

AOC-JV-52 Doc. Code: AEPC  
 Rev. 7-15  
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 Commonwealth of Kentucky  
 Court of Justice www.kycourts.gov  
 KRS 610.200; 610.012;  
 JCRPP Part IV



**Complaint, Affidavit of Peace Officer, and Order  
 for Emergency Protective Custody of a Child  
 Suspected of Being a Habitual Runaway**

CDW Referral No. \_\_\_\_\_  
 Juvenile ID \_\_\_\_\_  
 Case No. \_\_\_\_\_  
 Court [ ] District [ ] Family  
 County \_\_\_\_\_  
 Division \_\_\_\_\_

**Complaint and Affidavit of Peace Officer**

*\*Prior to processing this Complaint, the CDW/CDS must: (1) perform an initial screening for human trafficking, and follow appropriate policy and procedure; and, (2) pursuant to KRS 610.012(7), confirm with the peace officer that the child does not come under the purview of KRS Chapter 615, Interstate Compact Regarding Juveniles.*

IN THE INTEREST OF: \_\_\_\_\_, A CHILD

DOB	Sex	Race	SSN

Child currently resides at:

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Child's permanent residence (if different from above): \_\_\_\_\_

Mother: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Father: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Person(s) with legal custody (if other than parent): \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Relationship to Child:  legal guardian  adult relative (specify): \_\_\_\_\_

Other (specify): \_\_\_\_\_

Person(s) exercising custodial control or supervision of the child (if other than parent or legal custodian):

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Relationship to Child:  adult relative (specify): \_\_\_\_\_

Other (specify): \_\_\_\_\_

**To be completed by the Affiant Peace Officer:**

- Affiant's Name: \_\_\_\_\_
- Affiant is a peace officer employed by: \_\_\_\_\_
- Affiant says that on \_\_\_\_\_, 2\_\_\_\_\_, in \_\_\_\_\_ County, Kentucky, at \_\_\_\_\_  a.m.  p.m. the above-named child was taken or received into protective custody by the Affiant.
- Location and address where child was taken or received into protective custody: \_\_\_\_\_
- (Check one or both, if applicable.) The child appeared to be under the influence of  drugs  alcohol  
List if known: \_\_\_\_\_
- Physical condition of child: \_\_\_\_\_
- The child appeared to have a medical emergency, was taken to \_\_\_\_\_ (hospital or facility), and has received medical clearance.
- There  is  is not currently a missing child's report on the child.
- My investigation indicates the child does not fall under the Interstate Compact Regarding Juveniles.
- (Check all that apply) The child was in the company of:  
 Male adults (approx number \_\_\_\_\_)  Female adults (approx number \_\_\_\_\_)  
 Male juveniles (approx number \_\_\_\_\_)  Female juveniles (approx number \_\_\_\_\_)

11. Affiant provides the following additional information with respect to the circumstances under which the above-named child was taken into protective custody:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Having been unable to release the child pursuant to the release provisions of KRS 610.200(2)(d) or (3), and in accordance with KRS 610.012, Affiant further states: *(Check one)*

I was **not able to identify** the child's mother, father, guardian, or person exercising custodial control or supervision of the child.

I was able to identify but **could not locate** the child's: *(Check all that apply)*  Mother  Father  Guardian  Person exercising custodial control or supervision of the child.

Efforts made: \_\_\_\_\_

I was able to identify, locate, and notify the child's *(check all that apply)*  Mother  Father  Guardian

Person exercising custodial control or supervision of the child, but he/she/they **failed or refused to collect the child**: Reason(s) for failure or refusal to collect the child, if known:

\_\_\_\_\_  
I understand that, pursuant to KRS 610.200(4)(b), I am required to notify the county attorney and the Cabinet if the person notified fails or refuses to collect the child.

Based on the foregoing it is the Affiant's belief that the above-named child is in need of the Court's protection and respectfully requests that the Court issue an ex parte order of emergency protective custody under KRS 610.012. Affiant states that the information contained in the Complaint and Affidavit set forth above is true based upon information and belief.

Affiant Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Affiant

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_  a.m.  p.m.

