
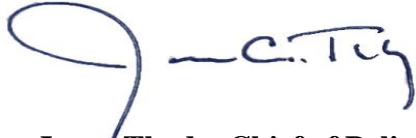


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|  | HARTFORD POLICE DEPARTMENT POLICY AND PROCEDURE GENERAL ORDER | Distribution | General Order Number |
| | | ALL PERSONNEL | 6.06 |
| | | Original Issue Date | Reissue/Effective Date |
| Order Title: YOUTH INVESTIGATIONS | | Accreditation Standard: POSTC: 1.4.1, 1.4.2, 2.5.8 CALEA: 1.1.3, 44.1.1, 44.2.1, 44.2.2, 44.2.3, 83.1.2 | Section 6 |
| | | Section Title INVESTIGATIVE FUNCTIONS | |
| Rescinds: G.O. 6.06 (5/22/19) | |  Jason Thody, 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.

I. PURPOSE

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

II. POLICY

All employees will be responsible for actions related to juvenile cases and will coordinate their efforts, as appropriate, with other agencies. The Hartford Police Department (“Department”) is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. 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 or their supervisor for guidance. In areas such as investigative detentions, pat-downs, searches, and use of force, officers should refer to the appropriate policies pertaining to adult offenders.

III. DEFINITIONS

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 explanation given for 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.



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Child or Juvenile: 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 who (i) is at least seven (7) years of age at the time of the alleged commission of a delinquent act and who is (I) under eighteen (18) years of age who has not been legally emancipated, or (II) eighteen (18) years of age or older and committed a delinquent act prior to attaining eighteen years of age, or, (ii) is subsequent to attaining eighteen (18) years of age, (III) violates any order of the Superior Court or any condition of probation ordered by the Superior Court with respect to a delinquency proceeding, or (IV) willfully fails to appear in response to a summons under C.G.S. §46b-133, as amended by this act, 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 who is at least seven (7) years of age and is under eighteen (18) years of age.

Delinquent: (A) A child may be adjudicated 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, as amended by this act, 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 supervision or probation supervision with residential placement in a delinquency proceeding as ordered by the court; (B) A child may be adjudicated 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, as amended by this act, 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 supervision or probation supervision with residential placement in a delinquency proceeding as ordered by the court.

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)



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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, as amended by this act, 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 supervision or probation supervision with residential placement in a delinquency proceeding by a child, including a child who has attained the age of eighteen, as ordered by the court.

Family With Service Needs: A family that includes a child who is at least seven (7) years of age and is under eighteen (18) years of age who, according to a petition lawfully filed in or before June 30, 2019, (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, or (D) 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.

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

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.

Probation Supervision: A legal status whereby a juvenile who has been adjudicated delinquent is placed by the court under the supervision of juvenile probation for a specified period of time and upon such terms as the court determines.

Probation Supervision with Residential Placement: A legal status whereby a juvenile who has been adjudicated delinquent is placed by the court under the supervision of juvenile probation for a specified period of time, upon such terms as the court determines, that include a period of placement in a secure or staff-secure residential treatment facility, as ordered by the court, and a period of supervision in the community.

Secure-Residential Facility: A hardware-secured residential facility that includes direct staff supervision, surveillance enhancements and physical barriers that allow for close supervision and controlled movement in a treatment setting.



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Staff-Secure Residential Facility: A residential facility that provides residential treatment for children in a structured setting where the children are monitored by staff.

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, subdivision (2) or (3) of subsection (a) of section 53-21, 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, subdivision (1) of subsection (a) of section 53a-122, subdivision (3) of subsection (a) of section 53a-123, 53a-134, 53a-135, 53a-136a or 53a-167c, subsection (a) of section 53a-174, or section 53a-196a, 53a-211, 53a-212, 53a-216, or 53a-217b, or (B) absconding, escaping or running away, without just cause, from any secure residential facility in which the child has been placed by the court as a delinquent child.

Serious Juvenile Offender: Any child adjudicated 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 adjudicated as delinquent or otherwise adjudicated at any age for two violations of any provision of Title 21a, 29, 53, or 53a that is designated as a felony.

