the caseload of more sophisticated formal services to allow their concentration on more serious offenders.

To these ends, this agency will solicit the active participation of community based supportive services to provide the most meaningful and effective program possible, thus dissuading the juvenile offender from repeated or escalated delinquent activity.

The following discretionary alternatives to referral to a Juvenile Intake Officer are available to this department.

Warning and Release

Limited Counselling

Diversion to Approved Community Service

Referral to Approved Community Service Work Program

The participation of the community, both individual and corporate, is vital to an effective rehabilitative program.

PURPOSE

The purpose of this Order is to establish and outline the functions, authority and responsibilities of this agency's members in order to carry out pre-intake activities. In fulfilling the purpose of this Order selected personnel shall be designated Youth Services Officers--see Annex A - Qualification and Selection of Youth Services Officers.

ELIGIBILITY CRITERIA

- I. Any child is eligible for the program who satisfies the following criteria:
 - A. participated in one or more of the 34 offenses listed in Annex B-List of Eligible Offenses;
 - B. not an escapee, wanted, nor on probation;
 - C. not presently a participant in any Juvenile Court or Department of Juvenile Services treatment program;
 - D. voluntarily wished to be enrolled in the program;
 - E. voluntarily admits guilt with no self-incrimination;
 - F. parental/guardian consent and complainant consent.

SELECTION AND PARTICIPATION CRITERIA

- I. Child suitability for program enrollment and subsequent alternative referral may be determined by consideration of the following criteria:
 - A. welfare of the community;
 - B. welfare of the child as determined by possible removal from the environment/home setting;
 - C. potential for successful rehabilitation under the system;
 - D. the child's age, delinquent patterns, family support and cooperation.

DISCRETIONARY ALTERNATIVES

I. After eligibility and suitability determinations, the special discretionary alternatives shall be determined based on SELECTION AND PARTICIPATION above.

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ACQUISITIONS

G.O. 5-76 - Subject: Court Sanctioned Pre-Intake Adjustment Program DISCRETIONARY ALTERNATIVES (Cont'd.)

A. Warn and Release

- 1. After initial counselling interview with the child.
- 2. After initial interview with parents/guardian.

B. Limited Counselling

- 1. Schedule subsequent counselling/interview sessions with the child and parent (if practicable).
- 2. Conduct sessions in company with apprehending officer (if practicable).
- 3. Number of subsequent sessions to be dictated by the needs of the child.

C. Diversion to Approved Community Services

- 1. Select from existing community or citywide resources the most potentially rehabilitative as determined by the needs of the child.
- 2. If deemed necessary, include limited counselling and periodic inspection interviews to monitor the child's progress.
- D. Diversion to Approved Community Service Work Program

Select community employment opportunities which will best serve the needs of the child.

Legitimate increase of income

An awareness of property values

Attainment of work skills and habits

Formation or strengthening of acceptable normative values

DISCRETIONARY ALTERNATIVES (Cont'd.)

If deemed necessary, include limited counselling and periodic inspection to monitor the child's progress.

E. Refer to Intake

Should the Youth Services Officer in concert with the apprehending officer determine program enrollment is not in the best interest of the child or the community, he shall proceed in accordance with General Order 70-11.

REQUIRED ACTION

4.

I. Responsibility of the Apprehending Officer

Upon taking a child into <u>custody</u> for one of the thirty-four offenses, the apprehending officer shall:

- A. Request a records/wanted check from the Central Records Division via Centrex Telephone Extension.
- B. Determine eligibility of the child for program participation in accordance with ELIGIBILITY CRITERIA above.
 - Complete Juvenile Custody Report entering "RE-FERRED" in the disposition block for those determined eligible. This includes juveniles warned and released by the apprehending officer-see Annex C, page C-5.
 - 2. Advise complainant if readily available of the child's eligibility for program enrollment and request complainant's signature certifying understanding and consent.
 - 3. If the complainant is not available or the complainant disagrees with the officer's action, i.e. warn and release, or refer to limited adjustment programs--this negative information shall be written in the narrative section for appropriate follow-up by the Youth Services Officer.

REQUIRED ACTION (Cont'd.)

- C. When Youth Services Officers are available officers shall immediately consult with them regarding disposition and alternatives.
- D. When Youth Services Officers are not available the apprehending officer or desk personnel shall explain this program to parents/guardians and juveniles, provide Fact Sheet, and request signature of desired participation, subject to final approval of the Youth Services Officer.
- E. Provide District Youth Services Officer copies of <u>all</u> available related reports and forms as may be signed.
- F. Process those children not eligible in keeping with established procedures.