Name \_\_\_\_\_ Title \_\_\_\_\_

**To be completed by the Court Designated Worker/Specialist:**

1. I performed an initial human trafficking screen upon receiving this Complaint, which indicated that the above-named child is not a suspected victim of human trafficking.

2. The child is not currently in the custody of the Cabinet or Department of Juvenile Justice.

*Please check if applicable and provide the pertinent information:*

3.  The child has been previously adjudicated on the following offense(s):

\_\_\_\_\_  
\_\_\_\_\_

4.  The child currently has the following status or public offense(s) charges pending in court:

\_\_\_\_\_  
\_\_\_\_\_

5.  The child has a history of running away as follows:

\_\_\_\_\_  
\_\_\_\_\_

6.  The child is currently taking the following prescribed medications:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_, 2\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature CDW/CDS



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Division \_\_\_\_\_

**Order for Emergency Protective Custody**

IN THE INTEREST OF: \_\_\_\_\_, A CHILD

**FINDINGS OF FACT and CONCLUSIONS OF LAW**

1. The above-named child was present and properly before the court pursuant to KRS 610.012.
2. The child was taken or received into protective custody by the Affiant peace officer on suspicion of being a habitual runaway.
3. The Affiant conducted an investigation and was unable to release the child pursuant to the release provisions of KRS 610.200(2)(d) or (3).
4. At the conclusion of the Affiant's investigation, the child's *(check all that apply)*  mother  father  guardian  person exercising custodial control or supervision of the child: *(Check one)*  
 **Could not be identified** by the Affiant; or  
 Was/were identified but **could not be located** by the Affiant for the purpose of notifying him/her that the child was in protective custody on suspicion or being a runaway; or  
 Was/were identified, located, and notified by the Affiant that the child was in protective custody on suspicion of being a runaway but **failed or refused to collect the child.**

*(Provide any additional pertinent facts):*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Pursuant to KRS 610.012(7), there is no indication that the child comes under the purview of KRS Chapter 615, Interstate Compact Regarding Juveniles.
6. **The Court finds that the above-named child is in need of emergency protective custody pursuant to KRS 610.012.**

**ORDER**

Based upon the foregoing it is hereby ORDERED that an EMERGENCY pursuant to KRS 610.012 **EXISTS** which justifies the issuance of an Ex Parte Emergency Protective Custody Order, and in accordance with the placement criteria set out in JCRPP 11:

*(Check only one)*

**Doc Code: OTEC**

There is a less restrictive placement alternative available other than detention (e.g. relative or other appropriate person or agency). This child is **HEREBY ORDERED to be placed in the temporary emergency custody of relatives or other appropriate person or agency** as named below pending a Release Hearing which shall be held as soon as practical but not exceeding 72 hours, exclusive of weekends and holidays:

Name, address, and relationship of person or agency to whom emergency custody is granted:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Relationship: \_\_\_\_\_

**OR**

**Doc Code: ODNS**

There is no less restrictive placement alternative available other than detention, and a nonsecure detention facility is available. This child is **HEREBY ORDERED to be detained temporarily in a nonsecure detention facility** pending a Release Hearing which shall be held as soon as practical but not exceeding 72 hours, exclusive of weekends and holidays.

Name and address of nonsecure detention facility:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**OR**

**Doc Code: OSEC**

There is no less restrictive placement alternative available other than detention, and a nonsecure detention facility is not available. This child is **HEREBY ORDERED to be detained temporarily in a secure detention facility** pending a Release Hearing which shall be held as soon as practical but not exceeding 24 hours, exclusive of weekends and holidays.

Name and address of secure detention facility:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

A Release Hearing will be held on \_\_\_\_\_, 2\_\_\_\_\_, at  a.m.  p.m. at the following location:

\_\_\_\_\_

\_\_\_\_\_, 2\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge

**To be completed by the Court Designated Worker.**

Release Hearing scheduled for Time: \_\_\_\_\_  a.m.  p.m. Date: \_\_\_\_\_, 2\_\_\_\_\_,

Location: \_\_\_\_\_

Parent(s)  Guardian  PECC notified of Release Hearing on \_\_\_\_\_, 2\_\_\_\_\_,

at \_\_\_\_\_  a.m.  p.m.

Affiant notified on \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_  a.m.  p.m. regarding Release Hearing.