

TAKOMA PARK POLICE DEPARTMENT - GENERAL ORDERS



	TITLE: JUVENILE CIVIL CITATION - ALCOHOL and TOBACCO	NUMBER: 801
	EFFECTIVE DATE: June 20, 2012	REVIEW DATE:
New X Amends Rescinds	General Order 801, dated September 26, 2005	
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01 Purpose: To set forth guidelines and procedures for issuing citations for violation of the alcoholic beverage laws (pursuant to Section 8 of Title 3 of the Courts and Judicial Proceedings Article, Maryland Code).

02 Policy: Officers will actively enforce provisions of alcoholic beverage laws (CR 10-113 to 115) and the Education Article, 26-103), and will enforce the tobacco possession law (CR 10-108). These provide for issuance of a citation to a juvenile for alcoholic beverage and/or tobacco violations, and the appearance of a juvenile before the Department of Juvenile Justice.

03 Procedures:

A. When completing the Alcohol/Tobacco Citation, (DC31, Uniform Juvenile Civil Citation) officers will:

1. Obtain correct information: full name, date of birth and address of the juvenile and the name and address of the juvenile's parent/legal guardian,
2. List the proper section of the Law being violated, including a brief statement of probable cause,
3. Print clearly, using a ball point pen and press firmly as five (5) copies are being made, and
4. Sign your name and complete the blocks for Agency and ID number and print the TP case # at the top of the citation.

B. Officers will ensure that all relevant sections of the Citation and a Form 108 event report are completed.

1. Only one charge per citation will be issued but the tracking number for any related citations for the same juvenile and event should be noted.
2. The officer will obtain the full name and address of the parent or guardian, if applicable, and confirm the information by phone or other contact.

3. The officer will obtain the signature of a parent/guardian, if applicable, at the time or, if a signature is not obtained, will print "MAIL" in the block for the parent's signature.
4. Witness information will be supplied on the back of the white copy and included in the event report.
5. Have the juvenile sign the citation. If he/she refuses, write "Refused" and do not make a physical arrest.
6. If the juvenile refuses or fails to furnish proof of identification, he/she may be arrested for a violation of CR10-120, Failure to Provide Proof of Age. If an arrest is made, charges for CR §10-108 and/or §10-113 to 115 will be incorporated.
7. The civil citation **cannot** be used if a juvenile is to be charged with multiple violations arising from a single event and only some of the charges can be charged via a citation. In such events, all charges will be referred to DJJ for hearing or for petition, at the officer's discretion. (See GO 804).

C. Disposition of Citations:

1. The pink copy will be given to the juvenile defendant at the time of issuance. The gold copy will be the officer's copy.
2. The yellow copy is for the parent/guardian. If the parent/guardian is available to sign the citation at the time of issuance, the yellow copy will be given to them at that time. The top two copies (white and green) will be turned in to the Team Leader, who will ensure that the copies are turned in to Administrative Services. If the parent/guardian was unavailable to sign, the three top copies (white, yellow and green) will go to the Team Leader for transmittal to Administrative Services.
3. Administrative Services will ensure that the white, green and yellow copies are properly distributed.

* If a parent/guardian signature is not obtained at the time of issuance, the Administrative Services will mail, via certified mail, the yellow copy to the juvenile's parent/guardian. Administrative Services will then complete the Certificate of Mailing on the back of the white copy, printing the name, title and I.D. number of the employee handling the citation and the date.

* The white and green copies will go to DJS...

* Administrative Services will photocopy the citation, front and back, and attach it to the event report and file as with other reports. Proof of certified mailing, when required to notify the parent/guardian, will also be attached to the report.

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- 4.** If the certified mailing is returned, indicative of an incorrect address of the parent/guardian, Administrative Services will notify the issuing officer. The officer will be responsible for advising DJS of the incorrect address and initiate inquiries to obtain correct information. The officer will document contact with DJS and other investigative steps through a supplement.
- 5.** Upon learning of a disposition, the officer will note the disposition on a TPPD Form 600-028, Criminal Disposition, and turn in to Administrative Services, which will attach it to the original report.
- 6.** Officers do not have to attend an intake hearing. Officers do not have the right to appeal DJS decisions relative to alcohol/tobacco violations.