



Office of the Sheriff
Monroe County, New York
Sheriff Todd K. Baxter
Undersheriff Korey K. Brown



MCSO Juvenile Procedures

Issued: May 2024
By: Inv. McCoy



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Juvenile Arrest Procedures

May 2024: Inv. McCoy

7-11 year olds

FCA 301.2 A person over the age of seven and less than twelve years of age having committed an act that would constitute one of the following crimes if committed by an adult is charged as a Juvenile Delinquent: 125.11; 125.12; 125.13; 125.14; 125.15; 125.20 125.21; 125.22; 125.25; 125.26; 125.27

Unless specified above, those children under the age of 12 committing a crime will now be referred to a Differential Response Program. See OCFS-2210 form for a referral regarding 7-11 year olds.

Completed referral forms and the case report are sent to the Monroe County Family Support Center (1099 Jay Street, Rochester) by emailing the form to [REDACTED]@monroecounty.gov **AND** [REDACTED]@monroecounty.gov (585-[REDACTED]-[REDACTED] – Information Line)

Juvenile Delinquency

Appearance Ticket Weekday 9am-4pm

If you are considering issuing an **appearance ticket on a weekday between 9am-4pm** for a Juvenile Delinquency arrest, you must call the Probation Duty Officer (585) [REDACTED]:

- Probation notification is necessary; contact the duty officer at the number listed above
- The duty officer will provide instructions on reporting directly to the Office of Probation
- Probation will begin the diversion process immediately
- Process your appearance ticket and arrest package
- Paperwork **MUST** be emailed to Probation by 9am to **ALL** of the following:
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov
- Ensure appearance ticket instructs families to report to 33 North Fitzhugh St.



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Detention- Weekday 9am-4pm

If you are considering **detention weekdays between 9am-4pm** for a Juvenile Delinquency arrest, you **MUST** call both:

- Juvenile Prosecutor's Office (585) [REDACTED]
- ATD on-call Officer (585) [REDACTED]

Appearance Ticket Family Court Not in Session

If you are considering issuing an **appearance ticket after 4pm weekdays or on weekends** for a Juvenile Delinquency arrest, you must call the on-call Probation Officer at (585) [REDACTED]:

- Probation notification is necessary; you must contact the on-call officer at the number listed above
- The on-call officer will provide instructions on reporting directly to the Office of Probation at a designated time
- Probation will begin the diversion process immediately
- Process your appearance ticket and arrest package
- Paperwork **MUST** be emailed to Probation by 9am to **ALL** of the following:
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov
- Ensure appearance ticket instructs families to report to 33 North Fitzhugh St.



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Detention- Family Court Not in Session

If **seeking secure detention** when **Family Court is not in session** (after 5pm and on weekends) for a new Juvenile Delinquency arrest: **NO PRE-PETITION HEARING NEEDED – you must contact the on-call Probation Officer at (585) [REDACTED]**

- **12 year olds and younger cannot go to Secure Detention call (585) [REDACTED]**
- Probation will collect relevant information and complete required detention risk assessment instrument (DRAI)
- Probation will return call to the arresting officer with results of DRAI and determine if detention is warranted
- Probation will contact Secure Detention (585) [REDACTED] to determine bed availability and provide other demographic information
- Probation will inform the arresting officer of bed availability and how/whom to contact at Secure Detention
- Arresting officer then contacts Secure Detention (585) [REDACTED] to finish the remand process

Warrant- Family Court not in session

When **Family Court is not in session** for a **Juvenile Delinquency WARRANT** the Juvenile must go before the Accessible Magistrate:

- **12 year olds and younger with a JD WARRANT cannot go to Secure Detention call (585) [REDACTED] for direction.**
- On-call Probation notification **IS** necessary; you **MUST** call (585) [REDACTED]
- Probation will collect relevant information and complete required detention risk assessment instrument (DRAI)
- Probation will contact Secure Detention (585) [REDACTED] to determine bed availability
- Probation will contact the Court Security at (585) [REDACTED]
 - Warrant Hearings will be held at the PSB Part 5
- Probation will contact the Attorney listed on the Warrant. If the Attorney does not answer, Probation is to call the on-call Attorney for The Child (AFC) Supervisor, [REDACTED] (585) [REDACTED] or AFC [REDACTED] (716) [REDACTED]
- Probation will contact the on-call Accessible Magistrate
- If youth is held, you **MUST** confirm bed availability and the location with the on-call probation officer prior to driving the youth to a facility



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Pre-Petition Hearing Needed- New JD arrest

