

	<p style="text-align: center;">BRIDGEPORT POLICE DEPARTMENT</p> <p style="text-align: center;">POLICY AND PROCEDURE GENERAL ORDER</p>	Distribution	General Order Number
		ALL PERSONNEL	6.06
		Original Issue Date	Reissue/Effective Date
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<p>Order Title:</p> <p>YOUTH INVESTIGATIONS</p>	Accreditation Standard: POSTC: 1.4.1, 1.4.2, 2.5.8	Section	
			6
		Section Title	
		INVESTIGATIVE FUNCTIONS	
Rescinds: Chapter 3.3		Roderick Porter, Chief of Police	

This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

PURPOSE

The purpose of this policy is to provide Bridgeport Police Department personnel with a procedure for managing cases involving juveniles.

I. POLICY

All employees will be responsible for actions related to juvenile cases and will coordinate their efforts, as appropriate, with other agencies. The Department is committed to the development and continuance of programs designed to prevent and control juvenile delinquency. The safety of the juvenile is the most important aspect of any juvenile investigation. The investigator must first determine if the juvenile has been harmed or is in danger of being harmed. The parent(s) or guardian(s) shall be notified as soon as practicable whenever a juvenile has been taken into custody. This policy addresses those situations unique to handling children and youth. If a subject area is not covered herein, officers should refer to other applicable policies for guidance. In such areas as investigative detentions, pat-downs, searches, and use of force, officers should refer to the appropriate policies pertaining to adult offenders.

II. DEFINITIONS

Child: Means any person under eighteen (18) years of age who has not been legally emancipated, except that: (A) for purposes of delinquency matters and proceedings, "child" means any person (i) under eighteen (18) years of age who has not been legally emancipated, or (ii) eighteen (18) years of age or older who, prior to attaining eighteen years of age, has committed a delinquent act or, subsequent to attaining eighteen (18) years of age, (a) violates any order of the Superior Court or any condition of probation ordered by the Superior Court with respect to a delinquency proceeding, or (b) willfully fails to appear in response to a summons under C.G.S. §46b-133, or at any other court hearing in a delinquency proceeding of which the

child had notice, and (B) for purposes of family with service needs matters and proceedings, child means a person under eighteen (18) years of age.

Youth: Any person sixteen or seventeen years of age who has not been legally emancipated.

Mentally Deficient: A child may be found "mentally deficient" who, by reason of a deficiency of intelligence that has existed from birth or from early age, requires, or will require, for such child's protection or for the protection of others, special care, supervision and control.

Delinquent: (A) A child may be convicted as "delinquent" who has, while under sixteen (16) years of age: (i) violated any federal or state law, except C.G.S Sections 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or violated a municipal or local ordinance, except an ordinance regulating behavior of a child in a family with service needs; (ii) willfully failed to appear in response to a summons under C.G.S. §46b-133, or at any other court hearing in a delinquency proceeding of which the child had notice; (iii) violated any order of the Superior Court in a delinquency proceeding, except as provided in C.G.S §46b-148; or (iv) violated conditions of probation in a delinquency proceeding as ordered by the court; (B) A child may be convicted as "delinquent" who has (i) while sixteen (16) or seventeen (17) years of age, violated any federal or state law, other than (a) an infraction, except an infraction under C.G.S. § 21a-267, subsection (d), (b) a violation, except a violation under C.G.S. 21a-279a subsection (a), (c) a motor vehicle offense or violation under Title 14, (d) a violation of a municipal or local ordinance, or (e) a violation of C.G.S. Sections 51-164r, 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223, or 53a-223a, (ii) while sixteen (16) years of age or older, willfully failed to appear in response to a summons under C.G.S. §46b-133, or at any other court hearing in a delinquency proceeding of which the child had notice, (iii) while sixteen (16) years of age or older, violated any order of the Superior Court in a delinquency proceeding, except as provided in C.G.S. §46b-148, or (iv) while sixteen (16) years of age or older, violated conditions of probation in a delinquency proceeding as ordered by the court.

Family With Service Needs: A family that includes a child under eighteen (18) years of age who: (A) has without just cause run away from the parental home or other properly authorized and lawful place of abode, (B) is beyond the control of the child's or youth's parent, parents, guardian, or other custodian, (C) has engaged in indecent or immoral conduct, (D) is a truant or habitual truant or who, while in school, has been continuously and overtly defiant of school rules and regulations, or (E) is thirteen (13) years of age or older and has engaged in sexual intercourse with another person and such other person is thirteen (13) years of age or older and not more than two years older or younger than such child or youth.

Neglected: A child or youth may be found "neglected" who, for reasons other than being impoverished: (A) has been abandoned, (B) is being denied proper care and attention, physically, educationally, emotionally, or morally, or (C) is being permitted to live under conditions, circumstances, or associations injurious to the well-being of the child or youth.

Abused: A child or youth may be found "abused" who (A) has been inflicted with physical injury or injuries other than by accidental means, (B) has injuries that are at variance with the history given of them, or (C) is in a condition that is the result of maltreatment, including, but not

limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment, or cruel punishment.

