



WRITTEN DIRECTIVE	No. PD18-2006	Page: 1 of 7
Subject: JUVENILE OPERATIONS	Effective Date: 7-5-18	
	Supercedes/ Amends: PD17-2006	
	Reference: 1.2.7, 44.1.1., 44.1.3, 44.2.1, 44.2.2, 44.2.3, 44.2.4	



I. Purpose

The purpose of this directive is to establish guidelines for dealing with juvenile offenders.

II. Policy

It shall be the policy of the Lynchburg Police Department that, in all proceedings involving juveniles, the public interests be protected while at the same time the welfare of the juvenile and family be of paramount concern.

III. Procedure

A. GENERAL

1. For purposes of this directive the terms *juvenile*, *minor*, or *youth* will refer to a person less than eighteen (18) years of age.
2. All employees will cooperate with local juvenile justice and support activities.

44.1.1

- a. The department will remain committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency.

44.1.1

- b. Responsibility for participating in or supporting the department's juvenile operations function will be shared by all department components and employees.

44.1.3

3. The Lieutenant in the Public Relations Division will be responsible for coordinating the department's juvenile operations function.
 - a. School Resource Officers will be trained in the handling of juveniles and will provide expertise and training to other officers when called upon.
 - b. All enforcement and prevention programs relating to juveniles will be annually evaluated, and appropriate recommendations will be forwarded to the Chief of Police.

4. Any necessary meetings with juveniles while they are attending school, or during school activities, will be initiated by first contacting school administrative personnel at the respective school office. If an SRO is assigned to the school, coordinating the contact should be made through the SRO.

44.2.2 A

5. When making a decision with regard to dealing with a juvenile offender informally or formally, the following criteria will be considered:
 - a. whether the juvenile has been involved in criminal or noncriminal behavior (a status offense) and the seriousness of the offense
 - b. the offender's arrest record
 - c. the nature and number of police contacts that the offender has had and the results of those contacts
 - d. the age of the offender
 - e. the availability of appropriate community services to assist in juvenile rehabilitation
 - f. the offender's attitude with regard to accepting and cooperating with a referral agency, if referral is appropriate
 - g. the willingness of the parent(s) or guardian to cooperate with the officer or referral agency and their ability to exert control over the juvenile
 - h. the recommendations, if any, of the victim or complainant.
6. In accordance with COV 19.2-11.2, before releasing a juvenile victim's name, authorization must be received from a parent or legal guardian and documented on the *Authorization for Release of Juvenile Victim's Name* form, which is located on the LPD server.

1.2.6, 1.2.7, 44.2.1**B. GUIDELINES FOR INFORMAL APPROACH**

1. In situations involving informal handling, officers may, depending upon the circumstances, divert juvenile offenders from the juvenile justice system.
2. Officers have a wide range of alternatives that may be employed in dealing with juvenile offenders, to include:
 - a. *Non-Custodial Warning*: a non-custodial warning occurs when an officer requires the offender(s) to desist from the illegal activity (i.e. playing ball in the street).

- b. *Custodial Warning*: a custodial warning is initiated when an officer takes the offender(s) into custody and then releases the offender(s) to the control of parents or guardians with a warning to the juvenile and an explanation to the parent or guardian.
- c. *Referral*: an officer may choose to refer the offender to a program sponsored by the department, school board, another agency of the city or state government, or a privately operated agency (see *Addendum* to the written directive entitled *Alternatives to Arrest PD-0501*).

C. GUIDELINES FOR FORMAL APPROACH (CUSTODY, PETITION, RELEASE)

- 1. Incidents of a serious nature will require entering the juvenile into the juvenile justice system by referral to the Juvenile and Domestic Relations Court.
- 2. A juvenile may be taken into immediate custody only under the circumstances as specified in the Code of Virginia, Section 16.1-246.
- 3. Officers who take a juvenile into custody will be required to:
 - a. perform the duties as specified in the Code of Virginia, Section 16.1-247
 - b. complete and submit a CCRE arrest report when appropriate
 - c. fingerprint juveniles as specified in the Code of Virginia, Section 16.1-299

44.2.2 A

- 4. The following guidelines will be adhered to whenever a juvenile offender is taken into custody:

44.2.2 B

- a. It will be determined whether the juvenile is alleged to have been harmed or to be in danger of harm.

44.2.2 E

- b. A reasonable effort will be made to contact a parent, guardian or legal custodian of the juvenile. (Attempt to make notification should be done prior to any questioning.)

44.2.2 D

- c. The juvenile is to be advised of the *Miranda* warnings.
- d. If the interview is to be conducted at the department, the juvenile will be transported without delay from the location of the arrest to the police department unless the juvenile is in need of emergency medical services, in which case such services will be immediately made available.