If seeking **Secure Detention** when **Family Court** is not in session for a **NEW** Juvenile Delinquency arrest and a *******Pre-Petition Hearing is needed*******

- 12 year olds with a JD WARRANT cannot go to Secure Detention call (585) [REDACTED] for direction.
- On-call Probation notification **IS** necessary; you **MUST** call (585) [REDACTED]
- Probation will collect relevant information and complete required Detention Risk Assessment Instrument (DRAI)
- Probation will return call to the arresting officer with results of DRAI and determine if detention is warranted
- Probation will contact Secure Detention (585) [REDACTED] to determine bed availability
- Probation will contact on-call Juvenile Prosecutor, [REDACTED] (585) [REDACTED] to determine **IF** pre-petition hearing is to be held *****72 HOURS ONLY*****
- Probation will contact the on-call Attorney for the Child (AFC) Supervisor [REDACTED] [REDACTED] (585) [REDACTED] or AFC [REDACTED] (716) [REDACTED] **IF** pre-petition hearing is to be held
- Probation will contact Accessible Magistrate **IF** pre-petition hearing is to be held
- Probation will contact Court Security at (585) [REDACTED] **IF** a hearing is to be held
 - Pre-petition hearings are held at PSB Part 5
- Secure Detention needs to fax a completed Pre-Petition Detention Application to PSB Part 5 to fax number (585) [REDACTED] (Court Deputy to assist in retrieving the fax)
- If youth is held, you **MUST** confirm bed availability and the location with the on-call Probation Officer prior to driving the youth to a facility

***In the event there is a "long weekend" and a youth is arrested on a new charge, and is to be remanded to Secure Detention, he/she **MUST** be seen within 72 hours. ***

For example, if the youth is picked up on a Friday between the hours of 5 p.m. and 12 a.m. and the following Monday is a Court Holiday, that youth will require a Pre-Petition Hearing and will require a Pre-Petition Detention Application from Secure Detention.



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Pins

For **Juvenile Delinquency/ PINS** after-hours questions or concerns, you **must** contact the on-call Probation Officer at (585) [REDACTED] or ACPO [REDACTED] at (585) [REDACTED]

If arrest is on a PINS Warrant:

- You **MUST** call the ATD on-call Probation Officer (585) [REDACTED] (Weekdays 9am-4pm) or the on-call Probation Officer at (585) [REDACTED] (Weekdays after 4pm and weekends)
- Probation notification **IS** necessary
- Probation will instruct the Arresting Agency on where to return the child to and inform them of any other pertinent information
- PINS Warrant juvenile cannot go to a detention facility unless there is a predisposition placement location (foster care for 3 days) *extremely rare*

***In the event there is a long weekend and a youth is picked-up on a new arrest and is to be remanded to Secure Detention, **he/she MUST be seen within 72 hours.** ***

For example, if the youth is picked up on a Friday between the hours of 5 p.m. and 12 a.m. and the following Monday is a Court Holiday, that youth will require a Pre-Petition Hearing and will require a Pre-Petition Detention Application from Secure Detention.

Filing for a Juvenile Delinquency warrant:

- Document all attempts to locate the juvenile
- You must call the on-call Probation Officer (585) [REDACTED]
- Complete the arrest package to include an APT (select Probation will contact them)

For **Juvenile Delinquency/ PINS** after-hours questions or concerns, you **MUST** contact either:

- On-call Probation Officer (585) [REDACTED]
- ACPO [REDACTED] at (585) [REDACTED]



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Adolescent Offender /Juvenile Offender Procedures

Adolescent Offender/ Juvenile Offender Arrest when Youth Part is in session:

- Contact the Youth Part ADA [REDACTED] at:
 - Office: (585) [REDACTED]
 - Work: (585) [REDACTED]
 - [REDACTED]@monroecounty.govIf no answer:
 - On Call ADA (585) [REDACTED]
 - Business Hours Youth Part Phone (585) [REDACTED]
- Contact the ATD Probation Officer phone (585) [REDACTED]

Adolescent Offender/Juvenile Offender Arrest when Youth Part is not in session:

- Contact the Youth Part ADA [REDACTED] at:
 - Office: (585) [REDACTED]
 - Work: (585) [REDACTED]
 - [REDACTED]@monroecounty.govIf no answer:
 - On Call ADA (585) [REDACTED] for case evaluation and guidance
- ADA will advise whether to issue an Appearance Ticket, Expedited Appearance Ticket or transport to after-hours arraignment before the Accessible Magistrate

If ADA advises to issue an Expedited Appearance Ticket:

- Families are to report to the Monroe County Court, Youth Part, Hall of Justice, 3rd Floor, 99 Exchange Boulevard, Rochester, at **1PM the following business day**