Uncared For: A child or youth may be found "uncared for" who is homeless or whose home cannot provide the specialized care that the physical, emotional or mental condition of the child or youth requires. For the purposes of this section, the treatment of any child or youth by an accredited Christian Science practitioner, in lieu of treatment by a licensed practitioner of the healing arts, shall not of itself constitute neglect or maltreatment;

Delinquent Act: Means (A) the violation by a child under the age of sixteen (16) of any federal or state law, except the violation of C.G.S. Sections 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223, or 53a-223a, or the violation of a municipal or local ordinance, except an ordinance regulating behavior of a child in a family with service needs, (B) the violation by a child sixteen (16) or seventeen (17) years of age of any federal or state law, other than (i) an infraction, except an infraction under C.G.S. §21a-267, subsection (d), (ii) a violation, except a violation under C.G.S. §21a-279a, subsection (a), (iii) a motor vehicle offense or violation under Title 14, (iv) the violation of a municipal or local ordinance, or (v) the violation of C.G.S. Sections 51-164r, 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223, or 53a-223a, (C) the willful failure of a child, including a child who has attained the age of eighteen (18), to appear in response to a summons under C.G.S. §46b-133, or at any other court hearing in a delinquency proceeding of which the child has notice, (D) the violation of any order of the Superior Court in a delinquency proceeding by a child, including a child who has attained the age of eighteen (18), except as provided in C.G.S. §46b-148, or (E) the violation of conditions of probation in a delinquency proceeding by a child, including a child who has attained the age of eighteen, as ordered by the court.

Serious Juvenile Offense: (A) the violation of, including attempt or conspiracy to violate, C.G.S. Sections 21a-277, 21a-278, 29-33, 29-34, 29-35, 53-21, subsection (a), subdivision (2) or (3), 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to 53a-57, inclusive, 53a-59 to 53a-60c, inclusive, 53a-64aa, 53a-64bb, 53a-70 to 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-100aa, 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive, 53a-122, subsection (a), subdivision (1),, 53a-123, subsection (a), subdivision (3), 53a-134, 53a-135, 53a-136a or 53a-167c, 53a-174, subsection (a), 53a-196a, 53a-211, 53a-212, 53a-216, or 53a-217b, or (B) running away, without just cause, from any secure placement – other than home – while referred as a delinquent child to the Court Support Services Division, or committed as a delinquent child to the Commissioner of Children and Families for a serious juvenile offense.

Serious Juvenile Offender: Any child convicted as delinquent for the commission of a serious juvenile offense.

Serious Juvenile Repeat Offender: Any child charged with the commission of any felony if such child has previously been convicted as delinquent or otherwise convicted at any age for two violations of any provision of Title 21a, 29, 53, or 53a that is designated as a felony.

Alcohol-Dependent: A psychoactive substance dependence on alcohol as that condition is defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders".

Drug-Dependent: A psychoactive substance dependence on drugs as that condition is defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders." No child shall be classified as drug-dependent who is dependent: (A) upon a morphine-type substance as an incident to current medical treatment of a demonstrable physical disorder other than drug dependence, or (B) upon amphetamine-type, ataractic, barbiturate-type, hallucinogenic, or other stimulant and depressant substances as an incident to current medical treatment of a demonstrable physical or psychological disorder, or both, other than drug dependence.

Juvenile Detention Center: A secure holding facility, operated by the State of Connecticut Judicial Branch, where a child may be placed after being charged with a delinquent act and pending the outcome of their delinquency case. Only a child charged with committing a delinquent act may be placed in a juvenile detention center. The juvenile detention center should not be used as punishment but should only be used when it is necessary in the child's best interest or the community's best interest to confine the child.

III. PROCEDURE

A. Duties of Detectives

A. When appropriate, investigators shall:

1. Shall screen reports concerning children and conduct appropriate inquiries in regard to identifying potential Families With Special Needs (FWSN) children;
2. Maintain tracking files on the following children referred by officers:
 - a. Children identified as serious repeat juvenile offenders;
 - b. Children affiliated with gangs; and
 - c. Children or youths missing more than 30 days.
3. Act as liaison with Superior Courts for Juvenile Matters, the Department of Children and Families, all schools, and other agencies servicing children and youth from the district. (Other elements of the state juvenile justice system should be encouraged to appropriately review and comment in the development of this agency's policies and procedures relating to juveniles);
4. Assist patrol officers with juvenile matters and juvenile related crime information;

5. Maintain updated lists of social service agencies and community professionals serving children, youth and their families for referral and intervention purposes.
6. Perform an annual review and written evaluation of Department juvenile enforcement and prevention programs and propose continuance, modification or elimination of each program to the Detective Bureau Commander

B. School Activity Goals

1. Police officers, including youth investigators, should:
 - a. Act as a school resource with respect to delinquency prevention;
 - b. Be available to provide guidance with ethical issues or to participate in police-youth forums in a classroom setting;
 - c. Be available to counsel and/or mentor students in a school or department setting. Details of counseling and/or mentoring activities should be coordinated with a supervisor as to when, where, and with whom officers are counseling and/or mentoring;
 - d. Be able to explain the role of law enforcement in society.
 - e. School Resource Officer duties are outlined in Directive 6.11

C. Assignment of Juvenile Cases

1. All police personnel assigned a case in which either the complainant or the victim is a juvenile will investigate the case to its logical conclusion, unless circumstances dictate the need for a supervisor's involvement.

