

CARTERET POLICE DEPARTMENT		
STANDARD OPERATING PROCEDURES		
SUBJECT: JUVENILE OPERATIONS		
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EFFECTIVE DATE: August 11, 2022	BY THE ORDER OF: Chief Dennis McFadden	

PURPOSE: The purpose of this policy is to establish procedures for the juvenile function as well as to outline the responsibility of all agency personnel concerning the juvenile function.

POLICY: It is the policy of the Carteret Police Department to be fully committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. It is also the policy of the Carteret Police Department that the responsibility for participating in or supporting the organization's juvenile operations function is to be shared by all agency components and personnel.

This policy is written to be in compliance with New Jersey Attorney General "Juvenile Justice Reform" Directive 2020-12 and as such contains much of the directive's wording, as necessary, for compliance with state juvenile operations requirements .

It is also written to be in compliance with the Middlesex County Prosecutor's Office Directive Implementing-Attorney General Directive 2020-12.

PROCEDURES:

I. Definitions

A. Abused or neglected child means a child less than 18 years of age:

1. Whose parent or guardian inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ,
2. Whose parent or guardian creates or allows to be created a substantial or ongoing risk of physical injury to such child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted loss or impairment of the function of any bodily organ,
3. Whose parent or guardian commits or allows to be committed an act of sexual abuse against the child,
4. Whose physical, mental, or emotional condition has been impaired or is in imminent danger of becoming impaired as the result of the failure of his/her parent or guardian to exercise a minimum degree of care:
 - a. In supplying the child with adequate food, clothing, shelter, education, medical or surgical care though financially able to do so or though offered financial or other reasonable means to do so, or
 - b. In providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or substantial risk thereof, including the infliction of excessive corporal punishment, or by any other acts of a similarly serious nature requiring the aid of the Court,
5. Who has been willfully abandoned by his/her parent or guardian,
6. Upon whom excessive physical restraint has been used under the circumstances, which do not indicate that the child's behavior is harmful to him/herself, others, or property,
7. Who is in an institution and
 - a. Has been placed there inappropriately for a continued period of time with the knowledge that the placement has resulted or may continue to result in harm to the child's mental or physical well-being, or
 - b. Who has been willfully isolated from ordinary social contact under the circumstances, which indicate emotional or social deprivation.

B. Adult means an individual 18 years of age or older.

- C. Curbside warning is a brief, informal interaction between a law enforcement officer and a juvenile who the officer observed engage in an act of minor delinquency. During the interaction, the officer counsels the juvenile to discontinue the conduct, warns the juvenile about the potential consequences of future delinquency, and then concludes the interaction without taking any further action. For the purposes of this Directive, curbside warnings do not include interactions between juveniles and School Resource Officers (SRO) (on school grounds), or other law enforcement officers assigned to a school, as those interactions are governed by policies and practices established between schools and law enforcement agencies.
- D. Custody is defined as the state of being detained or held under guard/watch.
- E. Delinquency means the commission of an act by a juvenile, which if committed by an adult, would constitute (N.J.S.A. 2A:4A-23):
1. A Crime
 2. A disorderly persons offense
 3. A petty disorderly persons offense, or
 4. A violation of any other penal statute, ordinance, or regulation
- F. Designated Juvenile Officer Pursuant to subsection IV of Attorney General Law Enforcement Directive No. 2020-12, the designated juvenile officer for each shift is hereby designated as the duty position within each department authorized to review and approve charging decisions from that officer's department, where Assistant Prosecutor review is not required pursuant to the Middlesex County Prosecutor's Office Directive Implementing-Attorney General Directive 2020-12 directive.
- G. To detain means any holding of a person in police custody, whether the pending court case or other disposition of charges filed or to be filed against the person, or under circumstances where the person is being held on account of a danger to the person's health or safety.
- H. Detention means a situation in which a person is being detained.
- I. A juvenile is an individual who is under the age of 18 years.
- J. Juvenile-Family Crisis means behavior, conduct or a condition of a juvenile, parent or guardian, or another family member, which presents or results in:
1. A serious threat to the well-being and physical safety of a juvenile,
 2. A serious conflict between a parent or guardian and a juvenile regarding rules of conduct which has been manifested by repeated disregard for lawful parental authority by a juvenile or misuse of lawful parental authority by a parent or guardian,
 3. Unauthorized absence by a juvenile for more than 24 hours from his/her home,

4. A pattern of unauthorized absences from school by a juvenile subject to compulsory education provision of Title 18A of the New Jersey State Statutes, or
 5. An act which if committed by an adult would constitute prostitution in violation of N.J.S.A. 2C:34-1 or any offense, which the juvenile alleges is related to the juvenile being a victim of human trafficking.
- K. Juvenile Section Chief The Juvenile Section Chief is defined as the Assistant Prosecutor assigned to the Juvenile Unit with supervisory authority over the daily operations of that unit.
- L. Non-offender means a detained juvenile, other than one charged with an act of delinquency or a status offense.
- M. Parent or guardian means any natural parent, adoptive parent, resource family parent, stepparent, paramour of a parent, or any person, who has assumed responsibility for the care, custody, or control of a child or upon whom there is a legal duty for such care.
1. Parent or guardian includes a teacher, employee, or volunteer, whether compensated or uncompensated, of an institution who is responsible for the child's welfare and any other staff person of an institution regardless of whether or not the person is responsible for the care or supervision of the child.
 2. Parent or guardian also includes a teaching staff member or another employee, whether compensated or uncompensated, of a day school as defined in N.J.S.A. 9:6-8.21.
- N. Non-secure custody means detention in conditions such that a juvenile is not being held in secure custody.
- O. On-Call Juvenile Assistant Prosecutor The On-Call Juvenile Assistant Prosecutor is defined as any Assistant Prosecutor employed by the Middlesex County Prosecutor's Office whose current assignment, in whole or in part, is to the Juvenile Unit.
- P. Secure area means a building or an area within a building that restricts the mobility of an individual in custody through the use of hardware or architectural features.
- Q. Secure custody means detention of a juvenile under conditions such that:
1. The individual is held in a secure room or cell or another secure area,
 2. The area where the individual is held is located within a larger secure perimeter,
 3. The individual is physically secured to a cuffing rail or other stationary object,
 4. The individual is held in conditions that violate the sight and sound

restrictions of this policy,

5. The individual is held in conditions that violate the supervision requirement of this policy.

R. Short-term custody means, except where delinquent conduct is alleged, an officer may take any juvenile into short-term custody (non-criminal), **not to exceed six (6) hours**, when:

1. The officer has reasonable grounds to believe that the health and safety of the juvenile is seriously in danger and taking into immediate custody is necessary for his/her protection,
2. The officer has reasonable grounds to believe the juvenile has left home and the care of his/her parents or guardian without the consent of such persons, or
3. An agency legally charged with supervision of the juvenile has notified a law enforcement agency that the juvenile has run away from out-of-home placement, except where there are reasonable grounds to believe that the juvenile is an abused or neglected child within the meaning of N.J.S.A. 9:6-8.21 in which case the provisions of said law shall govern.

The taking of a juvenile into short-custody shall not be construed as an arrest but shall be deemed a measure to protect the juvenile's health, morals, and well-being. A juvenile taken into short-term custody shall not be detained in a detention facility or jail.

S. Sight and sound separation mean the maintenance of physical separation between a juvenile and a securely held adult so that both sustained visual contact and direct and sustained oral communication between them is not possible.

T. A status offense is not a delinquency offense, but rather is conduct that if committed by an adult would not constitute an offense. Examples include runaways, truancy, or conflicts with parents. These offenses commonly occur as part of a Juvenile-Family Crisis pursuant to N.J.S.A. 2A:4A-22g.

U. Status offender means a juvenile accused or charged with a status offense or a juvenile detained protectively because the juvenile's health or safety is in serious danger.

V. Stationhouse Adjustment is an alternative method that law enforcement agencies may use to handle first-time juvenile offenders who have committed minor juvenile delinquency offenses within their jurisdiction in lieu of signing a juvenile delinquency complaint. The intent of the stationhouse adjustment program is to provide for immediate consequences, such as community service or restitution and a prompt and convenient resolution for the victim, while at the same time benefitting the Juvenile by avoiding the stigma of a formal juvenile delinquency record. In many instances, this early intervention will deter the youth from continuing their negative behavior and divert the youth from progressing further into the Juvenile Justice System.

II. **Assignment, Training, and Responsibilities of the Juvenile Liaison Officer**

- A. The Chief of Police shall designate an officer to be a **Juvenile Liaison Officer (JLO / formerly known as a *Juvenile Officer*)** responsible for overseeing juvenile matters for the department. This selection should be based on the officer's training and experience.

1. Training: the **JLO** should receive both formal and informal training in order to perform his/her duties properly.

Formal Training: Formal training consists of curriculum delivered, either in person or remotely, by an authority responsible for the proper administration of the Juvenile Justice System for the State of New Jersey (e.g., the county prosecutor's office, a police or public safety academy, the New Jersey Division of Criminal Justice, New Jersey Attorney General, the New Jersey Juvenile Justice Commission, etc.)

Informal Training: Informal training consists of education in the form of reviewing policy and statutes, mentoring by an experienced officer, and performing juvenile operations responsibilities under the supervision of a more experienced officer for a set period of time.