II. Youth Services Officer (District of Apprehension)

Upon notification by the apprehending officer that a child is eligible for program enrollment, the Youth Services Officer (or his qualified designee) shall:

- A. Confer with the apprehending officer as to the suitability of the child for program enrollment, where practicable.
- B. Provide parent/legal guardian and the child, Pre-Intake Adjustment Program Fact Sheet and Waiver Form for signature if not previously provided--see Annex C, page C-6.
- C. Forward signed forms to the Youth Services Officer in the district wherein the child resides (if other than district of apprehension).
- D. If possible, address initial counselling to the child and the parents prior to release of the child.

<u>NOTE</u>: Should the parent/legal guardian not be available to the Youth Services Officer, the Pre-Intake Adjustment

REQUIRED ACTION (Cont'd.)

Program Fact Sheet shall be given to the adult responding to take custody of the child. At a later date, Waiver Forms will be presented to the parent/legal guardian by the Youth Services Officer of the district wherein the child resides.

- E. Initiate Tracking Sheet, forwarding original to the Youth Services Officer of the district wherein the child resides, copy to the Youth Section--see Annex C, page C-8.
- F. Upon determining the child is not suitable for program enrollment or parent/legal guardian does not agree to enroll child, or child refuses to participate in the program, or apprehending officer does not concur with the child's suitability, the Youth Services Officer shall complete a Supplemental Report to the Juvenile Custody Report stating "the reason the eligible child is not to be enrolled".

III. Youth Services Officer (District of Residence)

- A. The Youth Services Officer is authorized to:
 - 1. Determine which of the discretionary alternatives described above best suits the needs of the child based on the information available.
 - 2. Determine the appropriate handling of a child enrolled in the system who is subsequently arrested. Criteria to be used shall include eligibility of the subsequent offense and current suitability of the child. No child shall be enrolled or remain in the system who is presently enrolled in a treatment service of the Department of Juvenile Services or the Juvenile Court.
 - 3. Expel from the system any child who consistently fails to respond to rehabilitative efforts or who consistently fails after subsequent counselling to participate in assigned activity.

REQUIRED ACTION (Cont'd.)

NOTE: After consultation with the Area Coordinator, the system director, Chief, Community Services Division, may request of the court, via written correspondence, an extension of the 90day referral period in the best interest of the community of the child or for conclusive results of the referral effort.

- B. The Youth Services Officer in the district wherein the child resides shall:
 - 1. Establish and maintain a secure active case file for reports, cards and other information associated with this program. The Child Contact History form shall not be maintained in this file. After review, it shall be destroyed. All inactive files shall be forwarded to the Youth Section.
 - 2. Contact complainant for certification of Waiver Form as well as parent/legal guardian and child if this had not been completed.
 - 3. Proceed with the appropriate discretionary alternative in keeping with this Order.
 - 4. Notify the child, parent/legal guardian, complainant, and apprehending officer of any child expelled from the program.
 - 5. Complete a Supplemental Report to the Juvenile Custody Report indicating the final action taken on the child's termination with the program by either successful completion or expulsion.
 - 6. Complete the Tracking Report form as to final status of the child.
 - 7. Transmit a copy of the completed form directly to the Youth Section, original to be maintained in district files.

REQUIRED ACTION (Cont'd.)

8. Effect meaningful liaison with the community-based referral organizations and transmit to those organizations any perceived need for communitybased services as determined by his actual experiences. Apprise District Community Relations Sergeant of these needs.

PROGRAM ADMINISTRATION

- I. Line Supervision
 - A. The Chief of the Patrol Division shall, via the chain of command, maintain an overview of the line functions of the Youth Services Officers within the various patrol districts. He shall also effect liaison with the system director of the Pre-Intake Adjustment Program, the Chief, Community Services Division.
 - B. The District Commander of the district of residence shall:
 - 1. Maintain line authority over the Youth Services Officers in his command.
 - 2. Assist and coordinate liaison between the Youth Services Officer and the District Community Relations Sergeant within the District.

II. <u>Staff Supervision</u>

A. The Chief of the Community Services Division shall act as reviewing authority of the work product of the Youth Services Officers as well as the application of the concepts and philosophy. He shall also serve as Liaison Officer to those community-based services which serve the city as an entity from a central location.

> It is the responsibility of the Chief of the Community Services Division to monitor, evaluate and redirect as necessary the development and operation of this system.

PROGRAM ADMINISTRATION (Cont'd.)