D. Use of Discretion with Juvenile Offenders

1. Investigating officers have a number of options available to them when handling cases involving juvenile offenders. Officers dealing with juvenile offenders should use the least coercive among reasonable alternatives. It shall be the investigating officer's responsibility to determine a juvenile's status by reviewing prior cases, documenting police involvement, and court dispositions. The officer shall use this information in making their decision on how best to deal with that juvenile. The investigating officer should consult with his/her supervisor prior to making such a decision. This will prevent juveniles who have or have not had prior involvement with the police and/or juvenile court from being subjected to consequences either too severe or too lenient. In making his/her decision(s), the officer should consider:
 - a. The nature of the offense;
 - b. The age of the offender;
 - c. Past police involvement;
 - d. Possibility of gang affiliation;

- e. Impact on any victim;
- f. Likelihood that referral will prevent further delinquency;
- g. Attitude of the child and parents toward the offense and toward referral for treatment or rehabilitation;
- h. Public safety considerations;
- i. The availability of community based programs for the juvenile;
- j. Recommendations, if any, of other agencies or professionals involved with the child; and
- k. Any other legitimate issue related to the case.

2. The officer should never consider:

- a. race of the offender
- b. ethnicity of the offender
- c. sex of the offender
- d. economic status of the offender

E. Options Available for Handling Juvenile Offenders

1. Handle in Department with Parent or Guardian: Facts and circumstances may suggest that the best alternative to deal with a juvenile would be to avoid referral to a government agency by allowing the parent or guardian to take responsibility for the juvenile. Prior to selecting this alternative, officers will review the juvenile's available history. This option is most appropriate when the juvenile is responsible for relatively minor offenses only. Options available to officers, include:
 - a. Releasing the child without further action: In many cases, informal questioning will resolve concerns about the individuals involved and the circumstances surrounding any incident sufficiently to dismiss the child without further action.
 - b. Confer with child, parent, teachers, and others: Informal counseling consists of advice and/or admonitions and is often appropriate and sufficient to curtail potential problems or respond to minor infractions and can also be used to inform a child of the consequences of their actions
 - c. Refer informally to available community services: Referral to a juvenile review board, youth service board or other community agency is indicated whenever problems related to drug use or other substance abuse, and/or personal and family crises appear to involve or influence a child's behavior.

- d. Refer to a parent or other responsible adult: In some cases, a police officer should merely contact a parent or another adult who is responsible to the child either at the time of the incident or later.
2. Issue a Summons and Complaint: Instead of performing a custodial arrest, a police officer may issue a summons and complaint to a child. This option may not be used for felonies and other serious crimes like threats, assaults, or gang related behavior.
3. Refer to Juvenile Court: Officers may find that, due to the nature of the charges, a referral to the appropriate juvenile court is the best available alternative. In determining which court to refer the juvenile offender to the officer must be familiar with jurisdictional concerns of the Connecticut juvenile justice system.
 - a. Considerations for referral to juvenile court:
 - 1) Juveniles with Connecticut address: The juvenile court which has jurisdiction over the case is the juvenile court which serves the juvenile's town/city of residence, which may not be the court serving the location where the crime was committed.
 - 2) Juveniles with an out-of-state address: If a juvenile from another state is detained as a result of any offense other than a serious juvenile offense as described in C.G.S. §46b-120, the officer should process that juvenile offender according to procedures for Connecticut residents, but no court date should be given. The paperwork will be forwarded to Superior Court Juvenile Matters and they will contact the authorities in that juvenile's state of residence.
 - 3) Transport to a juvenile detention facility: Juvenile offenders who are detained for a serious juvenile offense as described by C.G.S. § 46b-120 should be transported to a juvenile detention facility without delay. An arrest warrant, Take Into Custody Order, or Order To Detain signed by a judge is required to admit a juvenile into a State Juvenile Detention center, regardless of the charge.
 - 4) Court Dates: When not placed in a State Juvenile Detention Center, the officer shall serve a written summons on the child and parents/guardian/suitable person/agency. Officers will prepare and serve the juvenile summons and complaint/promise to appear (JD-JM-95). The appearance date, for those offenders not taken to a juvenile detention facility, should not be less than five nor more than ten business days

from the date the summons is served. In the event of multiple juvenile arrests, the arresting officer should attempt to stagger the appearance dates for the juveniles within the five-to-ten business day window to ensure that no more than four juveniles appear on the same day. If the number of juveniles being referred requires more than four to appear on a single day, the officer should follow the five-to-ten day requirement and refer them as required by statute. Superior Court Juvenile Matters should be advised ahead of time when large numbers of juveniles are being referred.

- 5) Juvenile Summons: A juvenile summons may only be issued to a juvenile sixteen (16) years of age and under for juvenile court delinquency matters only.
- 6) Sixteen (16) year olds charged as adults: Sixteen (16) year olds charged as an adult should be issued an infraction, misdemeanor summons, or U.A.R.
- 7) Family violence matters: Juveniles issued a summons for family violence related charges should be given a court date between five and ten days from the date of issuance of the summons. The juvenile being referred, unlike an adult, is not required to appear on the next available court date. However, the arresting officer does have the option of assigning the next available court date, or any other court date available, prior to the normal five day minimum wait. This provision does not apply to arrests where the juvenile is being transported to a juvenile detention facility.
- 8) Promise to appear (PTA): The parent/guardian or other person to whom the juvenile is being released must sign the Promise to appear for the juvenile and parent/guardian or any other adult having control over the juvenile.
- 9) Notice to Superintendent of Schools: Whenever any person ages 7 to 21, and enrolled in school, is arrested for committing a felony, a Class A misdemeanor, or a violation of C.G.S. §53-206c which prohibits the sale, carrying, and brandishing of a facsimile firearm, police must orally notify the superintendent of schools for the school district in which the person resides by the end of the next weekday following the arrest, of the identity of the person and the alleged offense. Written notification to the superintendent must be made within 72 hours of the arrest and include a brief description of the incident per C.G.S. §10-233h. The arresting officer shall complete form GPD 40

