

Juvenile Detention Intake Criteria

I. Juveniles under the age of 8 years cannot be found guilty of offenses under RCW 9A.04.050 and will not be detained.

II. Alleged New Offense:

Juveniles presented on the following charges will be detained for judicial review:

- A. Offenses listed in Addendum 1.
- B. Any offense involving possession of a Firearm.
- C. Youth age sixteen (16) years or older who are presented on a domestic violence charge as defined in RCW 10.31.100 and RCW 10.99.020 (see Addendum 2). For youth under age 16 presented on a domestic violence offense not in Addendum 1 see Section VI- E if applicable.
- D. Any assault on a school staff person, administrator, or teacher.

III. Warrants:

All Juveniles with an active warrant may be presented to Juvenile Detention Intake for Screening.

- A. Juveniles presented on the following active warrants will be detained for judicial review:
 1. Any warrant issued for an Addendum 1 offense or any Tier-1 warrant.
 2. Violation of Conditions of Release, Material witness, or Probable Cause warrants.
 3. Warrants issued for At-Risk Youth, Child in Need of Services (CHINS), Truancy, or Dependency cases.
 4. Out of Jurisdiction, Parole, Federal Detainer or Municipal/District Court warrant.
- B. To determine if any other King County Superior Court warrant will be detained for judicial review, the criteria referenced in General Order 07-2-12050-5 SEA (Tier 2 Warrants) will be applied.

IV. History:

Juveniles presented on any new offense who meet the following criteria will be detained for judicial review. History criteria are limited to information available through JJWEB (King County Juvenile Justice Web-Based data system).

- A. Pending Matter:
 1. Committed a new offense with a pending offender matter. Pending is defined as filed on to disposition.
- B. Detention History:
 1. Juvenile is known to have been released from juvenile detention within the previous thirty (30) days.
- C. Criminal History:
 1. Prior adjudication (finding of guilt) for any felony within the previous three (3) months based on date pled/found guilty.

V. Other Criteria:

Juveniles who meet the following criteria will be detained for judicial review or transport:

- A. Administrative Holds.
 1. Juveniles presented for court from the Juvenile Rehabilitation Administration (JRA), in transit, parole hold/revocation.

2. Court holds from other jurisdictions

B. When the identification of a juvenile is uncertain.

1. The juvenile's identity is not verifiable.
2. The juvenile refuses to give necessary current information regarding name and age.

VI. Detain Override:

Under the following circumstances a youth who does not meet any criteria in Sections I through V may be detained for judicial review:

A. The juvenile is likely to interfere with administration of justice.

1. The juvenile has demonstrated a serious intent to intimidate witnesses or others involved with pending matter.
2. There is reason to believe that the juvenile is likely to destroy evidence and the opportunity exists to do so.

B. Danger to Self

1. When there is reason to believe that a juvenile is a danger to self for mental health and/or substance abuse reasons, and does not fit other detention criteria, a mental health professional or recognized expert in the appropriate area is to be called immediately for an evaluation. The juvenile will be released to other resources as soon as possible, or when the condition is no longer present.

C. Fear of Harm

1. Upon a finding that members of the community have threatened the health of a juvenile taken into custody, at the juvenile's request the youth may be detained pending further order of the court

D. The juvenile will likely fail to appear for further proceedings.

1. There is a clear intent on the part of the juvenile not to appear in court based on a statement to that effect or actions.

E. Special Circumstances:

1. The youth's behavior demonstrates imminent threat to other person(s) and/or the youth is involved in a volatile and escalating situation that is likely to result in physical harm to other person(s) or significant damage to property.

NOTE: When an override to detain a youth who does not meet the Detention Intake Criteria (Section VI. A-E) is requested, specific circumstances must be cited that directly support the reason for the override.

