

IN THE SUPREME COURT OF THE STATE OF ARIZONA
ADMINISTRATIVE OFFICE OF THE COURTS

In the Matter of:)	
)	
AUTHORIZING A NEW SECTION OF)	Administrative Directive
THE JUVENILE DETENTION)	No. 2018 - <u>04</u>
OPERATIONS STANDARD:)	
I A 8 - JUVENILE CONTACT)	
WITH LAW ENFORCEMENT)	
_____)	

Administrative Order No. 2009-47 was entered on July 1, 2009. The Order established Section 6-311, Detention Operations in the Arizona Code of Judicial Administration Part 6 Probation. Section 6-311 section D (1) states:

The administrative director is authorized to adopt by administrative directive detention operations standards and any amendments to the standards after review and recommendation by the juvenile court directors and the Committee on Juvenile Courts (COJC).

On August 10, 2009, the Administrative Director signed Administrative Directive No. 2009-23 adopting the Juvenile Detention Operations Standards, recognizing that the standards “represent the minimum requirements that shall be in place for the delivery of secure care services within a juvenile detention center. The standards shall serve as the basis for developing and establishing policy and procedure for each juvenile detention center.”

On December 19, 2016, the Administrative Director signed Administrative Directive No. 2016-07 adopting the recommendations of the Detention Operations Standards Advisory Committee to the Arizona Juvenile Detention Operations Standards. These recommendations included new standards as well as changes to existing standards of the juvenile detention operation standards.

On April 5, 2018 and April 19, 2018, the juvenile court directors and COJC respectively reviewed and approved adding to the Juvenile Detention Operations Standards: Section I A 8: Administration/Management-Generation Administration-Juvenile Contact with Law Enforcement. This section’s objective is to ensure a juvenile’s constitutional rights are protected while being detained in a secure care facility. Therefore,

IT IS DIRECTED that the attached section to the Juvenile Detention Operation Standards is adopted.

Dated this 2nd day of May, 2018

DAVID K. BYERS
Administrative Director of the Courts

<p style="text-align: center;">STATE OF ARIZONA JUVENILE DETENTION STANDARDS</p>	<p>Cross Reference:</p>
<p>Section: I A 8 Administration/Management GENERAL ADMINISTRATION Juvenile Contact with Law Enforcement</p>	<p>ACA: RULE: STATUTE: ACJA:</p>
<p><i>Objective:</i> <i>To ensure a juvenile's constitutional rights are protected while being detained in a secure care facility.</i></p>	<p style="text-align: center;">IMPLEMENTED</p>

- 7.1** The director shall establish policies and procedures to govern law enforcement interviews of detained juveniles in a manner that balances the safeguarding of the constitutional rights of the juvenile and law enforcement authority to investigate crimes.
- 7.2** Detention personnel shall make reasonable efforts to schedule the time and length of interviews with law enforcement to minimize disruption in the juvenile's participation in program activities. Detention personnel shall document the date, and start and end times of the law enforcement interview.
- 7.3** Detention personnel shall conduct periodic visual monitoring every fifteen minutes during the interview.
- 7.4** Law enforcement shall not interview a juvenile about a pending petition if the juvenile has been appointed or retained an attorney, unless the attorney is present for the interview or provides documented consent for the interview to be conducted in their absence.
- 7.5** Law enforcement may interview a detained juvenile related to a new offense or investigation without an attorney's consent.
- 7.6** Upon admission, detention personnel shall advise the juvenile verbally and in writing, of their right to:
 - a) Decline to speak with law enforcement officers, and;
 - b) End an interview at any time
- 7.7** A detained juvenile has the right to decline to be interviewed by law enforcement and may end an interview at any time. If a detained juvenile is being interviewed by law enforcement

and the juvenile requests an attorney or indicates that he or she wants to remain silent, the interview shall conclude.

- 7.8** Detention personnel shall provide the juvenile being interviewed with a method to notify detention personnel that he or she wishes to terminate the interview.
- 7.9** To obtain personal property evidence for a juvenile, law enforcement must obtain a warrant or court order or written consent from the juvenile's court appointed or retained attorney and provide it to detention.
- 7.10** Law enforcement must obtain a warrant or court order and provide it to detention to obtain identifying physical characteristics of a juvenile, including but not limited to fingerprints, palm prints, footprints, measurements, handwriting, hand printing, sound of voice, blood samples, urine samples, comparative personal appearance or photographs.