Juvenile Arrest Report to Superintendent of Schools and submit with all arrest paperwork. This will be reviewed by the Chief of Police and forwarded to the Superintendent of Schools for the jurisdiction in which the juvenile offender resides. A copy of the written notification shall also be forwarded to the School Resource Officer in a sealed envelope marked “confidential.”

4. Refer to social services:

a. Families with Service Needs (FWSN)- In some cases, a juvenile, whether or not he/she is an offender, may be identified as coming from a family with service needs. A family with service needs is one which includes an unemancipated person under the age of seventeen (17) years old, and who is a Connecticut resident and is involved in the following non-criminal activity:

- 1) Has without just cause run away from his/her parental home or other residence.
- 2) Is beyond the control of his/her parents or guardian(s).
- 3) Has engaged in the indecent or immoral conduct.
- 4) Is a truant or habitual truant or who, while in school, has been continuously and overly defiant of school rules and regulations.
- 5) Is 13 years or older and has engaged in sexual intercourse with another person who is 13 or older and not more than two years older or younger than the other person.

b. Offenders from FWSN families may be provided additional services by directing their parents or guardians to the appropriate social service agency or referring the child to juvenile court by completing JD-JM-24. A child may be referred as a “FWSN” even if they have not committed a criminal act. The officer’s duties with regard to a child who is a member of a family with service needs are as follows:

- 1) Attempt to locate the child.
- 2) If located, transport the child to the home of the parent.
- 3) Hold the child in protective custody for a maximum period of twelve (12) hours until a more suitable disposition can be determined. At no time may a child from a family with service needs be held in a secure area such as a cell, lockable room (exit restricted), or holding cage.
- 4) If the parent/legal guardian refuses to allow the child to come home and also refuses permission for the child to enter an alternative housing program, the child should be reported to the Department of Children and Families at 1-800-842-2288 and, for Connecticut residents, a referral to court made.

- 5) If the child refuses to return home due to allegations of abuse or neglect, or if an out of state runaway refuses to return home and refuses DCF service, call DCF at 1-800-842-2288 for notification of the child's refusal and location. For out-of-state runaways, notify the parents of their right to pursue a requisition process through their state's interstate Compact office.
 - 6) If the child refuses all other options, the child may be released. This action should be avoided but may be necessary if the child is going to be held beyond the twelve (12) hour limit. Referral to court should be made in such a case.
- c. Social services agencies can be an invaluable aid to the Department's response to juvenile matters. The Youth Bureau will maintain a list of community based social agencies that provide services to juveniles. The list will be updated by the Youth Bureau as needed and made available to all officers.

The agencies most often used include:

- 1) State Division of Children and Families 203-365-6200.
- 2) Child Abuse HotlineDCF-24hrs, 1-800-842-2288.
- 3) Missing Persons Unit24 hrs, 1-800-FOR LOST
- 4) Rape Crisis Hotline24 hrs, 203-333-2233
- 5) Suicide Prevention Info Line.....24 hrs, English 211
- 6) Suicide Prevention Info Line.... 24 hrs, Spanish 211
- 7) Info Line24 hrs, English 211
- 8) Info Line24 hrs, Spanish 211

F. Arrest Considerations

1. Nothing shall be construed to prevent the arrest of a child with or without a warrant as provided by law or prevent the issuance of warrants by judges in the manner provided by C.G.S. § 54-2a, except that no child shall be taken into custody on such process except:
 - a. On apprehension in the act; or
 - b. On speedy information; or
 - c. In other cases when the use of such process appears imperative.

2. Arrest under non-secure custody: A child may be arrested and detained at the Police Department under non-secure custody pending further investigation, a referral to DCF, notification of parents or guardian or while awaiting other more formal action. Handcuffing techniques that do not involve handcuffing to stationary objects will be considered non-secure custody.
3. Any time a juvenile is arrested in connection with a delinquent act or is taken into custody and brought to the Police Department for any investigative purpose, including to determine true identity or status, that person's name and other information will be entered into the in-house computer system under the appropriate case type and number. That case shall be checked "juveniles involved" on the control screen of NexGen.

G. Filing Charges

1. Police officers shall file charges against a child whenever the child commits:
 - a. Acts that, if committed by an adult, would be a felony;
 - b. Delinquent acts involving deadly weapons;
 - c. Serious gang -- related offenses;
 - d. Delinquent acts involving assault or other violence;
 - e. Delinquent acts while on probation or parole or while charges are pending against them;
 - f. Delinquent acts as a repeat offender or after refusing to participate in diversion or intervention programs;
 - g. An Escape From Custody (PA 00-209)
2. A convicted delinquent, who has been committed to DCF, is guilty of escape from custody if they:
 - a. Fails to return from a leave authorized by the DCF commissioner; or
 - b. Escapes from a public or private facility where DCF placed them.
 - c. If the underlying offense is a felony, Escape From Custody is a Class C felony, otherwise it is a misdemeanor; or
 - d. When it has been determined that parental control or adult supervision is inadequate to prevent further acts of delinquency.