Addendum 1: Detainable Offenses – Juveniles presented on the following charges will be detained for judicial review:

NCIC	MATTER	GRADE
2000	ARSON 1	A
2005	ARSON 1 - ATT	B+

2001	ARSON 2	B
1311	ASSAULT 1	A
1305	ASSAULT 1 - ATT	B+
1312	ASSAULT 2	B+
1313	ASSAULT 3	C+
5215	BOMB THREATS	B
2202	BURGLARY 1	B+
2203	BURGLARY 1 - ATT	C+
2216	BURGLARY-RES	B
1121	CHILD MOLEST 1	B+
1125	CHILD MOLEST 1 - ATT	C+
1120	CHILD MOLEST 1-7/97	A-
1119	CHILD MOLEST 1-ATT 7/97	B+
1124	CHILD MOLEST 6/98	B
1122	CHILD MOLEST 2	C+
1126	CHILD MOLEST 2 - ATT	C
1127	CHILD MOLEST 2-ATT 7/97	C+
4020	COMN W/MNR IMORL PUR	D
4021	COMN W/MNR IMORL- PRIOR	C
0500	CONSPIRACY-A FELONY	B+

6225	CRUELTY ANIMALS 1 (aft 7/04)	B
5353	DRIVE BY SHOOTING	B+
5354	DRIVE BY SHOOTING - ATT	C+
5408	ELUD PURS POLICE VEH	C
4901	ESCAPE 1	C
4905	ESCAPE 1 - ATT	C
4902	ESCAPE 2	C
4914	ESCAPE 2 - ATT	C
4903	ESCAPE 3	D
4917	ESCAPE 3-ATT	E
2015	EXPLOSIVE DEV-ATT	B
2014	EXPLOSIVE DEV-POSS	A
2017	EXPLOSIVE UNLAWFUL POSS	C
2018	EXPLOSIVE UNLAWFUL POSS - ATT	D
2027	EXPLOSIVE-ENDANGER PROP	C
1135	FAIL REGISTER AS SEX OFFENDER (FELONY)	C
1136	FAIL REGISTER AS SEX OFFENDER	D
5213	FIREARM - DELIVER	C
5219	FIREARM-POSS STOLEN	B

5214	FIREARM-POSS-ATT	D
5216	FIREARM-THEFT	B
5209	FIREARM-THEFT-ATT	C
1325	HARASSMENT - FELONY	C
3511	HOMICIDE BY CONTROLLED SUBSTANCE	B
2012	INCENDIARY DEV-ATT	B
2010	INCENDIARY DEV-POSS	A
1141	INCEST 1	B
1142	INCEST 2	C
3600	INDECENT LIBERTIES	B+
3602	INDECENT LIBERTIES- ATT	C+
5011	INTIMIDATE WITNESS	B+
1000	KIDNAP 1	A
1003	KIDNAP 1 - ATT	B+
1001	KIDNAP 2	B+
1002	KIDNAP 2 - ATT	C+
0902	MANSLAUGHTER 1- RECKLESS	B+
0905	MANSLAUGHTER 1-ATT	C+
0904	MANSLAUGHTER 2- NEGLIGENT	C+
0906	MANSLAUGHTER 2-ATT	D+

2404	MOTOR VEH - THEFT	B
0900	MURDER 1	A+
0920	MURDER 1 - ATT	A
0901	MURDER 2	A+
0921	MURDER 2 - ATT	B+
0903	NEGLIGENT HOMICIDE	B+
2810	POSS STOL VEHICLE	B
4000	PROM PROSTITUTION 1	B+
4003	PROM PROSTITUTION 1- ATT	C+
4005	PROM PROSTITUTION 2	C+
4006	PROM PROSTITUTION 2- ATT	D+
4001	PROSTITUTION	E
4002	PROSTITUTION LOITER	D
1101	RAPE 1	A
1106	RAPE 1 - ATT	B+
1102	RAPE 2	A-
1107	RAPE 2 - ATT	B+
1103	RAPE 3	C+
1115	RAPE 3-ATT	D+
1111	RAPE OF CHILD 1	A-