If ADA advises to issue a Standard Appearance Ticket:

- Families are to report to the Monroe County Court, Youth Part, Hall of Justice, 3rd Floor, 99 Exchange Boulevard, Rochester, at **1PM** the following Monday or Wednesday (whichever is sooner)



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If ADA advises, that **Afterhours Arraignment** is necessary (**AO/JO arrest**):

- Contact on-call Probation (585) [REDACTED]
- Probation will gather required information to complete Risk Assessment Instrument and will contact Specialized Secure Detention
- Probation will return call to arresting officer with results of assessment and availability of detention
- Contact the ADA you were under advisement of with the case
 - OR
 - Contact the Youth Part ADA [REDACTED] at:
 - Office: (585) [REDACTED]
 - Work: (585) [REDACTED]
 - [REDACTED]@monroecounty.gov
 - If no answer:
 - On Call ADA (585) [REDACTED]
- Apprise the ADA of the Probation assessment
- ADA will guide the rest of the process
- If youth is held, you **MUST** confirm bed availability and the location with the on-call Probation Officer prior to driving the youth to a facility

For AO/JO after-hours questions or concerns, you **MUST** contact any of the following:

- **Probation**
 - On-call Probation Officer (585) [REDACTED]
 - ACPO [REDACTED] (585) [REDACTED]
- **District Attorney**
 - Youth Part ADA [REDACTED]
 - Office: (585) [REDACTED]
 - Work: (585) [REDACTED]
 - [REDACTED]@monroecounty.gov
 - On-call ADA (585) [REDACTED]



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JD Arrest Paperwork- Before Shift End (No Arraignment)

- 1) Upload the case to the JPO folder on the K drive (minimum is depositions, ideally whole package)
 - CR#- MSO- Charge-Name of respondent (last, first)
 - Make sure to upload collected footage, including BWC, to the case file prior to placing in PMO (if applicable)
 - 2) Email Probation the same paperwork you sent to JPO folder on the K-Drive to **ALL** four listed below:
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov

They do not need a copy of collected footage

 - In the subject line of the email indicate:
 - JD Arrest
 - Juvenile's name and date of birth
 - No Arraignment
 - 3) **HAND DELIVER** the original depositions/ arrest package to a Records Clerk:
Have the original depositions/ arrest package in an envelope and write on the envelope:
 - Originals inside
 - Juvenile's name
 - Court date if known or TBD
 - CR#
 - Family Court
- * If your package is not complete on the day of arrest, the appearance ticket and depositions need to be **HAND DELIVERED** to Records the same day of arrest*
- 4) Make a copy of the completed package and **HAND DELIVER** it to a Records Clerk so they can scan it into LERMS
 - Records will forward package to the CIS Clerk to be logged
 - CIS Clerk will then send the package to the Juvenile Offender Unit Coordinator

**Once your arrest package is complete, remember to scan it on the K drive and email it to the above listed emails.*



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JD Paperwork- Before Shift End (Arraignment)

- 1) Upload the case to the JPO folder on the K drive (minimum is depositions, ideally whole package)
 - CR#- MSO-Charge-Name of respondent (last, first)
 - Make sure to upload collected footage, including BWC, to the case file prior to placing in PMO (if applicable)
- 2) Email Probation the same paperwork you sent to JPO folder on K-Drive to **ALL** four listed below:
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov

They do not need a copy of collected footage

 - In the subject line of the email indicate:
 - JD Arrest
 - Juvenile's name and date of birth
- 3) **HAND DELIVER** original depositions at arraignment
- 4) **HAND DELIVER** a copy of the completed package to a Records Clerk so they can scan it into LERMS
 - Records will forward package to the 4th floor CIS clerk

**Once your arrest package is complete, remember to scan it on the K drive and email it to the above listed emails.*



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JO/AO Arrest Paperwork Before Shift End (No Arraignment)

- 1) Upload the case to the DA discovery folder on the K drive (minimum is depositions and accusatory, ideally whole package)
 - CR#- MSO- Charge-Name of respondent (last, first)
 - Make sure to upload collected footage, including BWC, to the case file prior to placing in PMO (if applicable)
- 2) Upload your case to the JPO folder on the K drive (minimum is depositions and accusatory, ideally whole package)
 - CR#- MSO-Charge- Name of respondent (last, first)
 - Make sure to upload collected footage, including BWC, to the case file prior to placing in PMO (if applicable)
- 3) Email the accusatory, depositions, appearance ticket, and arrest package (if complete) directly to Youth Part via email: [REDACTED]@nycourts.gov
- 4) Email Probation the same paperwork you sent to the DA discovery folder and JPO folder on K-Drive to **ALL** four listed below:
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov
 - [REDACTED]@monroecounty.gov