H. Interrogation of Juvenile Offenders

The rules governing the questioning of children are, as a matter of constitutional law, the same as those governing the questioning of adults, with the following exceptions:

1. Taking a Statement from a Juvenile Under Age Sixteen (16):
 - a. A parent or guardian must be present.

- b. Both the juvenile and the parent or guardian must be advised of their Miranda rights.
- c. The parent/legal guardian and juvenile must both sign a written waiver of their Miranda rights in order for the statement to be admissible.

If any of the above requirements are not met, questioning about the alleged offense(s) may not occur.

NOTE: this applies to any admission, confession or statement, written or oral, made by a person under sixteen (16) years old to a police officer or Juvenile Court official regardless of whether they are in custody or subject to interrogation or not.

2. Taking a Statement from a Sixteen (16) Year Old Juvenile:

- a. The police officer must have made reasonable efforts to contact a parent or guardian of the juvenile.
- b. Officers will document efforts to contact a parent/guardian and include this information in the narrative report.
- c. Such juvenile must be advised that the juvenile has the right to contact a parent or guardian and to have a parent or guardian present during any interview.
- d. The juvenile and parent or guardian must be advised of their Miranda rights.
- e. The juvenile; and if present, the parent/guardian, will sign a written waiver of their Miranda rights in order for the statement to be admissible.

NOTE: this section applies to any admission, confession or statement, written or oral, made by a sixteen (16) year old to a police officer or Juvenile Court official regardless of whether they are in custody or subject to interrogation or not.

3. Admissibility of Statement: The admissibility of any admission, confession or statement, written or oral, made by a juvenile sixteen (16) years of age to a police officer shall be determined by considering the totality of the circumstances at the time of the making of such admission, confession or statement. To the extent possible, officers should document and include in the narrative report, the circumstances in which the statement was made, including any information indicating the:

- a. age, experience, education, background, and intelligence of the juvenile.

- b. the capacity of the juvenile to understand the advice concerning rights and warnings given, the nature of the privilege against self-incrimination, and the consequences of waiving such rights and privileges.
 - c. the opportunity the juvenile had to speak with a parent, guardian, or some other suitable individual prior to or while making such admission, confession or statement.
 - d. the circumstances surrounding the making of the admission, confession, or statement including, but not limited to:
 - 1) when and where the admission, confession, or statement was made
 - 2) the reasonableness of proceeding, or the need to proceed, without a parent or guardian present
 - 3) the reasonableness of efforts by the police to attempt to contact a parent or guardian
 - e. Statements from sixteen (16) year olds charged with Title 14 offenses are not subject to juvenile restrictions on admissibility if the case is transferred from adult to juvenile court
4. Recording of Custodial Interrogations: Whenever possible, an electronic recording should be made of any statement made by a child under investigation for, or accused of, a capital felony or a class A or B felony made as the result of a custodial interrogation at a place of detention.
5. Limitations on interrogations of juvenile offenders:
- a. Interrogations should be limited in duration taking into consideration the child's age, education, mental/emotional state, communication ability, ability to comprehend, and prior involvement in the legal system.
 - b. There cannot be more than two (2) officers in the same room as the interview and/or the interrogation.
 - c. All Department and pertinent juvenile justice procedures should be explained to the child before the start of the interrogation.
 - d. Juveniles will not be interrogated or held in custody longer than six (6) hours. The six hour period begins when the juvenile enters the secure area and ends when the juvenile leaves the police station.
 - e. **Guidelines Regarding the Use of Deceptive or Coercive Interrogation Tactics**

- f. The use of deceptive and/or coercive tactics are prohibited in the interrogation of persons. These considerations include, but are not limited to the following:
 - i. Actions that unreasonably deprives the person being interrogated of physical or mental health needs that were known, or should have been known to exist, including, but not limited to, food, water, sleep, use of the restroom or prescribed medications;
 - ii. Actions or statements that threatens the use of physical force upon the person being interrogated or another person for purposes of compelling an admission, confession or statement;
 - iii. Actions or statements that threatens the unlawful arrest of another person;
 - iv. Actions or statements that threatens the imposition of unlawful penalties upon the person being interrogated or another person;
 - v. Actions or statements that threatens the imposition of unlawful administrative or immigration sanctions upon the person being interrogated or another person.
- g. If the person being interrogated is under eighteen years of age, "deception or coercive tactics" further includes any tactic that:
 - i. Communicates false facts about evidence that were known to the law enforcement agency official or their agent or should have been known to the law enforcement agency official or their agent to be false;
 - ii. Communicates false statements or misrepresentations of the law that were known or should have been known to be false statements or misrepresentations; or
 - iii. Communicates false or misleading promises of leniency or some other benefit or reward that were known or should have been known to be false or misleading.

I. Processing of Juveniles in Custody

Any juvenile charged with a crime may be required to submit to the taking of their photograph, physical description, and fingerprints. The processing officer shall complete the following information when handling the arrest of a juvenile offender:

1. Enter information into NexGen using computerized tabs.
2. Check the appropriate section in NexGen to identify the individual as a juvenile.
3. Two unique fingerprint cards to identify the individual as a juvenile; and
4. Juvenile prisoner card indicating the name of the child, birth date, sex, race, most serious offense, location the child was held, time in and time out, processing officer, and person or agency released to.