- B. It shall be the responsibility of the Director, Youth Section, to:
 - 1. create and maintain a secure and confidential central repository for all information including;
 - a. Juvenile Offense Report
 - b. Juvenile Referral Tracking Report (copy)
 - c. Parental/Legal Guardian/Complainant Waiver Form
 - d. Custody Report
 - e. Custody Cards
 - f. Other Related Reports and Forms
 - 2. develop from available base data as provided by the Youth Services Officers and other sources an effective criteria for the evaluation of this system;
 - 3. facilitate and encourage ideas, rehabilitative programs and community service resources;
 - 4. provide the System Director, Chief, Community Services Division, an ongoing evaluation of this program based on recidivism of enrollees and other behavioral modification indicators, as well as other information necessary to effectively direct the administration of the Court Sanctioned Pre-Intake Adjustment Program.
- C. Three System Coordinators, one per Patrol Area, shall:
 - 1. serve as administrative monitors of Youth Services Officers;

(They shall be limited to the officer's work product; line supervision remains with the

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PROGRAM ADMINISTRATION (Cont'd.)

District Commander);

- 2. be available to assist and coordinate referral across geographic boundaries,
- 3. report directly to the Administrative Coordinator, Lieutenant, Youth Section.

III. Staff Support and Logistics

- A. It shall be the responsibility of the Central Records Division to:
 - 1. respond to the apprehending officer's request for child's record and status concerning probation, escapee or wanted on an outstanding warrant;
 - 2. specify available dispositions for past delinquent activity with particular attention to any "RE-FERRED" entries as dispositions;
 - 3. forward to the Youth Services Officer of the district in which the child resides and to the Youth Section, completed Child Contact History, including dispositions, and reproduced copies of Custody Reports, Custody Card and all appropriate Supplemental Reports--see Annex C, page C-4;
 - 4. update juvenile custody card file as appropriate when advised via Supplemental Report to the Custody Report that a referred case has been submitted to the Department of Juvenile Services for formal adjudication or that the child has successfully completed the 90 day pre-intake adjustment period--see Annex C - Flow of Reports and Forms.
- B. It shall be the responsibility of each Shift Commander within the patrol districts to maintain an accurate list of all subordinate officers who have undergone the specialized Youth Services Officer training. This list shall be

PROGRAM ADMINISTRATION (Cont'd.)

available at the Booking Desk to any apprehending officer.

- C. The District Community Relations Sergeants, in concert with the Community Relations Council Presidents and Aides shall:
 - develop lists of existing participating community based groups by name, function or purpose, address, etc. These lists shall be forwarded to the Chief, Community Services Division, for approval prior to implementation as part of the referral program;
 - 2. be responsible for generating such groups in areas (athletic, vocational counselling, volunteer work projects, etc.), where they do not exist in the community, and forwarding same to the Chief, Community Services Division;
 - 3. explore and report to the Commanding Officer, Community Services Division, the possibility of creating worthwhile rehabilitative work projects (with remuneration) for the referred children;
 - 4. make these lists and revisions to these lists available to his District of Assignment Youth Services Officer, with copies sent to the Chief, Community Services Division, for approval and citywide dissemination.

IV. Training

The Director, Education and Training Division, shall insure the development and distribution to all District and Division Commanders, guidelines for referent roll-call training to be conducted within all districts and divisions, concurrent with the initial two week training program for Youth Services Officers.

Additionally, the subject of this Order shall be incorporated into entrance level and in-service training as appropriate.

I. <u>Selection Criteria for Youth Services Officer</u> See - Annex A

Training Curriculum

See - Appendix 1 to Annex A

II. List of Eligible Offenses

See - Annex B

III. Flow of Reports and Forms

See - Annex C

IV. System Organization Chart

See - Annex D

RECISIONS

None.

EFFECTIVE DATE

This directive is published for planning purposes--appropriate notification will be given prior to implementation.

l. D. D. Pomerleau

Commissioner

Distribution "A"

I certify that I have read and fully understand this Order.

Signature

ANNEX A (Selection Criteria for Youth Services Officer) to General Order 5-76 Police Department Baltimore, Maryland

SELECTION CRITERIA FOR YOUTH SERVICES OFFICER

- 1. Members of this agency, Police Officer/Agent with one year or more of patrol experience.
- 2. Demonstrate interest in assignment to position and:
 - a. obtain favorable command recommendation based on first-line supervisory recommendation;
 - b. successfully complete a battery of psychological tests and interviews;
 - c. possess a favorable educational and professional performance background;
 - d. merit approval by Oral Interview Board, composed of the Director, Community Relations Section, a District Commander and Director, Education and Training Division, subject to the approval of the Chief of Patrol;
 - e. demonstrate sensitivity to the community;
 - f. upon tentative appointment, successful completion of the training curriculum as developed. (See Appendix I Training Curriculum for Youth Services Officers.)