2. In-Service Training: the JLO should attend juvenile operations based in-service training, as required, due to juvenile law updates and procedural changes to remain current.
3. The **JLO** should be familiar with local resources and community-based programs available to assist juveniles and their families, shall be well-versed in the various diversionary programs available to divert youth from the Juvenile Justice System, and are tasked with staying up-to-date on legislative changes, and changes to policy and procedure regarding Juvenile Justice Reform (New Jersey Attorney General "Juvenile Justice Reform" Directive 2020-12).
4. The **JLO** can also assist by building partnerships with non-profit and government-run community organizations to assist with the supervision of stationhouse adjustment agreements.
5. **Publicizing the Department's JLO:** Information on how to contact the department's JLO should be made public and placed on the agency's website, in order to provide this resource to families and the community.

- B. The **Juvenile Liaison Officer** shall be responsible for reviewing this policy at least annually to make sure it complies with all applicable statutes, guidelines, and regulations.
- C. The **Juvenile Liaison Officer** shall be responsible for the proper application of this policy in organizational operations pertaining to the juvenile function.
- D. All supervisors of this organization are responsible for the proper application of this policy in their area of responsibility for their subordinates.

III. Quarterly Reporting and Data Collection

- A. On a quarterly basis (dates are defined in the Quarterly Report), this department shall report to the Middlesex County Prosecutor's Office the following anonymized information about each stationhouse adjustment in effect with this department in the prior quarter using the **Stationhouse Adjustment/Curbside Warning Quarterly Report**:

1. The juvenile's age at the time of the unlawful conduct
2. The juvenile's self-reported race, ethnicity, and gender
3. The unlawful conduct, *and*
4. Whether the stationhouse adjustment was satisfactorily completed or is still pending and, if not completed, the reason for the non-completion.

This data will be made publicly available by the Division of Criminal Justice.

- B. Quarterly reports shall be maintained for five (5) years.
- C. See also appendix B of New Jersey Attorney General "Juvenile Justice Reform" Directive 2020-12.

IV. Middlesex County Designation of Authority

- A. In regard to Section II.C, page 6, of Attorney General Law Enforcement Directive No. 2020-12, the municipality's designated juvenile officer or an Assistant Prosecutor assigned to the Juvenile Unit, are hereby designated as the individuals with authority to approve requests to overcome the presumption in favor of a stationhouse adjustment. In deciding whether to overcome the presumption, authorized personnel will consider the factors set forth in Section II.C, page 6, of Attorney General Law Enforcement Directive 2020-12.
- B. In regard to Section II.D, page 6-7, of Attorney General Law Enforcement Directive 2020-12, **Discretion to authorize stationhouse adjustment for other conduct**, an Assistant Prosecutor assigned to the Juvenile Unit is hereby designated as the individual with authority to approve such requests. In deciding whether to approve a discretionary stationhouse adjustment, the Assistant Prosecutor assigned to the Juvenile Unit will consider the factors set forth in Section II.C, page 6, of Attorney General Law Enforcement Directive No. 2020-12. That approval shall be noted on the agreement.
- C. In regard to Section II.E, page 7, of Attorney General Law Enforcement Directive 2020-12, **Drug and alcohol use**, an Assistant Prosecutor assigned to the Juvenile Unit is hereby designated as the position with authority to approve such requests. In deciding whether to approve a discretionary stationhouse adjustment for drug and alcohol use, the Assistant Prosecutor assigned to the Juvenile Unit will consider the factors set forth in Section II.E, page 7, of Attorney General Law Enforcement Directive No. 2020-12. That approval shall be noted on the agreement.
- D. **Where one or more victim(s) object to a stationhouse adjustment.** In cases where one or more victims object to the stationhouse adjustment agreement, the law enforcement officer must notify the Middlesex County Prosecutor's Office
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Section Chief of the Juvenile Unit who must decide whether to authorize the agreement notwithstanding the victim's objection. That approval shall be noted on the agreement.

V. Taking a Juvenile into Custody

- A. A juvenile may be taken into criminal custody (N.J.S.A. 2A:4A-31a):
1. Pursuant to ***an order or warrant*** of any Court having jurisdiction, or
 2. For ***delinquency***, when there has been no process issued by a Court, by a law enforcement officer, pursuant to the laws of arrest and Rules of Court.
- B. Except where ***delinquency*** conduct is alleged, a juvenile may be taken into non-criminal short-term custody by an officer without an order from the Court when (N.J.S.A. 2A:4A-31b):
1. The officer has reasonable grounds to believe that the health and safety of the juvenile is seriously in danger and taking into immediate custody is necessary for his/her protection,
 2. The officer has reasonable grounds to believe the juvenile has left home and the care of his/her parents or guardian without the consent of such persons, or
 3. An agency legally charged with supervision of the juvenile has notified the law enforcement agency that the juvenile has run away from out-of-home placement, except where there are reasonable grounds to believe that the juvenile is an abused or neglected child within the meaning of N.J.S.A. 9:6-8.21 in which case the provisions of said law shall govern.
- C. Six (6) Hour Time Limit Restriction for Holding a Juvenile
1. Pursuant to N.J.S.A. 2A:4A-32(a), under no circumstances shall any juvenile taken into short-term custody be held **for more than six (6) hours**. Short term custody begins once a juvenile has entered the police department building and does not include when a juvenile is being held at the scene or while in transport.
 2. For delinquency complaints, the six-hour timeframe includes the duration of time required for processing and either release on a complaint-summons or transportation to a juvenile detention facility for a complaint-warrant. Therefore, officers, supervisors, and prosecutors must ensure that these steps are completed as expeditiously as possible, **but in no event longer than six hours from the time custody begins**.
- D. The taking of a juvenile into short-custody shall not be construed as an arrest but shall be deemed a measure to protect the juvenile's health, morals, and well-being (N.J.S.A. 2A:4A-31c).
- E. **New Jersey Marijuana Reform Acts of 2021**: Officers must be cautious when they encounter an individual under the age of 21 who is in possession of marijuana, hashish, cannabis, or alcohol when observed in plain view. The officer
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can seize the marijuana, hashish, cannabis, and alcohol and issue the appropriate written warning. However, the New Jersey Marijuana Reform Acts of 2021 also sets forth the following prohibitions on officers when investigating possession or consumption of marijuana, hashish, cannabis, or alcohol by an underage individual to determine a violation of N.J.S.A. 2C:33-15:

1. Officers **may not** request consent from an individual who is under the age of 21.
 - a. A person under the legal age to purchase alcoholic beverages or cannabis items is not capable of giving lawful consent to a search to determine a violation of and an officer shall not request that a person consent to a search for that purpose
2. Officers **may not** use odor of marijuana to stop an individual who is under the age of 21 or to search the individual's personal property or vehicle.
3. Officers who observe marijuana in plain view **will not** be able to search the individual or the individual's personal property or vehicle.
4. Officers **may not** arrest, detain, or otherwise take an individual under the age of 21 into custody for a violation of N.J.S.A. 2C:33-15 except to the extent required to issue a written warning or provide notice of a violation to a parent/guardian.

VI. Body Worn Camera (BWC) Requirements

A. Pursuant to the New Jersey Marijuana Reform Acts of 2021:

1. Whenever an officer is equipped with a BWC, the BWC must be activated when responding to **OR** handling a call involving a violation **OR** suspected violation of the amended N.J.S.A. 2c:33-15, which addresses the underage possession or consumption of alcohol, marijuana, hashish, or cannabis.
2. **The BWC may not be deactivated for any reason throughout the entire encounter. Underage refers to people under the age of 21, except for the administration of a breath test.**
3. ***De-Activation/Removal of BWC From Alcohol Breath Testing Area.*** In order to eliminate any argument that radio frequency interference from a BWC affected an electronic alcohol breath test, BWCs shall be deactivated, turned off and removed from the area of the breath test instrument before an electronic breath test is conducted. Nothing herein shall be construed to preclude the use of a BWC to record the behavior of a person arrested for driving while intoxicated other than while the person is in the breath-testing area while the electronic breath testing device is being operated. If this provision requires de-activation of a BWC, the officer shall narrate the reasons for de-activation (e.g., "I am de-activating the BWC because the suspect is about to take a breath test."), and the BWC shall be re-activated when safe and practicable to do so following the completion of the breath testing operation.

VII. Restraining a Juvenile with Handcuffs

- A. A juvenile may only be handcuffed in the following situations:
 - 1. The juvenile was arrested for an act of delinquency.
 - 2. The juvenile was taken into short-term custody and is acting in a manner where they are a danger to themselves or others.
- B. Juveniles who are a status offender or non-offender shall not be handcuffed.
- C. When a juvenile is handcuffed, they will be handcuffed with their hands in front of them unless they are deemed a danger to themselves or others. If they are deemed a danger to themselves or others, they will be handcuffed behind their back. If handcuffing the juvenile behind their back is not possible, soft restraints may be used as a last resort.
- D. If the juvenile is exhibiting signs of mental illness, but is not exhibiting dangerous behavior, he/she should not be handcuffed.
- E. Juveniles shall not be handcuffed to any movable object.
- F. Juveniles shall only be handcuffed to an immovable object which was designed for the purpose of handcuffing a detainee to it.
- G. Juveniles shall not be handcuffed as a punishment for any reason.