J. Juvenile Custody Issues

Whether or not to take a child into custody raises specific issues that must be considered, including:

1. Has the child engaged in criminal behavior or non-criminal behavior as a status offender?
2. Has the child allegedly been harmed or in danger of being harmed?
3. Are the constitutional rights of the child being protected?
4. Can the child be brought to an intake facility without delay (unless the child is in need of emergency medical treatment)?
5. Has a parent or guardian been notified if the child is taken into custody?
6. Using handcuffs on juvenile offenders and status offenders

K. Holding a Juvenile within the Police Station

In addition to the following procedures, all officers shall comply with the provisions of the Bridgeport Police Department policy on Securing Prisoners, G.O. 5.10, when handling juvenile offenders. In making the decision whether or not to release a juvenile from police custody, the least restrictive option should always be considered with detention being the last resort.

1. Separation of juveniles from adult offenders
 - a. Juveniles will not be placed in locations where they could have contact with adult offenders within the police station. Contact is defined as sight and sound contact, or when normal conversation can take place.
 - b. Separation must be complete. Haphazard or accidental contact is not permitted.

- c. Juveniles may be held in the cell block in an area where they cannot see or communicate with adult prisoners.
- d. A sixteen (16) year old with both juvenile and adult charges may be held in a juvenile holding area

2. Detention of Juvenile Offenders

Only juveniles alleged to have committed a delinquent offense may be securely held in a police lockup. Juveniles are to be monitored at all times while being detained. Juvenile offenders may be held in appropriate secure areas for a maximum of six (6) hours. The six hour period begins when the juvenile enters the secure area and ends when the juvenile leaves the police station. Officers will document the reason for holding any juvenile in a secure area and will maintain a log that records the time in and out for a child held securely. Sixteen (16) and seventeen (17) year olds charged with both juvenile and adult charges may be placed in either a juvenile cell or an adult cell based upon the charge which is the basis for holding the individual. Juveniles will be transported to the Juvenile Holding Room and secured to the immovable ring installed on the bench.

3. Female Juveniles

Whenever a female juvenile is held in custody, she shall, as far as possible, be in the charge of a female attendant or two male officers.

L. Options for Release from Police Custody

When a sixteen (16) year old is both a child and an adult in the same case, the child may be released on the *adult charge* using any available adult options. On the juvenile charge, and in general, officers may utilize the following options as appropriate:

- 1. Release to a parent, guardian, or other suitable person or agency. This option is preferred whenever:
 - a. The offense is minor in nature;
 - b. The juvenile has no offense history;
 - c. Release would not seriously threaten the well-being of the child or any other person;
 - d. The juvenile appears genuinely remorseful;
 - e. The juvenile is likely to appear in court;
 - f. The person to whom the child is to be released appears to be responsible for, willing and capable of managing the child.

2. At the discretion of a supervisor, the officer may release the juvenile to the juvenile's own custody. When exercising this option, which should only be as a last resort, the officer must:
 - a. Make a reasonable effort to notify the parent or guardian. This may be accomplished by phone, email, or text message.
 - b. Make a reasonable effort to provide a copy of a written complaint and summons to the parent or guardian or some other suitable person or agency prior to the court date on the summons. This may be accomplished by certified mail with return receipt.
 - c. Document all efforts and steps taken to notify the parent/guardian and to provide them with a copy of the written complain/summons.
 - d. Notify the parent/guardian of the nature of the charges, and the planned course of action, even when release is to someone other than a parent.

3. Turn over the child to a State Juvenile Detention Center
 - a. To place a child in a juvenile detention center, there must be a court order, signed by a judge, authorizing the placement of a child in a juvenile detention center, regardless of the seriousness of the charge.
 - b. Officers shall contact the detention facility to notify them that a juvenile is being transported to their facility and ensure that any Take Into Custody Order is still valid.
 - c. Prior to transferring the juvenile to the detention facility, the officer should notify the parent, guardian or responsible person where the juvenile is going, the nature of the charges, and the planned course of police action, whenever possible. All such efforts shall be documented.
 - d. There are only four situations where a child may be placed in a juvenile detention center:
 - i. Arrest Warrant (JD-JM-176): An Arrest Warrant has been signed for the arrest of the child, **and** box "C" is checked on the last page of the warrant order the child placed into the designated juvenile detention facility until the court hearing on the next business day.
 - ii. Take Into Custody (TIC) Order (JD-JM-32A): This is a court order initiated by the court pending a delinquency case where a child is alleged to have failed to appear in court, violated a

condition of a suspended detention order, violated a condition of probation or violated some other court order. Police officers do not seek a TIC, rather a signed order is given to officers instructing them to take the child into custody and deliver him or her to the juvenile detention center designated in the order.

iii. Warrantless Arrest: Upon warrantless arrest of a child for a delinquent act, if there is no existing court order to place the child into juvenile detention center, an officer seeking to do so must obtain an Order to Detain (JD-JM-190) authorizing detention, regardless of the seriousness of the alleged delinquent act.

