

TRAINING TASK: JUVENILE OPERATIONS

TASK # 29

Purpose

The officer will learn alternatives to juvenile court referrals
The officer will learn juvenile court referrals/juvenile detention
Custodial vs. non custodial interviews
Venue

Preceding Task:

Preliminary Investigation
Interviews and Interrogations
Laws of Arrest

I. Statute and City Ordinances

- A. ORC 2151 Chapter
- B. Rules of Juvenile Procedure, Rule 6

II. Policy and Procedure

- A. G.O. 44.2 Juvenile Operations
- B. G.O. 71.3
- C. Training Bulletin: Police Procedure #14 Juvenile Traffic Court
- D. Training Bulletin: Police Procedure #17 Fingerprinting and Photographs of a Juvenile

III. Operational Procedure

- A. Alternatives to referral to Juvenile Court
 - 1. Release with no further action (fill out FI)
 - a. Verbal warning
 - b. Let parents handle it
 - 2. Treatment on voluntary basis with social service
- B. Juvenile Diversion
 - 1. For status offenders only
 - 2. Officer may divert a Juvenile from Court when officer feels that:
 - a. Legal proceedings would be in appropriate
 - b. Other factors

1. Nature of offense
 2. Age of suspect
 3. Record of suspect
 4. Available of community resources
- C. Referrals to Juvenile Court
1. Will be made when:
 - a. Status offenders
 - b. Complaint wishes to prosecute
 - c. Serious delinquent acts
 - d. Repeated criminal violations within twelve months
 - e. Included but not limited to:
 1. Felonies
 2. Acts involving weapons
 3. Gang related incidents
 4. Aggravated Assaults
 5. Acts by juveniles on probation, parole, or with case pending
 6. Cases where parental supervision not effective
 7. Juvenile refuses to participate in Diversion and /or social program
 2. Attempt to order juvenile into Court rather than place in Detention
 - a. Detention is used when past record, type of offense, injuries to victim, or offender under the influence of alcohol and/or drugs warrant such
 1. Call Juvenile Court admissions to get juvenile detained (496-3346)
 2. Notify parents of detention
 - b. Release to parent or guardian if not detained
 1. If either not located, then to a responsible adult
 2. If offense is minor, can release then notify parents
- D. Taking a juvenile into custody
1. Order of the Court
 2. Pursuant to Laws of Arrest
 3. Officer when reasonable grounds as child is suffering illness or injury and is not receiving proper care or in immediate danger of surroundings/ **NOTIFY CHILDREN'S SERVICES**
 4. Officer when reasonable grounds child is a runaway
 5. When juvenile may flee or be removed from jurisdiction when case pending in court
- E. Arrest of Juvenile
1. Convey to KPD or residence
 2. Use of Temporary Detention Room:
 - A. Every time a person is detained and placed in the temporary detention room, the person placing him in that room shall fill out the

temporary detention log (which is kept next to the gun locker in the Detective Section storage area) with the following information:

1. The reason the person is being held
2. The date and time in and out of the temporary detention room
3. Any food or drink given to the detainee along with the time it was given
4. The name of the detainee
5. The name of the supervisor notified of the detention
6. The name of the detaining officer
7. The date and time of the 30 minute face-to-face checkup on the detainee
8. An indication of whether the temporary detention room was inspected before and after the detainee was placed in the room.

B. Any time a person is placed in the temporary detention room, the person placing the detainee will notify a supervisor that such person is being detained. In the temporary detention log outlined in section 71.3.1 a above, the person detaining the detainee will note the name of the supervisor he/she notified of the detention. The person placing the detainee in the temporary detention room is responsible for any processing, searching, and safety of the detainee while in temporary detention.

C. Any time detainee is placed in the temporary detention room alone, the door shall be locked so that the detainee cannot escape. Detainees must be monitored via camera from the Report Writing Room or the Detective Section Video Monitoring Office –both of which are only steps away from the temporary detention room.

D. Detainees will not be secured to fixed objects.

E. Males and females will never be housed together in the temporary detention room. Adults will never be housed with juveniles in the temporary detention room. If an arrest situation results in males and females or adults and juveniles being brought to KPD, the detainees that cannot be mixed will be housed in the Kettering City Jail until the temporary detention room becomes available.