VIII. Documenting Juvenile Custody

- A. The proper documenting of juvenile custody is important for preserving what took place and what an investigation revealed. All juvenile custody shall be documented as follows:
 - 1. **Short-Term Custody (Non-Criminal):** when a juvenile is taken into non-criminal short-term custody the officer shall complete either a CAD entry or an *Investigation Report*, based on the totality of the circumstances of the incident. As a general rule, more serious incidents should be placed on an *Investigation Report* as well as incidents that will require a formal follow-up by an outside organization.
 - a. Short-term custody shall comprise of juveniles who committed a "status offense" or who is a "non-offender."
 - b. Short-term custody does not apply to an act of juvenile delinquency.
 - 2. **Criminal Custody for an Act of Delinquency:** when a juvenile is taken into criminal custody for an act of delinquency the incident shall be recorded on an *Investigation Report*. Reports supplemental to an *Investigation Report* are as follows:
 - a. *Supplemental Reports*
 - b. *Arrest Report*

- c. *Stationhouse Adjustment* (when applicable)
- d. *Juvenile Complaint-Summons or Complaint-Warrant* (when required)

IX. Transporting of a Juvenile in Custody

- A. Juveniles who are taken into custody (criminal or non-criminal) are to be transported directly from the scene to headquarters, their home, the home of their guardian (other responsible adult), another location approved by a supervisor, or to a juvenile facility (if so directed).
 - 1. The only exception to the above is when directed to do otherwise by an appropriate authority, or circumstances require that the juvenile is transported to a medical facility for treatment.

X. Notification to a Parent, Guardian, or Other Responsible Adult

- A. Upon taking a juvenile into custody, the detaining officer shall, without delay, notify the juvenile's parent(s), guardian(s), or another responsible adult (if a parent or guardian is not able to be contacted) (N.J.S.A. 2A:4A-33) of the following:
 - 1. That the juvenile is being detained (N.J.A.C. 13:94-2.3a),
 - 2. Where the juvenile is being held (N.J.A.C. 13:94-2.3a), and
 - 3. The reasons that the juvenile is being detained (N.J.A.C. 13:94-2.3a).

XI. Decision to Charge a Juvenile with an Act of Delinquency

- A. ***Juvenile Central Registry:*** An officer who is considering charging a juvenile should first ascertain the juvenile's history by accessing the Juvenile Central Registry via NJ Courts. The results of this initial check may result in reconsideration of diversion, rather than formal charges.
 - 1. The Juvenile Central Registry tab in eCDR is also where complaint entry is initiated.

XII. Juvenile Processing (Fingerprinting, DNA Collection, and Complaint Entry)

A. Fingerprinting

- 1. New Jersey New Jersey Marijuana Reform Acts of 2021 fingerprinting requirements:
 - a. Marijuana is still by definition pursuant to N.J.S.A. 2C:35-2 a "controlled dangerous substance," and, therefore, appropriately charged violations involving marijuana or hashish are still subject to fingerprint compliance under N.J.S.A. 53:1-18.1. **However**, when an officer encounter an individual who has violated N.J.S.A. 2C:35-5(b)(12)(b) (distribution/possession with intent to distribute 1 ounce or less) or N.J.S.A. 2C:35-10(a)(3)(b) (possession of more than 6 ounces), the officer is prohibited under the law from arresting,

detaining, or otherwise bringing that individual into the station, which means the officer will be unable to fingerprint the violator at the time of the incident. **Therefore, those individuals must be fingerprinted at their first court appearance.**

- b. Individuals under the age of 21 who are in violation of N.J.S.A. 2C:33-15(a)(1) **are precluded** from being fingerprinted under the new law. They shall not be fingerprinted for possession or consumption of any amount of marijuana, hashish, cannabis, or alcohol.
2. Fingerprinting is required when a juvenile, age fourteen or older, is charged on the basis of an act which, if committed by an adult, would constitute a crime. N.J.S.A. 2A:4A-61(a)(3).
- a. The arresting officer or their designee shall take and submit the fingerprints of the juvenile by using a Live Scan system, which includes designation of offenses charged.
 - b. The Live Scan fingerprinting **must be completed before** beginning an eCDR complaint.
 - c. Once the Live Scan record has been submitted and confirmation is received from the Computerized Criminal History (CCH) system and/or the data is displayed in eCDR, the officer shall begin generating a complaint in eCDR.
 - d. If the Live Scan system is inoperative, another agency's system shall be used.

All reasonable steps shall be taken to ensure fingerprinting occurs for those fourteen and older who are charged with an act which, if committed by an adult, would constitute a crime.

- a. In those rare cases when a juvenile cannot be fingerprinted at the time of arrest one of the following shall take place:
 - 1). This department will assign an officer or detective to fingerprint the juvenile at an appropriate time, or
 - 2). Another appropriate law enforcement agency shall be designated by the Middlesex County Prosecutor, to fingerprint the juvenile as soon as possible or at the time of adjudication.
 - b. The CCH and Family Automated Case Tracking System (FACTS) should be checked by the Prosecutor's Office prior to adjudication and if there is no record that the juvenile was fingerprinted, the juvenile should be fingerprinted at adjudication in accordance with policy established by the Prosecutor's Office.
3. Juveniles charged with delinquency who are under the age of fourteen at the time of the offense **shall not be fingerprinted** (N.J.S.A. 2A:4A-

61(a)(3)). In addition, juveniles who are charged with disorderly persons offenses or petty disorderly persons offenses **shall not be fingerprinted** (N.J.S.A. 2A:4A-61(a)(3)).

4. Fingerprinting is required when a juvenile is waived to the Superior Court, Law Division, Criminal Part, as a juvenile who is waived to adult court pursuant to N.J.S.A. 2A:4A-26.1 (involuntary waiver) or N.J.S.A. 2A:4A-27 (waiver at election of juvenile), shall be treated as an adult. Further, when a juvenile is waived to adult court, the Middlesex County Prosecutor must ensure that a complaint-summons or complaint-warrant is filed (Court Rule 5:22-2(f)).
5. Fingerprinting is required when a juvenile, age thirteen or under, is adjudicated delinquent in Family Court on the basis of an act which, if committed by an adult, would constitute a crime (N.J.S.A. 2A:4A-61(c) and N.J.S.A. 53:1-15).
6. In cases where the Court enters a formal adjournment of disposition, or deferred disposition pursuant to N.J.S.A. 2A:4A-43(b)(1), for a juvenile who has committed an offense that would be a crime if committed by an adult, fingerprinting should not occur.
 - a. If the adjournment or deferment period is successfully completed, the case will be dismissed, and no fingerprints should be taken.
 - b. If the juvenile reoffends and an adjudication is entered, fingerprints shall be taken when the juvenile returns to Court for the entry of a formal adjudication.
7. In cases where a juvenile is adjudicated for an offense that would constitute a crime if committed by an adult and the Prosecutor's Office is not involved (*i.e.*, case is heard by the Juvenile Referee), the Family Court will implement a procedure, in conjunction with the Middlesex County Prosecutor's Office, whereby the Court notifies the county or local law enforcement agency to ensure fingerprints are obtained upon adjudication.
8. **Fingerprinting for Comparison to Latent Fingerprints:**
 - a. Under N.J.S.A. 2A:4A-61(a)(1), fingerprints may be taken for juveniles of any age for comparison to latent fingerprints, either with the approval of the Court, or with the consent of the juvenile and parent or guardian.
 - b. N.J.S.A. 2A:4A-61(a)(1) also provides that such fingerprints "... shall be destroyed when the purpose for the taking of fingerprints has been fulfilled."
 - c. If a juvenile who has been fingerprinted under N.J.S.A. 2A:4A-61(a)(1) for comparison with latent fingerprints is fourteen or older and is later charged with delinquency for a crime, the juvenile's fingerprints shall be taken and submitted to the State Bureau of Identification within the Division of State Police.

9. If the juvenile is fingerprinted and their case is adjudicated outside of the court system and ultimately dismissed and or resolved the New Jersey State Police (NJSP) Biometric Identification Unit shall be notified so that the charge information can be removed from the juvenile's CCH.

1. To assist law enforcement agencies throughout the state, the Biometric Identification Unit (BIU) has three (3) locations capable of processing latent print submissions from crime scenes:

1). Troop A Headquarters in Buena Vista, Holmdel Station on the Garden State Parkway, and NJ State Police Division Headquarters in West Trenton, NJ.

a). Buena Vista
(609) 561-1800 Ext. 3326.

b). Holmdel
(732) 441-4525.

c). NJ State Police Division Headquarters
(609) 882-2000 Ext. 2461

B. Photographs

1. The arresting officer or their designee shall photograph the juvenile for criminal identification purposes pursuant to N.J.S.A. 2A:4A-61(b).

a. No juvenile **under the age of 14** shall be photographed for criminal identification purposes without the consent of the Court or of the juvenile and his parent or guardian (N.J.S.A. 2A:4A-61(b)).

b. A juvenile may be photographed for identification purposes if they are fourteen years of age or older at the time of the commission of an offense that would be a crime, if committed by an adult. The photo shall be taken using the LiveScan system.