1. In order to obtain an Order to Detain an officer must:

- a. Contact a Superior Court Judge;
- b. Present the Judge with the Order to Detain application;
- c. Provide all required information requested in the Order;
- d. Prepare a sworn, written statement establishing probable cause to believe the child committed the delinquent act charged.
- e. The officer must be able to convince the judge that there is no less restrictive alternative; AND
 - i. Probable cause to believe that the child will pose a risk to public safety if released to the community prior to the court hearing or disposition;
 - ii. A need to hold the child to assure the child's appearance before the court, as demonstrated by the child's previous failure to respond to the court process; or
 - iii. A need to hold the child for another jurisdiction.
- f. If the Judge finds that there is probable cause and a no less restrictive alternative but cannot find one of the grounds for detention, the officer should contact the DCF Careline for assistance 1-800-842-2288 or 860-550-6550 (law enforcement only).

iv. Out of State Child: An out-of-state child who is not charged

with any delinquent acts in Connecticut, but is located in Connecticut and is determined that they are wanted for a delinquent act in another state and the state is willing to extradite them back to their home state. In such cases, an Interstate Compact for Juvenile Take Into Custody Application and Order Delinquent Child (JD-JM-192) should be used.

M. Transportation to a Medical Facility

Officers should arrange for appropriate transportation and/or medical treatment of juveniles who are in need of immediate medical attention or under the influence of drugs or alcohol to appropriate services. If possible, notify a parent or guardian prior to transport.

N. Police Activity at Schools

1. Officers entering school grounds should be aware of the potential disruption of the educational process that police presence may cause. Prior to entering a school to conduct an investigation, arrest or search, officers should consider the necessity of such action based on:
 - a. The potential danger to persons
 - b. The likelihood of destruction of evidence or other property
 - c. The ability to conduct the investigation, arrest, or search elsewhere

With the exception of emergency circumstances, police should act through the School Resource Officer whenever they plan any activity on school grounds

2. Student Interview and Interrogation

Officers should attempt to conduct interviews or interrogations in locations other than a school setting whenever possible. When questioning student witnesses or victims on school premises, however, officers should always request that a school administrator is present, as long as the school is not implicated in the complaint. When the questioned student is a suspect and a juvenile, a parent or legal guardian must be present during any interviews or questioning of the student. The parent/guardian and student must both be advised of the student's rights as outlined herein.

3. Taking a Student Into Custody

Officers should remove students from school premises only after placing them under arrest or obtaining parent/guardian and student consent. Officers should avoid in-custody arrests on school property whenever possible.

4. Notification of School Superintendent

Whenever a suspect between the ages of seven years of age, but less than twenty-one years of age, and an enrolled student is arrested for a violation of Connecticut General Statutes § 53-206c, a class A misdemeanor or felony, the arresting officer will notify the Superintendent of Schools office and document the notification in the arrest report. Such notification will be made verbally no later than the end of business on the first weekday following the arrest. In addition, the arresting officer will provide a written report of such arrest to the Superintendent's office within 72 hours of the arrest.

O. Child Abuse and Neglect

As required by C.G.S. §17a-101, when officers have reasonable cause to suspect that a child or youth (child abuse and neglect statutes pertain to all under the age of 18 years) has been abused or neglected, an immediate telephone report to the Department of Children and Families Child Abuse and Neglect HOTLINE must be made (1-800-842-2288).

1. Reasonable Cause: An officer can have "reasonable cause" to suspect that a child is abused or neglected if, considering what physical evidence the officer observes or is told about, and from the officer's own training and experience, it is possible that the injury or condition was caused by neglect or by non-accidental means. The officer need not be absolutely certain in order to possess the necessary reasonable cause.
2. Criminal assault: In situations where a child is injured by an individual such as a neighbor or stranger who is not a parent, guardian, foster parent, school employee or volunteer, staff personnel or volunteer of a day care setting, staff of a licensed camp, or employee or volunteer in a residential child care setting, officers should proceed with the incident as a criminal assault and a report to DCF is not required. A written report to DCF must follow within 48 hours. State report form DCF 136 will be used. The following categories must be reported:
 - a. Abuse, including:
 - Non-accident injuries
 - Injuries without consistent explanations
 - b. Maltreatment, including:
 - Malnutrition
 - Sexual Abuse
 - Sexual exploitation
 - Deprivation

- Emotional maltreatment
- Cruel punishment

c. Neglect, including:

- Abandonment
- Denial of proper care and attention
- Living under conditions which are injurious to well being
- At risk of abuse

P. Families with Service Needs

1. Any juvenile identified or adjudicated as a member of a family with service needs (FWSN) shall be handled differently from child offenders, unless they are also charged as a juvenile offender.
2. Options for Officers Responding to Reports of Children of FWSN: Whenever a report is received from a parent or guardian of a child, which child is a member of a family with service needs, the officer shall attempt to locate the child and, if located, shall report the location of such child to the parent or guardian. (Sec. 46b-149a C.G.S.)
 - a. **The child may be brought home.** This alternative provides an option for the officer to meet with the child and family to evaluate whether home release is a viable alternative and to counsel the family. (includes the home of a parent, guardian or any other person)
 - b. **The child may be referred to Superior Court.** The child and family may be referred to the superior court for juvenile matters in the district where the child is located. A Complaint: FWSN or Referral to Juvenile Matters: Truancy/Defiance Form JD-JM-87 should be completed and forwarded to the court. Most courts require a superintendent of school's signature on a truancy referral and will not accept them directly from police officers.
 - c. **The child may be provided access to public or private agencies.** Transport or refer the child to any public or private agency serving children, with or without agreement of the child. Such agency may provide services to the child, unless or until the child's parent or guardian at any time refuses to agree to those services. C.G.S. § 46b-149a.
 - d. **The child may be held in protective custody.** The child may be held in protective custody for up to 12 hours to determine a more suitable disposition of the matter, provided:

