

# St. Joseph, Missouri Police Department



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SUBJECT: Juvenile Operations		
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## I. POLICY:

The St. Joseph Police Department's role in dealing with "juvenile law violators" is to protect the public and act in the best interest of the child. The Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency (See Department Directives concerning those programs that allow officer involvement within the schools). All Department members share the responsibility for participating in and supporting juvenile operations. The Department encourages review and comments by other elements of the Juvenile Justice System (i.e., Juvenile Court Judges, Juvenile Officers) in the development of the Department's Policies and/or Procedures relating to juveniles.

## II. PROCEDURE:

### A. Interviews of Juveniles as Suspects:

#### 1. Sixteen (16) Years of Age and Under:

- a. Members may make preliminary inquiries in the field of youths without parental permission. When an investigation focuses on a specific youth as a suspect no interview will be conducted unless a Juvenile Officer and parent/guardian are present. The member and/or Juvenile Officer will explain Department and "juvenile justice" procedures to juveniles that are being interrogated.
- b. If a child 16 years old or younger is the subject of a custodial interrogation, Miranda warnings must be read. It may also be necessary to read Miranda warnings to the parent or guardian as well, depending on the youth's age, educational development, maturity, emotional state, and similar factors.

#### 2. Other Interview Guidelines:

- a. Any juvenile who has been arrested, detained, or deprived of liberty for whatever reason shall be allowed to consult with an attorney if one is requested.
- b. No more than 2 officers will interview a juvenile offender at any one time.
- c. Except with supervisory approval, interviews will last no longer than two hours, with reasonable breaks provided during that time.

**B. Custody and Detention of Juvenile Offenders:**

- 1. Members may take youths into custody, issue a citation, or refer youths to the Juvenile Office only when there is probable cause to believe that the youth has committed a violation of the law. When juveniles are taken into custody for any crime that is a **FELONY**, the juvenile will be pictured and printed by the arresting member, (upon arrival in Juvenile Detention) in accordance with legal requirements (See also General Order governing Records).
- 2. Members may also take youths into custody when the youth is a runaway, wanted on an arrest warrant, endangered in his/her immediate surroundings, or pursuant to a Court Order.
- 3. From time to time Probation Officers request the Department to take juveniles into custody for violation of probation or provisions of Detention Orders. In such cases, members shall:
  - a. Take the youth into custody and lodge at the Juvenile Detention Center; and
  - b. Re-contact the requesting authority to determine how the case should proceed if the juvenile is not located immediately.
- 4. Members may exercise their discretion to release a juvenile who has allegedly committed an offense without formal action if:
  - a. The victim does not object;
  - b. The offense is a misdemeanor not involving drugs, sexual conduct, or an apparent risk of violence;
  - c. The youth has no substantial record of law violations; and
  - d. The member believes that informal handling of the situation is in the best interest of the child.
- 5. While it will be the general practice of the Department to release juvenile law violators in most instances, members shall release juveniles only to a parent, guardian, or adult custodian who agrees to accept responsibility for the youth (if the youth has committed a non-violent, misdemeanor, or status offense).

**C. Disposition of Juvenile Offenders by Age and Offense:**

**1. Traffic Infractions:**

**a. 15 1/2 Years of Age and Under:**

- 1) Refer to the Juvenile Office;
- 2) Parental notification is required;
- 3) Release to parent, guardian, or custodian; and
- 4) If unable to contact parent, guardian, or adult custodian, release with supervisory approval.

**b. 15 ½ Years of Age and Older:**

- 1) Issue citation and release.

**2. Misdemeanors:**

**a. 16 Years of Age and Under:**

- 1) Refer to Juvenile Detention;
- 2) Parental notification is required;
- 3) Release juvenile to parent, guardian, or adult custodian;
- 4) If unable to contact parent or guardian, release with supervisory approval;
- 5) Take to Juvenile Detention, if necessary.

**3. Felonies:**

**a. 16 Years of Age and Under:**

- 1) Arrest and transport to Juvenile Detention.

**D. Notification of Parent, Guardian, or Custodian:**

1. Officers shall make reasonable efforts to notify the parent, guardian, or custodian of any youth under the age of 17 who is:
  - a. Referred to Juvenile Office;
  - b. Issued a citation of any kind, if under 16 non-traffic; and
  - c. Detained for a significant period of time;
2. The member shall document the notification on the referral form or report.