C. DNA Collection

1. Juveniles taken into custody for an act which, if committed by an adult, would constitute the following offenses, shall have a biological sample collected by the charging agency for purposes of DNA testing, pursuant to N.J.S.A. 53:1-20.20(b) & (e):

a. Aggravated sexual assault or sexual assault, N.J.S.A. 2C:14-2,

b. Aggravated criminal sexual contact or criminal sexual contact, N.J.S.A. 2C:14-3,

c. Murder, N.J.S.A. 2C:11-3,

d. Manslaughter, N.J.S.A. 2C:11-4,

e. Second-degree aggravated assault, N.J.S.A. 2C:12-1(b)(1) & (b)(6),

- f. Kidnapping, N.J.S.A. 2C:13-1,
 - g. Luring or enticing a child, N.J.S.A. 2C:13-6,
 - h. Endangering welfare of children, N.J.S.A. 2C:24-4, except for paragraph (2) of subsection a, or
 - i. Any attempt to commit any of the above crimes.
- 2. A DNA sample shall be taken prior to the juvenile's release from custody, as statutorily required. In any case where DNA has already been submitted, as confirmed on the juvenile's CCH, Master Name Index (MNI), or Arrest Notification CJIS Response, a subsequent sample shall not be taken pursuant to N.J.S.A. 53:1-20.22(d)
- 3. Further, pursuant to N.J.S.A. 53:1-20.20(h), "every juvenile adjudicated delinquent, or adjudicated not delinquent by reason of insanity, for an act which, if committed by an adult, would constitute a crime or a specified disorderly persons offense shall have a blood sample drawn or other biological sample collected for purposes of DNA testing."
- 4. If a disposition is imposed which requires detention or confinement, the sample shall be collected upon commencement of the sentence. Otherwise, the juvenile shall provide a sample as part of the disposition ordered by the Court (N.J.S.A. 53:1-20.20(h)).
 - a. Juveniles incarcerated or detained for qualifying offenses are required to provide a sample before termination of imprisonment, detention, supervision, or confinement (N.J.S.A. 53:1-20.20(h)).
 - b. The Middlesex County Prosecutor has the discretion to designate which law enforcement agency is responsible for post-adjudication DNA collection.
- D. Officers should contact the NJSP, State Bureau of Identification, at (609) 882-2000, extension 2467, with any questions regarding the fingerprinting and photographing of juveniles during processing.

XIII. Pre-Charging Procedure for Law Enforcement Officers in All Juvenile Cases

- A. Pursuant to Section IV, pages 12-14, of Attorney General Law Enforcement Directive No. 2020-12 the Middlesex County Prosecutor's Office determined that based on personnel, caseload, and other factors, it is not feasible for the On-Call Juvenile Assistant Prosecutor to review and approve initial charging decisions in all juvenile delinquency matters. Accordingly, notwithstanding any contrary provision in Section IV of Attorney General Law Enforcement Directive No. 2020-12, the Middlesex County Prosecutor's Office authorizes pre-charging case screening in juvenile matters as follows:

- 1. When a Middlesex County police officer intends to charge a juvenile with delinquency for any crime, offense, or ordinance, the officer must do the following before contacting the On-Call Juvenile Assistant Prosecutor or
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the department designated juvenile officer and before entering any information into the eCDR system:

- a. Ascertain the juvenile's history by accessing the Juvenile Central Registry. The results of this initial check may result in further consideration of diversion over formal charges. Also consider, to the extent the information is available, whether the juvenile has been afforded prior diversionary treatment through curbside warning or stationhouse adjustment; **AND**
- b. Determine whether formal charges are appropriate based upon the presumptions in favor of curbside warnings and stationhouse adjustments set forth in Sections I and II of Attorney General Law Enforcement Directive No. 2020-12; **AND**
- c. Assess and be prepared to present to the On-Call Juvenile Assistant Prosecutor and/or the designated juvenile officer, factors outside the Risk Screening Tool (RST) that could impact on a decision to seek a complaint-warrant or enhanced monitoring services, especially all facts and circumstances that account for the strength of the case, the juvenile's prior involvement with the juvenile justice system, victim impact, pending charges, adjudications from another State, and any other relevant information; **AND**
- d. Ascertain whether the juvenile was/will be charged with two or more offenses committed in multiple counties (e.g., a series of burglaries committed in different jurisdictions, eluding that crosses a county border, drug distribution activities occurring in multiple counties, etc.). It is important to coordinate the charging and request for detention decisions, so that one County Prosecutor's Office assumes primary responsibility for determining whether to apply for a complaint-summons, complaint-warrant, to request detention, seek release conditions, or move to revoke release. Accordingly, if a law enforcement officer has reason to believe that the juvenile may be charged with offenses committed in more than one county, the officer shall immediately contact the On-Call Juvenile Assistant Prosecutor, who shall contact the Prosecutor's Office(s) in the other counties where offenses were committed to coordinate charging and release decisions. (Please refer to Attorney General Law Enforcement Directive No. 2020-12 Section IX.D, page 25.)

XIV. When to Contact an Assistant Prosecutor

- A. After completing all pre-charging procedures pursuant to Section **XVIII** (above) of this Directive, the officer is required to contact the On-Call Juvenile Assistant Prosecutor in the following situations:
 1. The On-Call Juvenile Assistant Prosecutor must be contacted when an officer is seeking authorization to conduct a discretionary stationhouse adjustment pursuant to Section II.D, pages 6-7, (Discretionary stationhouse adjustment) or II.E (Drug and alcohol use and stationhouse adjustment) of Attorney General Law Enforcement Directive No. 2020-12.

2. The On-Call Juvenile Assistant Prosecutor must be contacted when an officer is seeking authorization to conduct a stationhouse adjustment where one or more victim(s) objects to that agreement. In these cases, the Section Chief of the Juvenile Unit is hereby designated as the position with authority to approve such requests and authorize the agreement notwithstanding the victim's objection.
3. The On-Call Juvenile Assistant Prosecutor must be contacted for consultation and approval prior to the issuance of a complaint-summons or an application for a complaint-warrant and prior to entering any information into the eCDR system regarding any act of delinquency if:
 - a. The delinquency involves a crime of the 1st or 2nd degree, if committed by adult, **OR**
 - b. The act of delinquency, if committed by an adult, would constitute one of the following 3rd degree crimes:
 - 1). Aggravated Assault,
 - 2). Possession of CDS (only heroin, cocaine, methamphetamine, and prescription opioid pills),
 - 3). Arson,
 - 4). Chapter 14 (Special Victim Unit Offenses),
 - 5). Theft of a Motor Vehicle,
 - 6). Chapter 39 (Weapons Offenses),
 - 7). Endangering the Welfare of a Child.
 - c. The officer seeks to issue a complaint-warrant, **OR**
 - d. The officer seeks to issue a complaint-summons when an application for a complaint-warrant is mandated under Section V.C of Attorney General Law Enforcement Directive No. 2020-12, as outlined below, **OR**
 - e. The officer seeks to issue a complaint-summons when an application for a complaint-warrant is presumed under Section V.D of Attorney General Law Enforcement Directive No. 2020-12, as outlined below, **OR**
 - f. An officer taking a juvenile into custody has reason to believe that the juvenile may be charged with offenses committed in more than one county.
4. In such cases where contact and approval of the On-Call Juvenile Assistant Prosecutor is not required, the express approval of the designated Juvenile Liaison Officer is required prior to the issuance of the

complaint-summons and prior to entering any information into the eCDR system.

5. Contact with the On-Call Juvenile Assistant Prosecutor may be in person or by any electronic means.

XV. Charging Procedure by Law Enforcement

- A. All complaints must be prepared in the eCDR system as described by Section III, pages 9-12, of Attorney General Law Enforcement Directive No. 2020-12.
- B. After all pre-charging procedures are complete and the law enforcement officer is prepared to enter the complaint-summons or complaint-warrant into eCDR, the following procedures must occur.

1. The "**Juvenile Central Registry Tab**" in eCDR is where complaint entry is initiated. After accessing the "Juvenile Central Registry" tab, the officer chooses the juvenile's Live Scan record from the list displayed in eCDR. For cases where fingerprints are not required, but the juvenile has a prior record, the officer shall select the juvenile from the list displayed, being sure to match identifiers. In cases where fingerprints are not statutorily required and the juvenile has no prior record, the officer shall manually complete the eCDR data fields. The Live Scan record should always be selected when available, as this selection will automatically populate many of the eCDR data fields.
2. Complete a full and detailed **Affidavit of Probable Cause** in support thereof as part of the juvenile eCDR process. (Unless the On-Call Juvenile Assistant Prosecutor expressly indicates that an Affidavit of Probable Cause should not be completed). An Affidavit of Probable Cause should establish the probable cause upon which the complaint is based, and neither be a recitation of the complaint nor refer the reader to other documents (i.e., "see attached reports"). The Affidavit of Probable Cause should not contain confidential victim information.

The completion of a full and detailed **Preliminary Law Enforcement Incident Report (P.L.E.I.R.)** as part of the juvenile eCDR process is discretionary. A PLEIR should not contain confidential victim information.

3. **Contacting Juvenile Intake for Complaint-Warrant.** When law enforcement officers are applying for a complaint-warrant and therefore seeking detention, they will be directed, after authorization from the On-Call Juvenile Assistant Prosecutor, to contact Juvenile Intake. The application for detention will be reviewed by Court Intake Services (Juvenile Intake) in the eCDR system.

Juvenile Intake will complete the juvenile detention Risk Screening Tool (RST) to preliminarily determine if a juvenile should be detained. The RST assists Juvenile Intake with their recommendation for detention, however law enforcement and/or the Assistant Prosecutor can request detention or additional monitoring services, notwithstanding the recommendation. Further, the RST does not restrict a judge's discretion to order the juvenile's detention at a future court appearance.

If Juvenile Intake declines detention, law enforcement may ask for an override of that decision. If the request is still denied, an Assistant Prosecutor can appear before the Family Court to apply for a complaint-warrant pursuant to N.J.S.A. 2A:4A-34(b). See also R. 5:20-3. Accordingly, when making the decision to apply for a complaint-warrant, it is important to consider any relevant facts or circumstances known or reasonably believed to exist that are not accounted for in Juvenile Intake's initial detention decision.

If Juvenile Intake declines detention, the law enforcement officer shall complete the complaint-summons as directed and may contact the On-Call Juvenile Assistant Prosecutor the following business day to determine what, if any, further action is required.