F. Detainees will not be secured to immovable objects.

G. No person shall enter the temporary detention room while armed with any weapon while in the presence of a detainee. Gun lockers are located in the Detective Section storage room. All

weapons are to be placed in those lockers prior to entering the temporary detention room.

H. There is no separate duress alarm in the temporary detention room; therefore, any time any person enters the temporary detention room while a detainee is present, it is required that at least one person has on his/her person a KPD radio with an emergency button on it to notify dispatch in case of an emergency.

I. No person shall be admitted to the temporary detention room unless it is for official business. No one shall have access to the detainee unless they are directly involved in the arrest and/or prosecution of the detainee or they are a parent or guardian of the detainee.

J. Even though detainees are to be continuously monitored via video monitors at nearby locations, officers are required to have face-to-face visual observation of unattended detainees at least every thirty minutes. Officers will note the date and time of the 30 minute checks on the temporary detention log.

K. The temporary detention room has a concealed video camera (video and sound) that is viewable from the Report Writing Room and the Detective Section Video Monitoring Room. Any time a detainee is left unattended in the temporary detention room, an employee trained in the use of the temporary detention room shall monitor one of these two video screens.

- F. Unruly/Runaway juveniles
 - 1. If brought to your attention a child is missing you **MUST:**
 - a. Investigate
 - 1. Try and locate child
 - 2. Gather all available information
 - 3. Gather current photo
 - 4. If possible victim of criminal activity notify supervisor
 - b. Take a report
 - c. Broadcast a brief description if appropriate
 - d.. Fill out LEADS request for teletype within 2 hours
 - 1. Get supervisor to check the teletype
 - 2. Take to dispatch and get juvenile entered into LEADS
 - 2. Return unruly/runaway juvenile
 - a. Officer will be sent to investigate
 - 1. Arrest report and Supplement
 - 2. Clear out LEADS entry
- G. Custodial interviews of juveniles

1. Immediately advise them of rights
 - a. Must have parental permission unless age and criminal record of juvenile shows that they can waive their own rights
2. Detention Center interviews only – Judge or Magistrate must give consent.
 - a. Must have a parent or attorney present unless age and criminal record of juvenile shows they can waive rights
 - b. Or written consent from parent
 - c. No more than two officers
- H. Non-custodial interviews at school
 1. Contact principal
 2. Only emergency can you do it in uniform and marked cruiser:
Example - child abuse or juvenile is complainant
 3. Notify parents and obtain permission
- I. Fingerprints and Photographs of Juveniles
 1. Without consent:
 - a. Ages 14 to 18
 - b. Juvenile under arrest, probable cause juvenile committed, or taking into custody for a category one or category two offense
 - c. Category one Offenses are: Aggravated Murder, Murder, Attempted Aggravated Murder, Attempted Murder
 - d. Category two Offense are: Voluntary Manslaughter, Kidnapping, Rape, Felonious Sexual Penetration, Aggravated Arson, Aggravated Robbery, Aggravated Burglary, Involuntary Manslaughter (Division A).
 - e. Offenses of violence
 2. If above not met then:
 - a. Then fingerprint or photograph without the consent if all three of the following apply:
 1. Child is arrested or taken into custody
 2. Act being investigated is a felony
 3. Probable Cause juvenile involved in commission of the act
 - b. If Probable Cause in above is not met then officer can fingerprint and photograph with consent of Juvenile Court through an affidavit.
 3. Place photos and fingerprints with report
 - a. Document on report number of photos and where they are stored. (Records stores them until ordered to destroy.)
 - b. Detective will document and control
 4. On abuse complaints can photo without parental consent
 5. Forensic evidence may be collected from juvenile suspects.
 - a. Try and get parent consent

b. If parents not present officers must weigh the totality of the circumstances to see if juvenile is competent to make the consent.

- J. Juvenile Court has first venue over the following charges:
1. ORC 2919.21 (B) contributing to Neglect or Dependency of a Child
 2. ORC 2919.22 (B1) Endangering Children
 3. ORC 2919.23 (B) Interference with Custody of a Child Placed by Juvenile Court
 4. ORC 2919.24 Contributing to Delinquency of a Child

I acknowledge that I received training in the skills and knowledge necessary to perform in the above Training/Task Topics, and I am able to perform at an acceptable level.

Probationary Officer Date

Supervisor Date

FTO Date