- The child may not be placed in a secure area such as: cell, locked room, holding cage, or be secured to a cuffing rail, chair or other object,
 - The child must be under constant and direct supervision; and
 - the officer may release the child at any time without taking further action
- e. **A non-delinquent child must be released after 12 hours.** This may mean that a child is released to their own custody.
- Own-custody releases should be avoided, whenever possible;
 - Refer only children under 16 years of age to a juvenile court.
 - If a parent refuses to allow a child to come home or refuses to allow alternative housing, a report to DCF shall be made reporting the child as homeless.
- f. Juvenile status offenders cannot be placed into a juvenile detention facility.

Q. Youths in Crisis

1. Pursuant to C.G.S. § 46b-120, the juvenile court can assume jurisdiction over any person sixteen to seventeen years of age who, within the last two years:
 - Has run away from the parental home or other properly authorized and lawful place of abode;
 - Is beyond the control of parents, guardian or other custodian; or
 - Has four unexcused absences from school in any one month or ten unexcused absences in any school year.
2. A police officer who receives a report from a parent or guardian of a Youth In Crisis may attempt to locate the youth in crisis and, if located, may:
 - Report their location to the parent or guardian after determining that the report would not place the youth in any physical or emotional harm;
 - Transport the youth in crisis to the home of the child's parent or guardian or any other person;
 - Refer them to juvenile court where the youth is located;
 - Hold the youth in protective custody for up to 12 hours to determine a suitable disposition of the matter, provided the youth is not held in a cell designed or used for adults; and the officer may release the youth at any time without taking further action; or
 - Transport or refer the youth to any public or private agency serving children, with or without the permission of the youth in crisis. (C.G.S. § 46b-150g)

R. Truancy Complaints

Complaints that are alleging truancy will be referred to the school where the youth is or should be enrolled in, for their appropriate action. Truancy cases for juveniles may also be referred to the Juvenile Review Board where appropriate. Prior to making such a referral, officers will consult with the Patrol Unit Lieutenant.

S. Maintaining Juvenile Records

1. Records and identification materials on juveniles should be clearly marked **“JUVENILE”**
2. Juvenile incident reports and records shall be kept separate from adult records and shall be further separated into criminal and non-criminal files at local department commands.
3. The Record Room Supervisor shall be responsible for the collection, dissemination, and retention of juvenile records.
4. All records pertaining to juveniles shall be considered confidential. All persons requesting juvenile records will be referred to the Record Room Supervisor who will release records and information concerning juveniles only in conformance with applicable Connecticut State Statutes.
5. Fingerprint cards and records relating to juvenile offenders shall not be open to the public inspection, except as authorized by C.G.S. §46b-124 and shall not be combined with fingerprint cards and records relating to adult offenders.
6. Whenever a child is apprehended with an adult, all identification information regarding the juvenile shall be redacted from the report copy forwarded to the adult court, by personnel in the following ascending order of preference according to various requirements for the timely forwarding of the report copy to adult court:
 - **Records Personnel;** Whenever the arrest report copy or a supplemental report copy is requested from records files by the adult court or investigating officer for court appearance purposes;
 - **Reports and Records supervisor:** Whenever an official arrest report copy or supplemental report copy is requested by the adult court or an FOI request through Reports and Records as the official records repository of the department.

For the purposes of this section, "redacting" means that any information marked over with a black felt tip indelible marker, in such a manner as to make the information unreadable. No original report may be "redacted," only photocopies may be so altered

7. Erasure of records regarding juveniles shall comply with C.G.S. §46b-146.
8. Upon the receipt of a court order to expunge or seal a criminal history record, the Record Room Supervisor shall ensure that the requirements of the order are met.

T. Disclosure of Records and Files

1. Pursuant to C.G.S. § 46b-124(c), records of cases of juvenile matters involving proceedings concerning delinquent children may be disclosed to and between individuals and agencies, and employees of such agencies, involved in the delinquency proceedings or providing services directly to the child, include the following:
 - Law enforcement officials;
 - Federal and state prosecutorial officials;
 - School officials (C.G.S. § 10-233h);
 - Court officials including officials of both the regular criminal docket and the docket for juvenile matters;
 - The Division of Criminal Justice;
 - The Department of Children and Families;
 - An advocate for a victim of a crime committed by the child, who is appointed pursuant to C.G.S. § 54-221;
 - The Office of Adult Probation;
 - The Office of the Bail Commission;
 - Board of Parole;
 - Agencies under contract with the Office of Alternative Sanctions;
 - Any attorney representing the child, their parent or guardian; and
 - Law enforcement officials and prosecutorial officials conducting legitimate criminal investigations.
2. Information concerning any juvenile who has escaped from a detention center or from a facility to which he has been committed by the court or for whom an arrest warrant has been issued with respect to the commission of a felony may be disclosed by law enforcement officials.