If detention is authorized by Juvenile Intake or a judge, a complaint-warrant shall immediately be filed as provided by Rule 5:20-1 and Rule 5:21-1. The officer taking the juvenile into custody shall immediately notify the juvenile's parent, guardian, or custodian. The complaint-warrant shall be served upon the juvenile and their parent, guardian, or custodian.

4. ***Middlesex County Infoshare Complaint Entry.*** After all eCDR procedures are complete, the officer shall create and open a file in the Middlesex County Prosecutor's Office Infoshare external module. The eCDR system will interface with Infoshare thereby populating many of the fields required in Infoshare. However, in any instance where fields are required in Infoshare that did not self-populate through eCDR, data entry is required. All available reports, including the Affidavit of Probable Cause, the arrest report and any initial reports prepared must be scanned into Infoshare and forwarded to the Middlesex County Prosecutor's Office for review. This should occur simultaneously with the creation of the eCDR complaint or as soon as possible thereafter.
5. ***When charges filed are different from charges initially entered into Live Scan.*** The Live Scan system requires the officer to indicate present offenses. There may be cases where the summons or warrant that is filed is different from the offenses that had initially been entered into Live Scan or there may have been a decision not to charge all, or any, of the offenses proposed by the officer. Conversely, the On-Call Juvenile Assistant Prosecutor or designated juvenile officer may decide to upgrade the offense or add additional charges. In these cases, the charging agency shall modify the Live Scan record within the Live Scan system to reflect the appropriate changes, retransmit the modified Live Scan record, and contact the CRICU (609-882-2000 ext. 2902 or lppCRICU@gw.njsp.org) of the New Jersey State Police to make certain that the CCH system accurately reflects the charges that were actually filed. In cases where fingerprints were taken but the case was then referred for a stationhouse adjustment, the officer must contact CRICU to make sure the prints are removed from the CCH system.
6. ***Complaints prepared before juvenile is in custody.*** There may be instances when law enforcement decides to issue a complaint against a juvenile who is not yet in custody. For example, law enforcement might

seek a warrant for serious charges and eCDR will allow for law enforcement to request the warrant, Juvenile Intake will run the RST, and if detention is authorized, the process will be complete with the issuance of a complaint-warrant. Otherwise, a complaint-summons would issue.

7. In any case, where the determination is made by law enforcement to apply for a complaint before the juvenile is in custody, the Assistant Prosecutor shall apply the other provisions/presumptions contained in this Directive and Attorney General Law Enforcement Directive No. 2020-12 in making the summons versus warrant determination, including ascertaining the juvenile's criminal history.
8. If a complaint-warrant is issued, the agency taking the juvenile into custody shall make certain the juvenile is fingerprinted in Live Scan, if statutorily required, and shall make certain that the fingerprints link to the juvenile and offense(s) for which a complaint has been issued, either electronically in eCDR, if available or by contacting the Criminal Records Integrity and Compliance Unit (CRICU) of the New Jersey State Police.
9. If a complaint-summons is issued, the Prosecutor's Office shall make certain that the juvenile is fingerprinted, if required, in Live Scan on the date of the juvenile's first court appearance or within a reasonable time after the filing of the complaint upon written request by the appropriate law enforcement agency pursuant to N.J.S.A. 53:1-15 and N.J.S.A. 53:1-18.1. The Prosecutor's Office shall further make certain that the fingerprints link to the juvenile and offense(s) for which a complaint-summons issued, either electronically in eCDR, if available, or by contacting the CRICU of the New Jersey State Police.
10. **Citizen's Complaint.** In any case where a citizen seeks to file a formal complaint against a juvenile, law enforcement should review the charge(s) for probable cause. If the law enforcement officer finds probable cause, they can enter the complaint-summons in eCDR and make sure to note that it is a private citizen's complaint, and should select the box stating, "[t]he charge was based on the observations/statements made by an eyewitness(es)." If the law enforcement officer does not find probable cause, they can refer the case to the Prosecutor's Office for legal review. Any decision made by the Middlesex County Prosecutor's Office is controlling.

XVI. Officer Restrictions under the New Jersey Marijuana Reform Acts of 2021

- A. Law enforcement officers must be cautious when they encounter an individual under the age of 21 who is in possession of marijuana, hashish, cannabis, or alcohol. The officer can seize the marijuana, hashish, cannabis, and alcohol and issue the appropriate written warning. However, the new law also sets forth the following prohibitions on officers when investigating possession or consumption of marijuana, hashish, cannabis, or alcohol by an underage individual to determine a violation of N.J.S.A. 2C:33-15:
 1. Officers may not arrest, detain, or otherwise take an individual under the age of 21 into custody for a violation of N.J.S.A. 2C:33-15 except to the

extent required to issue a written warning or provide notice of a violation to a parent/guardian.

2. Officers may not use odor of marijuana to stop an individual who is under the age of 21 or to search the individual's personal property or vehicle.
3. Officers who observe marijuana in plain view will not be able to search the individual or the individual's personal property or vehicle.
4. Officers may not arrest, detain, or otherwise take an individual under the age of 21 into custody for a violation of N.J.S.A. 2C:33-15 except to the extent required to issue a written warning or provide notice of a violation to a parent/guardian.
5. Possession of marijuana or hashish by a motor vehicle operator (N.J.S.A. 39:4-49.1) is no longer an offense.
6. Under the Influence of marijuana or hashish is no longer an offense.
7. Failure to Properly Dispose of marijuana or hashish is no longer an offense.
8. Possession of Drug Paraphernalia if used, or intended to be used, for marijuana or hashish is no longer an offense.

See **Marijuana Reference Card**, maintained by the New Jersey Division of Criminal Justice, for specific charging and processing information.

- B. An individual under the age of 21 who violates N.J.S.A. 2C:33-15 shall not be arrested, detained, or otherwise taken into custody, and shall not be transported to a police station, police headquarters, or other place of law enforcement operations, except to the extent that detention or custody at or near the location [of the incident] is required to issue a written warning or collect information necessary to provide notice of a violation to a parent/guardian.

XVII. Juvenile New Jersey Marijuana Reform Acts of 2021 Written Warning System

A. First (Violation) Time Offenders

1. Any first-time offender for a violation of any of the "possession" offenses listed below shall be issued only a Written Warning.
 - a. N.J.S.A. 2C:33-15.1.a(1)
 - b. N.J.S.A. 2C:33-15.1.a(2)a
 - c. N.J.S.A. 2C:33-15.1.b
2. The first offense written warning, issued by an officer to the underage person, shall include:
 - a. The person's name,

- b. Address, and
 - c. Date of birth.
- 3. Sworn Statement of Facts: The written warning shall also include a sworn statement that includes a description of the relevant facts and circumstances that support the officer's determination of probable cause that the person committed the violation.
- 4. The archival written warning system shall be maintained in a manner only for the purposes of determining a second or subsequent violation.
- 5. The warning system shall be audited at least annually to purge unnecessary information, in conformance with state law and regulations set forth by both the Middlesex County Prosecutor's Office and the New Jersey Attorney General.
- 6. Parental Notification: Concerning notification of a violation by a person under 18 years of age to the parent, guardian or other person having legal custody of the underage person, a written notification **shall be provided for a first violation**.

B. Second (Violation) Time Offenders

- 1. For a second violation of one of the statutes listed in section A.1.a above, a written warning will be issued by an officer to the underage person indicating that a second violation has occurred.
- 2. The second offense written warning, issued by an officer to the underage person, shall include:
 - a. The person's name,
 - b. Address, and
 - c. Date of birth.
- 3. Sworn Statement of Facts: The second written warning shall also include a sworn statement that includes a description of the relevant facts and circumstances that support the officer's determination of probable cause that the person committed the second violation.
- 4. If the violation is by a person 18 years of age or older:
 - a. The officer shall provide the person with informational materials about how to access community services provided by public or private agencies and organizations that shall assist the person with opportunities to access further social services, including but not limited to counseling, tutoring programs, mentoring services, and faith-based or other community initiatives.
- 5. If the violation is by a person under 18 years of age:

- a. A written notification concerning the second violation, along with a copy of the written warning for the person's first violation, shall be provided to the parent, guardian or other person having legal custody of the underage person.
- b. The written notification shall include a referral to the same or similar informational materials about how to access community services provided by public or private agency or organization included in a county level comprehensive plan used to fund community services that can assist with opportunities to access further social services, including counseling, tutoring programs, mentoring services, and faith-based or other community initiatives agencies and organizations as those provided directly by an officer to a person 18 years of age or older who commits a second violation.

C. Third or More (Subsequent) Violations (Offenders)

- 1. For a third or subsequent violation of one of the statutes listed in section A.1.a above, a written warning will be issued by an officer to the underage person indicating that a third or subsequent violation has occurred.
- 2. The third or subsequent offense written warning, issued by an officer to the underage person, shall include:
 - a. The person's name,
 - b. Address, and
 - c. Date of birth.
- 3. Sworn Statement of Facts: The third or subsequent written warning shall also include a sworn statement that includes a description of the relevant facts and circumstances that support the officer's determination of probable cause that the person committed the third or subsequent violation.
- 4. If the violation is by a person 18 years of age or older:
 - a. The officer shall include with the write-up a referral for accessing community services provided by a public or private agency or organization, and provide notice to that agency or organization of the referral which may also be used to initiate contact with the person, and the agency or organization shall offer assistance to the person with opportunities to access further social services, including but not limited to counseling, tutoring programs, mentoring services, and faith-based or other community initiatives.
- 5. If the violation is by a person under 18 years of age:
 - a. A written notification concerning the third or subsequent violation shall be provided to the parent, guardian or other person having legal custody of the underage person.

