

- I. Policy
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- I. Policy

It is the policy of this Division to secure all arrested and/or detained juveniles in compliance with the juvenile's constitutional rights and state statutes.

- II. Definitions

- A. Juvenile Criminal Offender - juveniles arrested and charged for any violation which *would be a crime if committed by an adult, i.e. a "delinquent act" and could result in the juvenile's incarceration.*
- B. Juvenile Status Offender - *A Juvenile who has been charged with or adjudicated for conduct which would not, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult. (28 CFR 31.304(h))*
- C. Juvenile Non-Offenders - *A juvenile who is subject to the jurisdiction of the juvenile court, usually under abuse, dependency, or neglect statutes, for reasons other than legally prohibited conduct of the juvenile. (28 CFR 31.304(i))*
- D. Juvenile Holding Facility - that area of a Division police facility specifically designated for the detention and processing of juveniles.
- E. *Secure Custody – A facility having features designed to physically restrict the movements and activities of a person in custody. (locked rooms, buildings, fences or other physical structures) A secure detention or confinement status has occurred within a jail or lockup facility when a juvenile is physically detained or confined in a locked room, set of rooms, or a cell that is designated, set aside or used for the specific purpose of securely detaining persons who are in law enforcement custody.*
- F. *Non-Secure Custody – A juvenile may in law enforcement custody but not in a secure detention or confinement status provided the following:*
 - 1. *The area where the juvenile is held is in an unlocked multi-purpose area, such as lobby, office or interrogation room that is not designated, set aside, or used primarily as a secure detention area or is not a part of such area, or if a secure area, is used only for processing purposes.*
 - 2. *The juvenile is not physically secured to a cuffing rail or other stationary object during the period of custody in the facility.*
 - 3. *The use of the area is limited to providing non-secure custody only long enough and for the purposes of identification, investigation, processing, release to parents, or arranging transfer to an appropriate juvenile facility of court.*
 - 4. *In no event can the area be designated or intended to be used for residential purposes.*

5. *The juvenile must be under continual visual supervision (which may include electronic supervision by camera) by a law enforcement officer or facility staff during the period of time that he or she is in non-secure custody.*
6. *A juvenile handcuffed to a non-stationary object.*
7. *A juvenile placed in a secure police car for transportation.*

III. Procedures

- A. Officers will transport juveniles arrested or detained to the Headquarters for processing and disposition with the following exceptions:
 1. The juvenile's parents or guardian are presently available to take custody of the juvenile either at the scene of the arrest or at their residence;
 2. The arresting officer does not intend to seek pre-court temporary detention or shelter care;
 3. The juvenile's fingerprints are not to be taken.
- B. Upon completion of processing, juveniles will be released to parents or guardians.
- C. Juveniles Requiring Medical Treatment
 1. All juveniles in our custody for any reason who are sick or injured will be provided with the level of treatment commensurate with their illness or injury. Officers are responsible for notification to parents/guardian of treatment provided/needed unless Protective Services are involved as detailed in Division Directive "Juveniles" or juvenile is transported to a medical facility.
 - a. When necessary, an ambulance will be summoned and an officer will accompany the juvenile in the ambulance. Medical facility personnel will contact parents/guardian.
 - b. When an injured, ill or physically handicapped juvenile is being transported, in either a police vehicle or an ambulance, the use of restraining devices will be at the discretion of the officer. In these situations the officer will use due care when considering the safety of the juvenile, the officer and others.
 2. Officers or juveniles incurring injuries as a result of an arrest or transport will be photographed whenever it would adequately depict the injuries. The injured or transporting officer will notify the shift supervisor as soon as practical and will submit any requested reports.
- D. Juvenile Criminal Offenders (those being charged with a delinquent act) will be secured in a juvenile holding cell.
- E. Officers will conduct periodic checks (at least once in each half-hour period) of all juveniles detained in a holding cell, to ensure the safety and well-being of the juvenile.

- F. Juvenile Status Offenders are to be held in non-secured detention. Juveniles may be handcuffed to themselves or to a non-stationary object. Officers will not place Juvenile Status Offenders or Juvenile Non-Offenders in any holding cell at any time.
- G. Male and female juveniles will be separated by sight and sound while being held in the Juvenile Holding Facility.
- H. All juveniles arrested/detained will be separated by sight and sound from any and all adult arrestees at all times.
- I. Officers will complete the necessary processing documents and arrange for the Juvenile Criminal Offender's release from Division custody within six (6) hours of arrest.
- J. Officers will complete the necessary processing documents and arrange for the release of Juvenile Status Offenders and Non- Offenders within six (6) hours of detention.
- K. Juvenile Admission Log will be completed when detaining any juvenile; *this includes status and non-status detainees.*
- L. *If a juvenile absolutely needs to be held over the 6 hour threshold, they may not be held securely.*
- M. *These rules and regulations enumerated above do not apply if the juvenile has been "waived" to an "adult status" as determined by law.*

**Approved Park Police Document
Signed Original on File**

End of Directive