1116	RAPE OF CHILD 1-ATT	B+
1112	RAPE OF CHILD 2	B
1114	RAPE OF CHILD 2 (AFTER 7/98)	B+
1117	RAPE OF CHILD 2-ATT	C+
1200	ROBBERY 1	A
1202	ROBBERY 1 - ATT	B+
1210	ROBBERY 1- CONSPIRACY	B
1201	ROBBERY 2	B+
4010	SEXUAL EXPLOIT MINOR	B
2410	THEFT OF A MOTOR VEHICLE 1 - 7/07	B
2411	THEFT OF A MOTOR VEHICLE 1 ATT - 7/07	C
2402	TMV 1	C
2400	TMV 2	C
5324	UNLAWFUL IMPRISON	C+
1323	VEHICULAR ASSAULT	C
0909	VEHICULAR HOMICIDE	B+
5039	VIOLATE PROT ORDER	D
5035	VIOLATE ANTI-HARASS ORDER	D
5040	VIOLATE PROT ORDER- FELONY	C

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3575	VUCSA/METH DELIVERY	B+
3506	VUCSA/NARC DEL- CONSPIRACY	B+
3587	VUCSA/NARC W/INTENT	B+
3500	VUCSA/NARCOTIC DELIVERY	B+
3510	VUCSA/NARCOTIC DELIVERY ATT	B+
5212	VUFA 1- ATT	C
5218	VUFA 1-FIREARM-PRIOR	B
5211	VUFA 2 - ATT	C
5210	VUFA 2-FIREARM	C
5230	WEAPON AT SCHOOL	D
5205	WEAPON-DISPLAY	D

Addendum 2: Domestic Violence

Youth age sixteen (16) years or older who are presented on a domestic violence charge will be detained for judicial review.

RCW 10.31.100 Arrest without warrant (excerpt).

(2)(c) The person is sixteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (i) The intent to protect victims of domestic violence under RCW 10.99.010; (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence between the persons involved.

RCW 10.99.020 Definitions (excerpt).

(3) "Family or household members" means spouses, former spouses, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently

residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

(5) "Domestic violence" includes but is not limited to any of the following crimes when committed by one family or household member against another:

- (a) Assault in the first degree (RCW 9A.36.011);
- (b) Assault in the second degree (RCW 9A.36.021);
- (c) Assault in the third degree (RCW 9A.36.031);
- (d) Assault in the fourth degree (RCW 9A.36.041);
- (e) Drive-by shooting (RCW 9A.36.045);
- (f) Reckless endangerment (RCW 9A.36.050);
- (g) Coercion (RCW 9A.36.070);
- (h) Burglary in the first degree (RCW 9A.52.020);
- (i) Burglary in the second degree (RCW 9A.52.030);
- (j) Criminal trespass in the first degree (RCW 9A.52.070);
- (k) Criminal trespass in the second degree (RCW 9A.52.080);
- (l) Malicious mischief in the first degree (RCW 9A.48.070);
- (m) Malicious mischief in the second degree (RCW 9A.48.080);
- (n) Malicious mischief in the third degree (RCW 9A.48.090);
- (o) Kidnapping in the first degree (RCW 9A.40.020);
- (p) Kidnapping in the second degree (RCW 9A.40.030);
- (q) Unlawful imprisonment (RCW 9A.40.040);
- (r) Violation of the provisions of a restraining order, no-contact order, or protection order ... (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.44.063, 26.44.150, 26.50.060, 26.50.070, 26.50.130, 26.52.070, or 74.34.145);
- (s) Rape in the first degree (RCW 9A.44.040);
- (t) Rape in the second degree (RCW 9A.44.050);
- (u) Residential burglary (RCW 9A.52.025);
- (v) Stalking (RCW 9A.46.110); and
- (w) Interference with the reporting of domestic violence (RCW 9A.36.150).