- b. The written notification shall include a referral for the person and the parent, guardian or other person having legal custody of the underage person for accessing community services provided by a public or private agency or organization included in a county-level comprehensive plan used to fund community services **and** provide notice to that agency or organization of the referral which may also then be used to initiate contact with both persons, and the agency or organization shall offer assistance to both with opportunities to access further social services, including counseling, tutoring programs, mentoring services, and faith-based or other community initiatives.
- D. The failure of a person under the legal age to purchase alcoholic beverages or cannabis items, or the failure of a parent, guardian or other person having legal custody of the underage person, to accept assistance from an agency or organization to which a law enforcement referral was made, or to access any community services provided by that agency or organization shall not result in any summons, initiation of a complaint, or other legal action to be adjudicated and enforced in any court.

XVIII. Immunity from Prosecution

- A. An underage person and one or two other persons shall be immune from prosecution under New Jersey Marijuana Reform Acts of 2021 if:
 - 1. One of the underage persons called 9-1-1 and reported that another underage person was in need of medical assistance due to alcohol consumption, or the consumption of marijuana, hashish, or a cannabis item,
 - 2. The underage person who called 9-1-1 and, if applicable, one or two other persons acting in concert with the underage person who called 9-1-1 provided each of their names to the 9-1-1 operator,
 - 3. The underage person was the first person to make the 9-1-1 report, and
 - 4. The underage person and, if applicable, one or two other persons acting in concert with the underage person who made the 9-1-1 call remained on the scene with the person under the legal age in need of medical assistance until assistance arrived and cooperated with medical assistance and law enforcement personnel on the scene.
- B. The underage person who received medical assistance also shall be immune from prosecution under New Jersey Marijuana Reform Acts of 2021.
- C. For purposes of this section, an alcoholic beverage includes powdered alcohol as defined by R.S.33:1-1, and a cannabis item includes any item available for lawful consumption pursuant to the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act".

XIX. Criminal Liability for Police Officers

- A. A law enforcement officer (under New Jersey Marijuana Reform Acts of 202) when responding to a call for service or upon the initiation of any other law enforcement or investigative encounter related to a violation or suspected violation of paragraph (1) of subsection a. of section 1 of 40 P.L.1979, c.264 (C.2C:33-15), concerning the possession or consumption of alcoholic beverages, marijuana, hashish, or any cannabis item by a person under the legal age to purchase alcoholic beverages or cannabis items, shall be guilty of a crime of official deprivation of civil rights as defined in section 2 of P.L.2003, c.31 45 (C.2C:30-6) if that officer knowingly violates the provisions of subsection a. of section 1 of P.L.1979, c.264 (C.2C:33-15) that address law enforcement actions involving persons who are under the legal age to purchase alcoholic beverages or cannabis items by requesting that a person consent to a search who is not capable of giving lawful consent or searching a person after wrongfully obtaining that person's consent, initiating an investigatory stop without reasonable articulable suspicion, initiating a search without probable cause, issuing a warning or write-up without a proper basis that a person committed a violation, or detaining or taking into custody a person in a manner or for a longer period beyond the extent required to issue a warning or write-up, or arresting a person for a possession or consumption violation of paragraph (1) of subsection a. of section 1 of P.L.1979, c.264 (C.2C:33-15)), or if that officer knowingly engages in any other unlawful act, as described in subsection e. of section 2 of P.L.2003, c.31 (C.2C:30-13 6), against the person arising out of the call for service or initiation of any other law enforcement or investigative encounter, including but not limited to the unjustified use of force in violation of N.J.S.A. 2C:3-7. A violation set forth in this section shall not require that the law enforcement officer have acted with the purpose to intimidate or discriminate against a person or group of persons because of race, color, religion, gender, handicap, sexual orientation, or ethnicity. A violation of this section shall be graded in the same manner as set forth in section 2 of P.L.2003, c.21 (C.2C:30-6) for 22 other crimes of official deprivation of civil rights.

XX. Juveniles in the Department's Municipal Detention Facility

- A. Juveniles (inclusive of nonoffenders, status offenders, and juveniles charged with an act of delinquency) who are being held at police headquarters shall be supervised in person and face-to-face at all times by a sworn police officer. At no time shall the juvenile be left unattended for any reason (N.J.A.C. 13:94-2.5(d)).
- B. **Mandatory Documenting of Juvenile Admission**
1. Any juvenile brought to headquarters by an officer or who has been arrested at headquarters shall be documented in the **Juvenile Admissions Log** (a New Jersey Juvenile Justice Commission form).
- C. Nonoffenders and status offenders shall not be held in secure custody and shall not be placed in the department's municipal detention facility for any reason (N.J.A.C. 13:94-2.2(b)).
1. **Placement of nonoffenders and status offenders in headquarters:**
- a. Nonoffenders and status offenders shall only be placed and held in a room or location that is incapable of being locked and which does not have any handcuffing apparatus.

Examples of nonoffenders and status offenders include, but not limited to:

1. Runaway
2. Incurigible
3. Curfew Violator
4. Missing Person
5. Protective Custody
6. Truancy

D. Juveniles (Juvenile Offenders) who have been arrested and will be charged (either by complaint-summons or complaint-warrant) with an act of delinquency may be held in secure custody.

1. Juveniles held on a charge of delinquency shall be placed in the least restrictive location and manner based on their behavior and offense, in order of approved preference (from least restrictive to most restrictive) as authorized by the Chief of Police:
 - a. Processing Room, not handcuffed to a handcuffing apparatus (secure custody)
 - b. Processing Room, handcuffed to a handcuffing apparatus (secure custody)
 - c. Adult Cell (see Section 2 below for **Extraordinary Situations** clause)

A juvenile arrested for an act of delinquency who is *well behaved* (cooperative) should be placed in the location outlined above in Section a.

2. Only in **Extraordinary Situations** involving juvenile delinquents who are assaultive, disruptive, unmanageable, or charged with a serious violent crime, shall the juvenile be held securely in an Adult Cell (N.J.A.C. 13:94-2.4) with the following requirements:
 - a. The juvenile shall be supervised face-to-face at all times by a sworn officer and never left unattended
 - b. The highest-ranking detention facility staff member (police officer) on duty must authorize the placement/securing
 - c. The circumstances surrounding the decision shall be documented in writing.
 - d. Audio/video monitoring systems shall not be used as a substitute for required continuous face-to-face supervision of juveniles held in an adult cell.

- e. Sight and sound separation from adult detainees (see next section).

E. Sight and Sound Separation from Adult Detainees

- A. Except as may be necessary when incidental to initial processing, sight and sound separation shall be maintained at all times between a juvenile and an adult held in secure custody. This requirement applies equally with respect to nonoffender juveniles, status offender juveniles and juveniles detained for an act of delinquency (N.J.A.C. 13:94-2.1).
- F. The supervisor of the officer conducting a juvenile arrest or detention shall ensure proper supervision for all detained juveniles in accordance with our policy.

XXI. Assessing the Juvenile for Signs of Harm

- A. For the purpose of this section New Jersey's Contracted System Administrator for the Department of Children and Families, Children's System of Care is PerformCare.
- B. Officers taking custody of a juvenile, for any reason, shall assess the physical condition of the juvenile to determine if the juvenile has been harmed or injured in any way or is in danger of being harmed or injured.
 - 1. Life-Threatening Emergencies: a life-threatening emergency is considered to be any serious and sudden medical, emotional, or behavioral health situation that, if not given immediate professional attention, could lead to the child being severely harmed or possibly harming someone else.
 - a. A juvenile who is experiencing a life threatening emergency shall be transported by ambulance, escorted by an officer (either inside the ambulance or following behind, based on the totality of the circumstances), to a designated crisis/screening center.
 - 2. Urgent Situations: if the situation is not immediately life-threatening, contact PerformCare at 1-877-652-7624 and follow the menu prompts provided for an urgent situation. They will ask you a series of questions to determine how they can help. If they find that the child should be evaluated for hospitalization, they will refer you to a designated crisis/screening center.
 - 3. Mobile Response Stabilization Services: PerformCare may authorize Mobile Response Stabilization Services (MRSS) to come to the child's home within one hour of notification to provide face-to-face crisis services. The goal is to stabilize behavior and keep the child at home. Mobile Response Stabilization Services is available 24 hours a day, seven days a week, and can offer up to eight weeks of stabilization services. They may be contacted at 1-877-652-7624.
- C. Protective Custody: protective custody is a device to be used in crises. It does not apply to a juvenile taken into custody on delinquency matters. An officer who determines there is an emergent need to take a juvenile into protective custody to protect the child from suspected abuse or neglect shall immediately inform his/her supervisor before taking any such action (absent exigent circumstances).

1. Once taken into protective custody, the New Jersey Department of Children and Families, Division of Child Protection and Permanency (DCP&P) must be immediately notified by the officer at (877-652-2873). DCP&P staff will direct where the officer should take the juvenile.