**E. Contact With Juveniles Within Schools:**

1. When responding to calls for service at schools, members shall first make contact with the Principal or school representative to obtain information, unless immediate intervention is needed.
2. When a law violation has occurred, members will arrest, cite, or refer to the Juvenile Office as provided in this General Order.

**F. Custody of Runaways:**

1. Unless extenuating circumstances exist, runaways will be returned to their home or the institution from which they are missing.
2. If this is not feasible, the following alternatives are available:
  - a. The youth may be placed with a responsible friend or relative, with the approval of the parent, guardian, or custodian;
  - b. If the youth is on probation, his/her Probation Officer should be contacted for placement;
  - c. If the youth is abused or neglected, the youth may be taken into temporary custody and Division of Family Services contacted for placement; and
  - d. Runaways may be transported to Juvenile Detention.

**3. Runaways From Outside St. Joseph:**

- a. If there are no criminal charges pending, contact Juvenile Office for temporary placement.
- b. If a criminal charge is pending, transport to Juvenile Detention.
- c. The member shall contact the law enforcement Agency that reported the juvenile missing to notify that Agency the youth has been located and where he/she will be held.

**G. Maintenance of Juvenile Records:** (See also General Order governing Records)

1. The Supervisor of the Records Unit will be accountable for the collection, dissemination, and retention of all juvenile records. The Records Supervisor

will be accountable for ensuring entry of juvenile records into the computer system.

2. Access to any juvenile records is on a need-to-know basis only.
3. Juvenile records will be expunged after the juvenile has reached adult age.
  - a. **Exception:** Identification Sheet which coincides with the AFIS print records sent to the Highway Patrol by this Department.
4. Juvenile and adult arrest information (i.e., mug shots) will be maintained in separate files.
  - a. The separation of juvenile and adult arrest records will be accomplished by having separate files in the computer for juvenile and adult records.
  - b. The Records Unit will maintain juvenile fingerprints and photographs in separate files.

#### **H. Juvenile Referral Forms:**

1. Members are responsible for keeping referral books in patrol units.
2. A referral may be used, but is not limited to, the following instances:
  - a. Truancy;
  - b. Ungovernable Child;
  - c. Curfew Violations;
  - d. Smoking or Possession of Tobacco Product 16 and Under; and
  - e. Traffic Violations Under the Age of 15 1/2.

**NOTE: An arrest report shall be completed on all juvenile referrals.**

#### **3. Returned Runaways:**

- a. All returned runaways will be transported to Juvenile Detention or, at the officer's discretion, left in the home and given a referral notice to appear at the Juvenile Office;
  - b. If a referral notice is issued the report may be written on the notice; and
  - c. If the juvenile is transported to Juvenile Detention, a arrest report needs to be obtained by the transporting member and forwarded to the Records Division.
4. A referral may be given, but not limited to, the following:
    - a. Minor Assaults;
    - b. Minor in Possession;
    - c. Minor Fights; and
    - d. Shoplifting (first time offender when positive identification is known).

**NOTE: Referrals will be attached to the Offense Report.**

#### **5. Juvenile Referral Procedure:**

- a. Referral times and dates will be obtained from the on-duty Juvenile Detention Worker.
- b. All reports and referrals will be turned in at the end of that day's tour of duty to the appropriate "shift report box".
- c. Copies of referrals and reports do not have to go back to Juvenile Detention IF no custodial arrest is made.

#### **I. Juvenile Programs:**

The Supervisor directing the "Officer Ed" program will oversee and coordinate involvement in other juvenile programs (School Safety Officer, Juvenile Drug Diversion Court, drug awareness programs, extra-curricular activities, etc.) Juvenile programs will be operated with the purpose of preventing and controlling juvenile delinquency, while maintaining a pool of officers with an broad knowledge of the juvenile population and its' activity.

**J. Annual Review:**

The Supervisor overseeing the SRO program will conduct an annual review/written evaluation of its school liaison, enforcement, and prevention programs relating to juveniles. This evaluation will determine if a specific program should function as is, be modified, or be discontinued. (See also Department Written Directives governing these specific school liaison programs). The structure/implementation of these programs will be based upon those factors that may alter the Department's effectiveness in other areas of responsibility (i.e., manpower shortages, budget limitations, etc.).

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Chris Connally, Chief of Police

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Date