

JUVENILE PROCEDURES

PURPOSE: To outline methods of handling contacts with juveniles. To respect family autonomy and minimize coercive state intervention, officers dealing with juveniles are encouraged to use the least coercive among reasonable alternatives, consistent with preserving public safety, order and individual liberty.

POLICY: The police role in juvenile justice should be responsive to community needs. Department employees should function in both an enforcement and prevention capacity, emphasizing neither role at the expense of the other. The highest priority is the best interest of the youth, providing however that the safety of the community is not endangered. Police contacts with young people require the exercise of tact, understanding, and adherence with legal principles.

DEFINITIONS:

- I. MINOR: A person under the age of eighteen (18) years.
- II. ADULT: A person eighteen (18) years of age or older.
- III. ABUSED MINOR: Any minor under eighteen (18) years of age whose parents or immediate family member, person responsible for the minor's welfare, person who is in the same family or household as a minor, individual residing in the same home as the minor, or a paramour of the minor's parent:
 1. Inflicts, causes to be inflicted, or allows to be inflicted upon such minor physical injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of bodily functions.
 2. Creates a substantial risk of physical injury to such minor by other than accidental means that would be likely to cause death, physical disfigurement impairment of emotional health, or loss or impairment of any bodily function.
 3. Commits or allows to be committed any sex offense against such minor, as such sex offenses are defined in State law, and extending those definitions of sex offenses to include minors under eighteen (18) years of age.
 4. Commits or allows to be committed an act or acts of torture upon such minor.
 5. Inflicts excessive corporal punishment.
 6. Whose environment is injurious to his welfare.
- IV. DELINQUENT MINOR: Any minor who prior to his eighteenth (18th) birthday has violated or attempted to violate, regardless of where the act occurred, any federal, state, or municipal law or ordinance.
- V. DETENTION OF MINORS: Except for minors accused of violations of an order of the court, any minor accused of any act under Federal law, State law or a municipal ordinance that would not be illegal if committed by an adult, cannot be placed in a holding facility, municipal lockup, detention center or secure correctional facility.
- VI. NEGLECTED MINOR: Any minor under Eighteen (18) years of age who is not receiving the proper or necessary support, education as required by law, medical or other remedial care recognized under State law as necessary for a minor's well-being, including adequate food, clothing