D. Abuse and Neglect: officers will contact (24-hours a day, 7-days a week) the New Jersey Department of Children and Families, Division of Child Protection and Permanency (DCP&P) at the consolidated statewide child abuse Hotline **1-877- NJ ABUSE** (877-652-2873) when any of the following is suspected:

1. Any suspicion or allegation of child abuse or neglect.
2. Any abuse or neglect by a parent, guardian or other person having custody or control of a child.
3. When there is a domestic violence incident, and one of the parties involved has a child.
4. The child has been exposed to any indecent, immoral or unlawful act that may tend to debauch, endanger or degrade the morals of the child, or is suspected of having been subjected to an act of sexual abuse.
5. The child has been employed in an occupation, which would be injurious to his/her health, dangerous to his/her life, contrary to the law of this State or in such a manner to be dangerous to the morals of the child.
6. The child is a runaway from another state.

E. Additional Resources:

1. National Suicide Prevention Lifeline:

1-800-273-8255

The Lifeline provides 24/7 free and confidential support for people during emergencies. The Lifeline also helps specific groups, such as youth, loss survivors, veterans, LGBTQ+, and more, cope with suicidal thoughts.

2. NJ Hopeline:

1-855-654-6735

The NJ Hopeline has specialists available 24/7 who offer counseling and support over the phone.

3. 2nd Floor Youth Helpline:

1-888-222-2228 (call or text)

2nd Floor Youth Helpline is a confidential helpline for New Jersey's youth that helps find solutions to problems they face at home, at school, or at play.

XXII. Juvenile Family Crisis Intervention

1. Responsibility: the officer who responds to the location shall be responsible for contacting Juvenile Family Crisis Intervention unless otherwise delegated properly.
2. In 1983, the New Jersey State Legislature created Juvenile Family Crisis Intervention Units (JFCIU) in each county to help stabilize family crises on a 24-hour basis.
3. The goal of the unit is to help adolescents and their families, divert family crises from the Court, and keep families together whenever possible.
4. Crisis counselors are available 24 hours a day, seven days a week.
5. JFCIU is not designated to work with those cases in which the primary problem is the risk of suicide or child abuse and neglect.
6. Referrals come from schools, families, police, and other agencies. Services are available 24 hours a day by calling the County Family Crisis Intervention Unit.
7. Referrals to JFCIU should be made if there is:
 - a. A serious threat to the well-being and physical safety of the juvenile, but where the situation is not appropriate for the New Jersey Department of Children and Families, Division of Child Protection and Permanency (DCP&P).
 - b. A serious conflict between a parent/guardian and a juvenile regarding behavioral issues.
 - c. Runaway or unauthorized absence from home for more than 24 hours.
 - d. Truancy or a pattern of unauthorized absences from school.
8. All JFCIU staff members are clinical professionals with advanced degrees and are experienced in working with adolescents and families.
9. Crisis Intervention services are free and may include:
 - a. Assessment and stabilization.
 - b. Short-term family therapy, (approximately 6-8 weeks).
 - c. Service coordination and advocacy.
 - d. Referrals to other agencies for additional services.
 - e. In extreme situations, there may be involvement with the Family Court for short term out-of-home placement in a youth shelter.

XXIII. Issuance of Uniform Traffic Ticket (UTT-1)

1. Responsibility: the officer who observes the juvenile violating the New Jersey Motor Vehicle Code (Title 39) shall be responsible for issuing the juvenile a Uniform Traffic Ticket.
2. Officers may issue a Uniform Traffic Ticket to a juvenile for a violation of the New Jersey Motor Vehicle Code.
3. Officers may arrest a juvenile for a violation of the New Jersey Motor Vehicle Code which would warrant the arrest of an adult (e.g., driving while intoxicated).
4. If a Juvenile Delinquency case and a Uniform Traffic Ticket are signed at the same time, the motor vehicle case will be held in abeyance until completion of the juvenile matter. A copy of the uniform traffic ticket should be attached to the discovery on the Juvenile Delinquency matter and submitted to the Juvenile Court.
5. When a Uniform Traffic Ticket has been issued to a juvenile, the issuing officer shall ensure that the juvenile's parent(s) or guardian(s) are notified.
6. Instructions and procedures for the Revised Uniform Traffic Ticket (UTT-1)

XXIV. Juvenile Justice System Diversion Mechanisms

- A. In accordance with New Jersey Attorney General Directive 2020-12 (Juvenile Justice Reform) this policy outlines five (5) mechanisms available to officers and the Middlesex County Prosecutor to divert youth from the Juvenile Justice System and limit the likelihood of unnecessary detention in a Juvenile Detention Center:
 1. Curbside Warnings: A curbside warning is an informal "talking to"—one that typically arises when an officer observes a juvenile engage in some minor act of delinquency. The conversation occurs in the community, not at the police department, and can be as simple as an officer telling a teenager to "knock it off" without any further formal proceedings. Curbside warnings demonstrate to juveniles that officers are present to give guidance, direction, and assistance, and not simply to take them into custody.
 2. Stationhouse Adjustments: A stationhouse adjustment is more formal than a curbside warning but is nonetheless designed to divert a juvenile from the Juvenile Justice System without the filing of charges. In such situations, an officer typically asks the juvenile and a parent or guardian/caregiver/designee to come to the police station to discuss an alleged offense and work together to develop an appropriate resolution, which is then memorialized in a written agreement. The officer may refer the juvenile for social services and, if property has been stolen or damaged, require the juvenile to make restitution in some form. The goal is to engage the parent or guardian/caregiver/designee—and, where appropriate, the victim—in any resolution, allowing the family and community resources to address the violation rather than the courts.
 3. Use of Complaint-Summonses in Lieu of Complaint-Warrants: In more serious cases, an officer may conclude that an informal resolution is unlikely to be effective and that formal charges are necessary. Under court rules, officers and prosecutors may file charges using one of two charging documents: a "complaint-warrant," which allows the officer to take custody

of the charged individual and detain them, or a "complaint-summons," which allows the individual to remain in the community until their initial court appearance. By treating the complaint-summons as the "default" charging document for juveniles—with the complaint-warrant reserved only for the most serious charges or to protect the public—officers and prosecutors can ensure that youthful offenders are not subject to unnecessary detention in a juvenile facility immediately following the filing of charges.

4. Presumption Against Pretrial Juvenile Detention: A juvenile cannot be detained pretrial without the permission of a judge or Court Intake Services. N.J.S.A. 2A:4A-34(b). State law carefully circumscribes the use of pretrial juvenile detention, limiting it to cases where a juvenile has failed to appear at court proceedings or where, for certain categories of offenses, the juvenile's release would seriously threaten the physical safety of persons or property in the community. See N.J.S.A. 2A:4A-34(c). This presumption against detention ensures that the majority of juveniles accused of delinquency remain in the community during their court proceedings, allowing them to draw on their communities for support and rehabilitative services. However, nothing in this Directive prevents law enforcement or prosecutors from seeking retrial juvenile detention when the criteria set forth in N.J.S.A. 2A:4A-34(c) exists.
 5. Post-Charge Diversion by Prosecutor: The mere fact that a law enforcement officer has filed charges against a juvenile does not preclude the possibility of diverting the youth into other programs more conducive to rehabilitation. As a juvenile matter proceeds, prosecutors can—and should—continually evaluate the case to determine whether diversion would better accomplish the goals of the Juvenile Justice System over formal court proceedings. A prosecutor may consider, among other things, dismissing the complaint in favor of a stationhouse adjustment or referring the case to diversionary programs operated by the judiciary, including the Intake Service Conference, the Juvenile Conference Committee, or the Family Crisis Intervention Unit.
- B. When considering when and how to use each of these above five mechanisms, officers (and prosecutors) should start with the presumption that juveniles should be diverted out of the Juvenile Justice System whenever possible, so long as the diversion will promote accountability, advance the juvenile's rehabilitation, and not present safety risks to the community.
1. To the extent that diversion is not possible, officers (and prosecutors) **should next consider charging by way of complaint-summons**, rather than complaint-warrant, whenever that can be accomplished without jeopardizing public safety or welfare.
 2. This framework reserves the complaint-warrant for the most serious charges or to protect the public and accompanying requests for detention should result in the least restrictive means necessary to promote accountability and rehabilitation, and address safety risks.
- C. New Jersey Attorney General Directive 2020-12 calls upon officers (and prosecutors) to use their best judgment in deciding when diversion is appropriate
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and provides the tools to facilitate uniform decision-making. But as with any exercise of discretion, officers and prosecutors must take special care to ensure that their decisions are based on the individualized facts of a specific case and not on any improper factors like actual or perceived race, sex, gender identity, sexual orientation, or familial or socioeconomic status. Research shows that all of us, including those in law enforcement, carry implicit biases, the unconscious and often subtle associations we make between groups of people and various traits. We as a profession can and must work to counteract these effects, both by training ourselves to recognize when they creep into our reasoning and by continually questioning our own assumptions about the people with whom we interact. In doing so, we can better address racial and other disparities in our Juvenile Justice System.

XXV. Procedures for the Five (5) Diversion Mechanisms

A. Curbside Warnings (back)

1. **Definition.** A "curbside warning" is a brief, informal interaction between an officer and a juvenile who the officer observed engage in an act of minor delinquency. During the interaction, the officer counsels the juvenile to discontinue the conduct, warns the juvenile about the potential consequences of future delinquency, and then concludes the interaction without taking any further action.

For the purposes of this policy, curbside warnings do not include interactions between juveniles and School Resource Officers, or other officers assigned to a school, as those interactions are governed by policies and practices established between schools and law enforcement agencies, see Section **XXVIII** Police Operations on School Property.

