

**2014**

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**Statutory Responses to Domestic  
Minor Sex Trafficking Victims**

**Indiana**



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## Identification

## Initial Custody

## Process Following Initial Custody

### Child in Need of Services (Abused/Neglected)

#### Authority for Initial Custody:

Law enforcement may take custody if it appears the child's physical or mental condition will be seriously impaired or endangered without immediate action

#### Placement:

- Release to parents
- Relative
- Placement designated by the juvenile court

#### Where is child referred after initial custody?

A person taking a child into custody shall immediately make documentation and forward it to the department of child services

#### When and how does court assume jurisdiction?

Upon filing of a petition by the attorney for the department or prosecuting attorney

### Delinquent Child (Status Offense)

#### Authority for Initial Custody:

Law enforcement may take custody with:

- A court order
- Probable cause to believe the child is a runaway, truant, habitually disobedient, etc.

#### Placement:

- Return to parents
- Relative
- Shelter care
- Secure detention for up to 24 hours

#### Where is child referred after initial custody?

Law enforcement must notify the child's parent and an intake officer of the reasons for detention and where the child is held

#### When and how does court assume jurisdiction?

Upon the filing of a petition by the prosecuting attorney

### Delinquent Child (Violation of Law)

#### Authority for Initial Custody:

Law enforcement may take custody with:

- A court order
- Probable cause to believe the child violated a criminal law

#### Placement:

- Return to parents
- Relative
- Shelter care
- Secure detention

#### Where is child referred after initial custody?

Law enforcement must notify the child's parent and an intake officer of the reasons for detention and where the child is held

#### When and how does court assume jurisdiction?

Upon the filing of a petition by the prosecuting attorney

# Trafficking Victims in Indiana

## Placement Process Pending Adjudication/ Investigation

### → When must placement hearing be held after initial custody?

Within 48 hours of initial custody, excluding Saturdays, Sundays, and legal holidays

### What are the placement options?

- Release to parents
- Relatives given preference
- Shelter care facility in the child's county of residence

## Adjudication or Referral to Alternate Process

### → Adjudication:

Hearing shall occur within 60 days of the filing of the petition

### Or Alternate Process

After the preliminary inquiry and upon approval by the juvenile court, the intake officer may implement a program of informal adjustment if the officer has probable cause to believe that the child is a child in need of services

## Placement Following Adjudication

### → Dispositional Outcomes

- Supervision of the child by the department
- Treatment services
- Place child in another home or shelter care

### → Dispositional Outcomes

A program of informal adjustment may not exceed 6 months, unless extended another 3 months by the juvenile court

### → When must placement hearing be held after initial custody?

Within 48 hours of initial custody, excluding Saturdays, Sundays, and legal holidays

### What are the placement options?

- Release to parent/guardian
- Detention in a juvenile facility
- Detention in a secured facility for up to 24 hours

### → Adjudication:

Hearing must be held within 20 days if child is in custody, 60 days if not

### Or Alternate Process

After the preliminary inquiry and upon approval by the juvenile court, the intake officer may implement a program of informal adjustment if the officer has probable cause to believe that the child is a delinquent child and the child is not in custody

### → Dispositional Outcomes

- Wardship to the Department
- Probation supervision
- Treatment programs and services

### → Dispositional Outcomes

A program of informal adjustment may not exceed 6 months, unless extended another 3 months by the juvenile court

### → When must placement hearing be held after initial custody?

Within 48 hours of initial custody, excluding Saturdays, Sundays, and legal holidays

### What are the placement options?

- Release to parent/guardian
- Detention in a juvenile facility
- Detention in a secured facility

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After the preliminary inquiry and upon approval by the juvenile court, the intake officer may implement a program of informal adjustment if the officer has probable cause to believe that the child is a delinquent child and the child is not in custody

### → Dispositional Outcomes

- Wardship to the Department
- Juvenile detention facility
- Probation supervision
- Treatment programs and services

### → Dispositional Outcomes

A program of informal adjustment may not exceed 6 months, unless extended another 3 months by the juvenile court