# Steps in the Maryland Youth Pre-DJS Process

The Maryland Youth Pre-DJS Process Flowchart includes various decision points that occur within a 24-hour period:

Youth Behavior Requiring Police Involvement ★
Case Assessment ●
Enforcement and Referral Decision ■
DJS Process Begins ⬟
Exit Juvenile System ◆

Please refer to the steps below which specify the 24-hour process, from charging to report, based on the outcome of each decision point. The steps follow the flowchart's numbered nodes from start to DJS intake.

★ **Step 1. Youth comes to police attention.**

A youth enters the process when police become aware of behavior through a call for service, a school request, an officer's own observation, or a complaint. This is the starting point for all cases in the flowchart.

● **Step 2. Officer responds and conducts preliminary fact-finding.**

The responding officer conducts a brief on-scene inquiry. The officer examines the facts to determine whether they support a delinquent act. If the incident involves a youth who meets the criteria for adult charging, the officer hands the case over to the State's Attorney's Office and the youth is detained in adult jail, exiting the juvenile system at this point. ◆

● **Step 3. Delinquency determination: Do the facts support a delinquent act?**

Based on the preliminary inquiry, the officer makes a delinquency determination.

**Yes —** ■ Facts support a delinquent act. The case proceeds to Step 4, Enforcement Decision.

**No —** ◆ Facts do not support a delinquent act. The officer exercises discretion for a no-delinquency determination. The case ends, or the youth may be referred for CINS (Child in Need of Supervision) services. The youth exits the juvenile system (Step 3A).

■ **Step 4. Enforcement decision.**

Where the facts support a delinquent act, the officer determines how to proceed. The officer's options at this stage are:

- ■ **Step 4A. School handles administratively —** No police enforcement action is taken. The matter is deferred to the school to address; although, in some schools officers are included in the administrative decision.

- **Citizen's referral —** When a school handles a matter administratively with no police enforcement action, parents retain the option to request formal charges directly from DJS through a citizens referral.

- **Step 4B. No charges / Warn and release —** The officer issues a warning and releases the youth, which may include a referral to a parent, school, or community support. The case ends with no DJS involvement.
- **Step 4C. Law enforcement diversion —** The officer may divert the youth to a program or service. Diversion may occur before or after arrest and varies by jurisdiction. Note: Baltimore City Police Department has no diversion options; all cases are automatically directed to DJS. If the youth successfully completes the diversion program, the case ends with no DJS involvement. Non-completion typically results in a paper referral to DJS Intake (Step 4D).
- **Step 4D. Paper referral to DJS —** The officer submits a paper referral to DJS. The youth remains in the community pending intake review.

  - **Intake review —** Once DJS receives the referral, an intake officer reviews the case. By law, this initial review must begin within 15 days.
- **Step 4E. Youth taken into physical custody / Immediate detention screening request —** If the officer takes the youth into physical custody, an immediate detention screening request is made to DJS. If detention is not authorized, the youth is released and a paper referral to DJS is issued (Step 4D).

  - **DJS holds youth in detention —** If detention is authorized, DJS holds the youth in detention pending further proceedings.

- **Start DJS Process.**

  Once a referral is received, a DJS intake officer reviews the case. Results may include handling the case in-house at DJS with services, referral to the State's Attorney's Office for formal charging, or referral to outside human services.