2. Curbside warnings should only be utilized in very minor cases, where an officer elects to counsel a juvenile on their behavior **without asking for or obtaining the juvenile's personal information**. The juvenile's race, age, sex and ethnicity should only by approximations based on the officer's observations.
3. Incidents where the officer asks for or obtains the juvenile's personal information **are not** curbside warnings and **will not** be documented as such. These incidents are considered investigatory and should be documented on either an Investigation or Operations Report, whichever is applicable based upon the circumstances of the encounter.
4. **Presumption in favor of curbside warnings for certain minor, non-violent conduct.**
 - a. There shall be a presumption in favor of engaging in a curbside warning, rather than initiating more formal action involving a juvenile, when the officer personally encounters a juvenile who has allegedly engaged in conduct that appears to constitute:
 - 1). An ordinance violation, such as loitering or curfew violations, or

- 2). Activity that is dangerous or disruptive, but not necessarily unlawful.

b. An officer may overcome this presumption and initiate action more formal than a curbside warning when:

- 1). The officer has reason to believe that the juvenile is presently engaged in other, more serious unlawful conduct, or
- 2). The juvenile continues to engage in the same unlawful conduct following the issuance of a prior curbside warning, or
- 3). The juvenile has a pending formal complaint, demonstrating a continuing course of improper conduct, related or unrelated to the pending charge.

5. **Other curbside warnings.**

For unlawful conduct more serious than described above in Section XXV.4, such as petty disorderly persons offenses, disorderly persons offenses, and fourth-degree crimes, there is no presumption in favor of a curbside warning, but an officer may nonetheless engage in a curbside warning at the officer's discretion, provided that the conduct did not cause serious or significant bodily injury to another.

6. **Documenting a Curbside Warning in CAD.**

a. In order to properly document a Curbside Warning for reporting purposes the following must be performed for each one:

- 1). The officer conducting the Curbside Warning shall not ask the juvenile for any personally identifiable information (PII). If the officer collects PII from the juvenile, it is no longer a Curbside Warning. Curbside Warnings do not include collecting the juvenile's pedigree information.
- 2). The officer conducting the Curbside Warning shall have a CAD incident assigned to him/her.
- 3). When completing the CAD incident, the officer shall select the Curbside Warning incident type.
- 4). The officer shall put the following information at the bottom of the narrative:

CURBSIDE WARNING INFORMATION:

Approximate age(s)

Race

Gender

- 5). The officer shall use their best guess inputting information in for the three categories above.

7. **Data collection and reporting.**

The Juvenile Officer shall maintain a log that contains the appropriate data points in order to properly complete the **Stationhouse Adjustment and Curbside Warning Quarterly Report** for specifically curbside warning reporting.

- a. The **Juvenile Liaison Officer** shall complete the Stationhouse Adjustment and Curbside Warning Quarterly Report.
- b. Once completed, the **Juvenile Liaison Officer** shall transmit a copy of the completed quarterly report to the following no later than the 15th day of the month following the close of each quarter:

- 1). The Middlesex County Prosecutor's Office

Completed reports must be submitted to the Juvenile Unit electronically to:

jvzone@co.middlesex.nj.us

- 2). The New Jersey Division of Criminal Justice

Completed reports must be submitted to the Division of Criminal Justice electronically to report@njdcj.org

B. Stationhouse Adjustments (back)

1. **Definition.** A "stationhouse adjustment" is a mechanism that allows law enforcement agencies to resolve a juvenile's unlawful conduct without formal court proceedings. A stationhouse adjustment, which must be memorialized in a signed agreement, establishes one or more conditions that the juvenile must meet in exchange for the law enforcement agency declining to pursue a formal delinquency complaint against the juvenile.

2. Prosecutor Designation:

- a. New Jersey Attorney General Directive 2020-12 requires the approval of the Assistant Prosecutor under the following circumstances related to stationhouse adjustments:

- 1). To overcome the presumption in favor of a stationhouse adjustment (NJAG Directive Section II.C),
- 2). To perform a discretionary stationhouse adjustment (NJAG Directive Section II.D),
- 3). To perform stationhouse adjustments involving drug and alcohol use (NJAG Directive Section II.E), and

- 4). To perform stationhouse adjustments where the victim objects (NJAG Directive Section II.H).
3. **Presumption in favor of stationhouse adjustments for certain unlawful conduct.** There shall be a presumption in favor of performing a stationhouse adjustment, rather than pursuing a delinquency complaint against a juvenile, when:
 - a. The juvenile has no prior history of juvenile adjudications or stationhouse adjustments,
 - b. The juvenile's conduct constituted a petty disorderly persons offense, a disorderly persons offense, or a fourth-degree crime if committed by an adult, and
 - c. The juvenile's unlawful conduct did not constitute an act of bias, sexual misconduct, or violence, and did not involve controlled dangerous substances (CDS) or CDS paraphernalia.
4. **Overcoming the presumption in favor of a stationhouse adjustment.** An officer may overcome the presumption of a stationhouse adjustment and pursue a formal delinquency complaint only with the approval of the Assistant Prosecutor, who shall consider:
 - a. The juvenile's age and maturity,
 - b. The nature and circumstances of the offense,
 - c. The juvenile's prior history of juvenile adjudications and/or stationhouse adjustments, with a presumption against authorizing a stationhouse adjustment for any juvenile previously adjudicated for a first- or second-degree offense,
 - d. The willingness of the juvenile to adhere to the proposed terms of the stationhouse adjustment, and
 - e. Where relevant, the support and cooperation of the victim and the juvenile's parent, or guardian/caregiver/designee.
5. **Discretion to authorize stationhouse adjustments for other conduct.**
 - a. For conduct not described above in Section XXV.B.3 above (e.g., for conduct not subject to a presumptive stationhouse adjustment), there shall be no presumption in favor of a stationhouse adjustment, but an officer shall nonetheless consider whether to perform one in their discretion ("discretionary stationhouse adjustment"). An officer may perform a discretionary stationhouse adjustment, provided that the Assistant Prosecutor authorizes the stationhouse adjustment.
 - b. Note: In deciding whether to authorize a discretionary stationhouse adjustment, the Assistant Prosecutor, shall consider the factors outlined above in Section XXV.A.4.

Prosecutors should not automatically refuse to consent to diversion of a case, based solely upon the fact that the juvenile previously had been adjudicated or diverted from formal adjudication. The manner in which prior allegations of delinquency were handled is relevant only in determining whether diversion of current charges will be effective in achieving the objectives of the Juvenile Justice System, including the interests of public safety. This Directive specifically permits consideration of a stationhouse adjustment and other forms of diversion for juveniles with prior formal charges and/or prior diversion.

6. **Drug and alcohol use.** Generally speaking, charges related to drug or alcohol use should be considered for stationhouse adjustment, provided that a treatment plan, if clinically appropriate, is included as part of the stationhouse agreement. When evaluating such cases, the Assistant Prosecutor should review all relevant information regarding the juvenile's history of substance use or dependency, and check that any proposed treatment plan, where needed, is included in the stationhouse agreement, and memorializes proper referrals and recommendations to address the juvenile's medical and mental health needs.
 - a. If intervention is clinically appropriate, juveniles should be referred for diagnostic assessment and appropriate treatment.
 - 1). Local planning bodies, including the County Family Crisis Intervention Unit, the Youth Services Commission, and the County Interagency Coordinating Council, can assist with identifying available assessment and treatment resources.
 - 2). Assistance can also be provided through PerformCare, New Jersey's Contracted System Administrator for the Department of Children and Families, Children's System of Care. PerformCare provides substance use treatment for youth and families throughout New Jersey. (PerformCare hotline: 1-877-652-7624).
7. **Victim engagement.** As part of any stationhouse adjustment process, the officer shall notify any victims of the juvenile's unlawful conduct and seek to engage those victims in the resolution.
8. **Conditions.** A stationhouse adjustment shall include one or more conditions that the juvenile must satisfy, which may include, but are not limited to:
 - a. Mediation,
 - b. Restitution,
 - c. Community service,
 - d. Letters of apology or other writing projects,

- e. Consequences imposed by the juvenile's parent or guardian/caregiver/designee, such as a suspension of driving privileges,
- f. Enrollment in community programs, such as those offered by the County Youth Service Commission or a faith-based program.
 - 1). Faith-based programs may be used only with the consent of the juvenile, as consideration must be given to the faith, or no faith, to which the juvenile subscribes, and resources should be in place to provide equivalent, alternative programming, so a juvenile has equal access to effective stationhouse adjustment services
- g. Participation in restorative justice programs, if appropriate, and/or
- h. Where recommended, participation in mental health or substance abuse programs.

9. **Stationhouse adjustment agreements.**

- a. All stationhouse adjustments shall be memorialized in a written agreement, which shall remain in effect for three to six months from the date the agreement is signed.
 - 1) Stationhouse adjustment agreements will be composed and issued by the Juvenile Liaison Officer.
 - a) The Juvenile Liaison Officer shall contact the juvenile's parent/guardian to make arrangements to review the stationhouse adjustment agreement and have it signed by the juvenile and their parent/guardian at police headquarters, the juvenile's residence, or any other mutually agreed upon location.
- b. Before signing a stationhouse adjustment agreement, the Juvenile Liaison Officer shall advise the juvenile that:
 - 1). Violations of the stationhouse adjustment agreement may result in the filing of a juvenile delinquency complaint for the conduct that gave rise to the stationhouse adjustment, and
 - 2). Future delinquent activity could result in more serious action taken by the Juvenile Justice System (e.g., probation, loss of driver's license, detention) and collateral consequences (e.g., DNA collection, restrictions on college financial aid, limitations on career opportunities).
- c. The following parties shall sign the stationhouse adjustment agreement:
 - 1). The juvenile,