44.2.3

- e. If the parent or guardian arrives after the interview has begun, the juvenile will be given the opportunity to confer with them upon their arrival.
- f. In the course of the interview the juvenile and/or parents will be instructed on the procedures employed by the department and the local juvenile justice system.
- g. Interviews with juveniles will be kept as brief as possible without jeopardizing the purpose of the interview: officers will interrupt the interview process as necessary to provide juveniles with access to water, food, toilet facilities or other requirements.
- h. The number of officers engaged in an interview with a juvenile will be restricted to the least number of persons necessary to provide security and safety to those involved.
 - 1) Juvenile interviews will normally be conducted by no more than two officers.
 - 2) On a supervisor's approval, additional officers may be present during juvenile interviews when:
 - a) a juvenile's physical size, temperament or the nature of the crime under investigation raises safety or security concerns
 - b) multijurisdictional investigations require representatives of other agencies to take part in the interview.

44.2.2 C

- i. Special attention will be given to the juvenile's age, maturity level, comprehension, and reading levels so as to ensure that they understand the Miranda warnings.
- 5. Juveniles who have been previously tried as adults in General District or Circuit Court may be exempt from the interview requirements listed in III, C, 4: interviewing officers will check with a Commonwealth's Attorney for appropriate procedures in these cases.
 - 6. A juvenile may be detained in a secure facility (pursuant to a detention order or warrant) only upon a finding by the judge, intake officer or magistrate that there is probable cause to believe that the juvenile committed the act alleged, and that at least one of the conditions as specified in the Code of Virginia, Section 16.1-248.1 is met.
 - 7. All officers placing formal charges against a juvenile offender will coordinate and prepare court cases in conjunction with the Commonwealth's Attorney's Office.

D. MISSING JUVENILES

1. A missing juvenile will be as defined by the Code of Virginia, Section 52-32.
2. Any juvenile who is reported to be missing, runaway, abandoned, abducted or any other “missing” status should be included in this category.
3. Supervisors will ensure that the primary responding officer completes the following within the **2 hour time** frame, as specified by the Code of Virginia, Section 15.2-1718:
 - a. complete the required SP-183 form with parent or guardian signature, and deliver the form in person to the Information Desk.
 - b. ensure that Information Desk personnel enter the missing juveniles information into the Virginia Criminal Information Network and the National Crime Information Center Systems, and forward the report to the Missing Children Information Clearinghouse within the VA State Police.
 - c. the primary officer will resume the investigation into the missing juvenile after the above actions have been completed.
 - d. officers should be mindful that the 2 hour requirement begins when the juvenile is reported missing to Lyncomm, not when the officer arrives on scene.
4. Any officer who determines the location of a juvenile that has been reported as missing to the Missing Children Information Clearinghouse will ensure that notification is made to the Clearinghouse immediately (Code of Virginia, 52-34).

44.2.4

E. JUVENILE CRIME PREVENTION

1. The department will actively encourage and participate in crime prevention and awareness programs in both the school system and the community, educating juveniles and adults in the various aspects of delinquency prevention.
2. The department will participate in liaison programs with City schools.
 - a. *School Resource Officer Program*
 - 1) School Resource Officers assigned to the Lynchburg secondary schools will have the primary responsibility of ensuring safety and security for their respective school buildings and campuses.

- 2) School Resource Officers will provide for the educational component of the program as follows:
 - a) providing education on law enforcement-related topics as requested by the school
 - b) being present at school and available to students, faculty and staff, and community members whenever possible as a resource and for positive interaction in the non-confrontational school setting.
 - 3) School Resource Officers will ensure that their assigned schools each have a crisis plan in place.
- b. *The Partners in Education Program*
- 1) The partnership between the department and the Lynchburg City Schools was established to formally recognize current programs and to establish additional activities that will expand the educational opportunities for students.
 - 2) In addition to scheduled classroom visits, a variety of additional activities such as field trips, presentations, and group discussion sessions will be offered.
- d. *Truancy Prevention*
- 1) School Resource Officers or other designated officers, will assist Lynchburg City Schools Truancy Officers when needed, and as available to do so.
 - 2) The Truancy Officer may request assistance from a police officer to make home visits to those students believed to be truant from school.
 - 3) Parents and guardians may be advised of state truancy laws and are encouraged to have their children attend school.
- e. Programs are designed to allow assigned officers to act as delinquency prevention resources in various ways within the local school system, to include:
- 1) acting as a resource with respect to delinquency prevention
 - 2) providing guidance on ethical issues in a classroom setting
 - 3) providing individual student counseling where necessary and by working in conjunction with school counselors

- 4) explaining the law enforcement role in society.
- 3. The Public Relations Division Lieutenant will be responsible for maintaining liaison with schools and community organizations concerning juvenile operations function programs related to:
 - a. crime prevention
 - b. control of delinquent and criminal behavior by youths
 - c. educational programs relating to law enforcement.

Original Signed

Raul M. Diaz
Chief of Police

July 5, 2018

Date