

Law Enforcement Duties

§52.02(a) Texas Family Code

- Go directly to juvenile processing office without unnecessary delay.
- **Roquemore**, 60 S.W. 3d 862 (Tex Crim App 2001): 25 min stop to recover stolen property ruled unnecessary.
- **DMGH**, 553 S.W. 2d 827 (Tex. App. - El Paso 1977): Juvy at p.d. for 7 hours before taken to magistrate “to complete paperwork” ruled unnecessary delay.
- **G.A.T.**, 16 S.W. 3d 818 (Tex. App -Houston[14th] 2000): juvys taken to the scene for identification ruled unnecessary delay.

Necessary Delay

§52.02(a) Texas Family Code

- **Contreras**, 67 S.W. 3d 181, (Tex Crim App 2001): 50 min delay to tend to victim ruled necessary.
- **J.D.**, 68 S.W. 3d 775 (S.A.-2001): 2-1/2 hours delay while securing the scene & talking to child’s parents ruled necessary.
- **Dang**, 99 S.W. 3d 172 (Houston-2002): 2-1/2 hours delay while SWAT secured scene & talking to witnesses ruled necessary.

Law Enforcement Duties

§52.02(b) Texas Family Code

- Promptly notify parents with a reason for arrest
 - ▶ **Gonzales**, 67 S.W. 3d 910 (TCA-2002): 5-6 hour delay resulted in remand for causal connection review.
 - ▶ **Pham**, 72 S.W. 3d 346 (TCA-2002): no causal connection on remand of 6 hour delay issue.
 - ▶ **Simpson**, 105 S.W. 3d 238 (Tyler-2003): 48 hrs delay voids confession.
 - ▶ **Vann**, 93 S.W. 3d 182 (Houston-2002): notice to cousin as a custodian ruled sufficient compliance.
 - ▶ **J.B.J.**, 86 S.W. 3d 810 (Beaumont-2002): 1-1/2 hrs o.k. where 6 attempts documented.
 - ▶ **Ray**, 2004 WL 2613613 (Houston-2004): 8-1/2 hrs delay justified under *Vann* analysis.