. len D. Pomerleau

D. D. Pomerleau Commissioner

Distribution "A"

Appendix 1 to Annex A to General Order 5-76

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Police Department Baltimore, Maryland

TRAINING CURRICULUM FOR YOUTH SERVICES OFFICERS

This curriculum is provided those members designated Youth.Services Officers. This page is provided all other members for accountability purposes.

A-1-1

ANNEX B (List of Eligible Offenses) to General Order 5-76

Police Department Baltimore, Maryland

LIST OF ELIGIBLE OFFENSES

- 1. Assault and Battery, non-aggravated
- 2. Cruelty to Animals
- 3. Destruction of Property Under \$500
- 4. Disturbing the Peace and/ or Disorderly Conduct
- 5. Consumption of Alcohol
- 6. False Alarm of Fire
- 7. False Statement to Police
- 8. Gluesniffing
- 9. Hindering or Obstructing a Police Officer, Security Officer, Guard, etc.
- 10. Impersonating a Police Officer
- 11. Indecent Exposure
- 12. Interfering with Firemen
- 13. Killing and Injuring Animals
- 14. Larceny Under \$100 (including Shoplifting)
- 15. Littering
- 16. Loitering

- 17. Telephone Misuse/Harassment
- Placing Injurious Substance in Street
- 19. Possession of Alcohol
- 20. Possession of Pyrotechnics (Fireworks)
- 21. Receiving Stolen Goods Valued Under \$100
- 22. Resisting Arrest
- 23. Unlawful Removal of Grocery Carts and Personal Property
- 24. Rogue and Vagabond
- 25. Threats and Threatening Letters
- 26. Tampering With Autos
- 27. Throwing Trash on Land of Another or Public Property
- 28. Trespassing on Private or Public Property
- 29. Wrongful Opening of Mail
- 30. Public Nuisances

B-1

ANNEX B to General Order 5-76

- 31. Playing Ball Unlawfully in the Streets
- 32. Violations Minors in Public Places of Amusement (Bowling Alleys, Pool Rooms, etc.)
- 33. Minors Gambling
- 34. Refusing to Pay Mass Transit or Other Public Conveyances

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D. D. Pomerleau Commissioner

Distribution "A"

ANNEX C (Flow of Reports and Forms) to General Order 5-76 Police Department Baltimore, Maryland

FLOW OF REPORTS AND FORMS

Flow of Reports and Forms Page C-2

Sample Reports and Forms Page C-3

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D. D. Pomerleau Commissioner

Distribution "A"

Annex C to General Order 5-76

Reports and Forms	Initiated By	Given/ Sent To	Action	Forwarded To	Action
Child Contact History	Cen. Rec. Div. Upon request of Apprehending Officer	Apprehending Officer ver- bally advised of record (via Centrex)	Cen. Rec. Div. completes Child Contact History	Youth Section Youth Services Officer (Re- sidence Dist)	File Review - Destroy
Juvenile Custody Report	Apprehending Officer notates ''Referral''	Cen. Rec. Div.	Reproduction and Card Production	Youth Section Youth Services Officer (Re- sidence Dist)	File File
Juvenile Custody Card	Cen. Rec. Div. from Custody Report	File Youth Section Youth Services Officer	Update via Supplemental Report to Cus- tody Report	Retain on	
Supplement to Custody Report	Youth Services Officer (Resi- dence District)	Cen. Rec. Div.	Reproduction and Update Juvenile Cus- tody Card File	Youth Section Youth Services Officer (Resi- dence District)	File File
Initial Tracking Report	Youth Services Officer (Appre- hension District)	Youth Section Youth Services Officer (Resi- dence District)	File Copy Maintain and update origi- nal thru re- ferral period		
Completed Tracking Report	Youth Services Officer (Resi- dence District) as updated	Youth Section (copy) Original kept in Residence District	File File		
Program Fact Sheet/Rights and Waiver Form	Youth Services Officer (Arrest or Residence District)	Youth Section Youth Services Officer (Resi- dence District)	File Copy File Original		

FLOW OF REPORTS AND FORMS

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Annex C to General Order 5-76