They do not need a copy of collected footage

 - In the subject line of the email indicate:
 - JO or AO Arrest (whichever you have)
 - Juvenile's name and date of birth
 - No arraignment
- 5) **HAND DELIVER** the original depositions, accusatory and arrest package (if package is complete) to a Records Clerk:
 - Have the original depositions/ arrest package in an envelope and write on the envelope:
 - Originals inside
 - Juvenile's name
 - Court date if known or TBD
 - CR#
 - Youth Part

* If your package is not complete on the day of arrest, the appearance ticket and depositions/ accusatory need to be **HAND DELIVERED** to Records the same day of arrest*

- 6) **HAND DELIVER** a copy of the completed package to a Records Clerk so they can scan it into LERMS
 - Records will forward package to the CIS Clerk to be logged
 - CIS Clerk will then send the package to the Juvenile Offender Unit Coordinator

**Once your arrest package is complete, remember to scan it on the K drive and email it to the above listed emails.*



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JO/AO Arrest Paperwork Before Shift End (Arraignment)

- 1) Upload the case to the DA discovery folder on the K drive (minimum is depositions, ideally whole package)
 - CR#- MSO- Charge-Name of respondent (last, first)
 - Make sure to upload collected footage, including BWC, to the case file prior to placing in PMO (if applicable)
- 2) Upload the case to the JPO folder on the K drive (minimum is depositions, ideally whole package)
 - CR#- MSO-Charge Name of respondent (last, first)
 - Make sure to upload collected footage, including BWC, to the case file prior to placing in PMO (if applicable)
- 3) Email the accusatory, depositions, appearance ticket, and arrest packet directly to Youth Part via email:
██████████@nycourts.gov
- 4) Email Probation the same paperwork you sent to JPO folder on K-Drive to **ALL** four listed below:
 - ██████████@monroecounty.gov
 - ██████████@monroecounty.gov
 - ██████████@monroecounty.gov
 - ██████████@monroecounty.gov

They do not need a copy of collected footage

 - In the subject line of the email indicate:
 - JO/ AO Arrest (whichever you have)
 - Juvenile's name and date of birth
- 5) **HAND DELIVER** original depositions at arraignment
- 6) **HAND DELIVER** a copy of the completed package to a Records Clerk so they can scan it into LERMS
 - Records will forward package to the CIS Clerk to be logged
 - CIS Clerk will then send the package to the Juvenile Offender Unit Coordinator

**Any of your reports not originally placed on the K drive or emailed to Probation the day of arrest will need to be given to them upon completion of the reports and everything sent to records.*



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Paperwork flow

Outline of no arraignment accusatory paperwork flow

- 1) The original accusatory paperwork is hand delivered to a Records Clerk
 - a. Records Clerk then logs the case in their system for tracking purposes
 - b. Records Clerk then places the originals into an envelope and mark the appropriate court (this envelope should have already be made by the arresting deputy and accompanied with the paperwork). The Records Clerk then place the envelope into the Juvenile Court box. *If the full package is complete at this step then do the following:*
 - i. *Records will make a copy of the whole package*
 - ii. *Records will scan the package into LERMS*
 - iii. *Records will place the whole package into the Juvenile Court box*
 - c. Records Clerk continues to notify Inv. McCoy of a new case coming in via email
- 2) Downtown personnel will check the Juvenile Court box prior to 9am every day court is in session
- 3) Downtown personnel will walk paperwork over to the main desk at the Hall of Justice and place it in the appropriate mailbox (Youth Part or Family Court)
- 4) Records Clerk makes a copy of the case package, once it is hand delivered, and scans it into LERMS (if not completed in step 1b)
- 5) Records sends the package to the 4th floor CIS Clerk

Outline of arraignment accusatory paperwork flow

- 1) Copy of entire package is hand delivered to Records
- 2) Records Clerk scans the package it into LERMS
- 3) Records sends the package to the 4th floor CIS Clerk

Outline of whole package paperwork flow

- 1) Records receives the package and scans it into LERMS
- 2) Records forwards the package to the CIS Clerk to be logged into Juvenile
- 3) CIS clerk forwards the package to the Juvenile Offender Coordinator for filing

Transportation of Juvenile to Court

Once the Juvenile is in detention:

1. MCSO Jail Transport will bring the Juvenile to court
 - a. They will contact Juvenile Probation for assistance with transportation if needed
2. MCSO Jail Transport will bring the Juvenile back to Detention