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SAMPLE REPORTS AND FORMS

Child Contact History	Page C-4
Juvenile Custody Report	Page C-5
Program Fact Sheet/Rights and Waiver Form	Page C-6
Tracking Report	Page C-8

C-3

Annex C to General Order 5-76

Child Contact History Form ⁷⁶/148

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Date	Custody Number	C. C. Number	Disposition	Referral Officer				
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Clerk: Cadet:	L	Date	Sent To:	Additional Yes No				

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Annex C to General Order 5-76

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Annex C to General Order 5-76

Form 75/155

Police Department

Baltimore, Maryland

Court Sanctioned Pre-Intake Adjustment Program Fact Sheet

The Baltimore Police Department shall operate this Pre-Intake Adjustment Program to the mutual benefit of the child and the community. Its specially trained Youth Services Officers have the exclusive authority to determine the child's eligibility in keeping with standards approved by the Juvenile Court -- as well as his/her suitability for program enrollment.

Should the Youth Services Officer determine the child is not eligible or is not selected for program enrollment, the case may be forwarded to the Department of Juvenile Services for further review.

Should the child be deemed eligible and selected for enrollment in the system, he/she will be expected to participate in one or more of the follow-ing services:

- 1. <u>Limited Counselling</u> interview sessions with parent, child and Youth Services Officer (and arresting officer, where practicable.) This service may be included with other referrals;
- 2. <u>Referral to Community Services</u> as determined by the Youth Services Officer, the child may be scheduled to participate in educational, recreational, medical, social and such other programs as the Youth Services Officer feels best meets the needs of the child. This may also include temporary employment for the child in the community.

Should any of the parties not consent to the informal adjustment, or if such adjustment cannot, in the judgement of the Youth Services Officer, be completed successfully, he shall forward the case to a Juvenile Intake Officer for review.

C-6

Form 75/155

EXPLANATION OF RIGHTS/WAIVER FORM

RIGHTS OF THE CHILD ENROLLED IN THE COURT SANCTIONED PRE-INTAKE ADJUSTMENT PROGRAM:

- (1) Right to have legal counsel present during the initial interview.
- (2) Right to remain silent or stop talking at any time during any interview or counselling session.
- (3) May not have self-incriminating statements used against him/her at any time.

REQUIREDMENT FOR CHILD ENROLLMENT IN THE COURT SANCTIONED PRE-INTAKE ADJUSTMENT PROGRAM:

- (1) Is determined suitable for program enrollment by the Youth Services Officer
- Admits to having committed the offense of ______, on _____, within the purview of the Court Sanctioned Pre-Intake Adjustment Program.
- (3) Has the certified permission of the Apprehending Officer, parent or legal guardian, and the complainant, and the child signs this voluntary agreement form.

I fully understand the provisions of this program and the RIGHTS of the child, and voluntarily agree to participation and/or allow participation.

(Child Enrollee)	(Date)
(Parent or Legal Guardian)	(Date)
(Complainant)	(Date)
(Youth Services Officer)	(Date)
(Apprehending Officer)	(Date)

Annex C to General Order 5-76

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(Address) (School Attended) (School A Specify: (Parent/Guardian Name) (A	ddress) (Phone) ame/District of Assignment) Date
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Vith/ Specify (Parent/Guardian) Remarks: (If rejected, specify reasons)	
(Parent/Guardian) Remarks: (If rejected, specify reasons)	Time
Remarks: (If rejected, specify reasons)	
EFERRAL: Date	
3EFERRAL: Date	
REFERRAL: Date	
	Time
Mr.	
Ms. Child Referred to: Mrs.	
Organizational Name) (A	
By Referral Officer	ddress) (Function)

Form 75/115

2nd. Interview with Child	
Conducted by: P.O.	Date
With/	
Specify (Parent/Guardian)	Time
Remarks: (If rejected, specify reasons)	
3rd. Interview	
Conducted by: P.O.	Date
With/	
Specify (Parent/Guardian)	Time
Remarks:	
4th. Interview	
Conducted by: P.O.	Date
With/	
Specify (Parent/Guardian)	Time
Remarks:	
CHILD'S STATUS: Released	Date
Expelled	Date
۰ - <u></u>	
(Specify Reasons for Expulsio	n)
(Referral - Satisfactory)	Date
(Referral - Unsatisfactory)	Date
Subsequently Arrested:(Date)	
(Charge) (Youth Number)	(C. C. Number)
Status Recorded by: P.O.	District
	Date

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ANNEX D (System Organization Chart) to General Order 5-76

Police Department Baltimore, Maryland 3 March 1976



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