Uncared For: A child or youth may be found "uncared for" (A) who is homeless, or (B) whose home cannot provide the specialized care that the physical, emotional or mental condition of the child or youth requires, or (C) who has been identified as a victim of trafficking, as defined in Section 46a-170. 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;

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

IV. PROCEDURE

A. Duties of Special Investigations Division (SID) Detectives:

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. Status offenders, e.g. FWSN, abused, or neglected children or youths, who are state residents;
 - b. Juvenile offenders not arrested or referred to court;



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- c. Children identified as serious repeat juvenile offenders;
 - d. Children affiliated with gangs;
 - e. Arrested/Referred Juvenile's fingerprints and mugshots;
 - f. Juveniles with Take Into Custody (TIC) orders; and
 - g. Children or youths who are missing.
3. Refer appropriate children and youths to and from court.
4. 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.
5. Assist patrol officers with juvenile matters and juvenile-related crime information.
6. Investigate cases involving child abuse and neglect.
7. Process juveniles who are arrested.

B. Police Athletic League (PAL)

1. Through the Police Athletic League, the Hartford Police Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency.
2. The Police Athletic League Coordinator shall take an active role in creating and coordinating community recreational and social programs for youths.
3. Such programs should be coordinated with local officials or citizen groups who can often provide the facilities, volunteers and other resources which directly benefit their community.
4. The Police Athletic League Coordinator may encourage police officers within the Hartford Police Department to participate in athletic, recreational, educational, and motivational activities to motivate community youths to engage in positive and productive activities.

C. Hartford Police Department Involvement in the Schools

1. Police officers, particularly Community Service Officers, should:
 - a. Act as a school resource with respect to delinquency prevention;



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- b. Be available to provide guidance with ethical issues or to participate in police-youth forums in a classroom setting; and
 - c. Act as a positive role model for students.
2. Officers should remove students from school premises only after placing them under arrest or obtaining parent/guardian and student consent.

D. Use of Discretion with Juvenile Offenders

1. It shall be the investigating officer's responsibility to determine a juvenile's status by reviewing the offender's history, including prior cases, documented police involvement, and court dispositions. In making his/her decision(s) on how to handle the juvenile case, 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 shall never consider:
- a. Race of the offender;
 - b. Ethnicity of the offender;
 - c. Sex of the offender; or
 - d. Economic status of the offender.
3. Police officers should 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;



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- e. Delinquent acts while on probation or parole or while charges are pending against them; or
- f. Delinquent acts as a repeat offender or after refusing to participate in diversion or intervention programs.

E. Options Available for Handling Juvenile Offenders

1. **Handle 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. 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 the 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 to a parent or other responsible adult: In some cases, a police officer should merely contact a parent or another adult who is responsible for the child either at the time of the incident.
2. **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. Considerations for referral to juvenile court include:
 - a. Issuing a Juvenile Summons - Juveniles with Connecticut address: 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 serious juvenile offences.



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- i. 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.
 - ii. A juvenile summons may only be issued to a juvenile sixteen (16) or seventeen (17) years of age and under for juvenile court delinquency matters only.
- b. Issuing a Juvenile Summons - 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 and issue a juvenile summons to the Hartford Juvenile Court.
- c. 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 when large numbers of juveniles are being referred.
- d. Sixteen (16) and Seventeen (17) year olds charged as adults: Sixteen (16) and Seventeen (17) year olds charged as an adult may be issued an infraction, misdemeanor summons, or U.A.R.
- e. 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, because under the juvenile is considered to have committed



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a “delinquent act” not a “family violence crime” for the purposes of court appearances only. 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.

- f. Promise to appear (PTA): The parent/guardian or other person to whom the juvenile is being released should sign the Promise to appear for the juvenile if possible.
- g. 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 Hartford Police School Notification Form and submit it to the superintendent.

3. Turning over the child to a State Juvenile Detention Center

- a. 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.
- b. 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.
- c. 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



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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.
- 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. 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
 - 1) Probable cause exists to believe that the child will pose a risk to public safety if released to the community prior to the court hearing or disposition;
 - 2) There is 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
 - 3) A need to hold the child for another jurisdiction exists.



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F). The officer must provide the judge with a completed JD-JM-218 “Law Enforcement Request for Court History for Purposes of an Order To Detain” form with the Order to Detain. To obtain the court history, officers shall adhere to the following procedure.

1) During regular court hours, officers shall:

- Contact the juvenile probation supervisor in the juvenile court location of jurisdiction to obtain disclosable juvenile and adult court and case information.
- Complete top section of the JD-JM-218 and email, from their secured department email address, to the Juvenile Probation office. The Juvenile Probation office will complete the bottom section of the JD-JM-218 and return to the police.

2) On Evenings, Weekends and Holidays, officers shall:

- Contact the Juvenile detention/ Residential Center of jurisdiction to obtain disclosable juvenile and adult court and case information. (860) 244-7961.
- Complete top section of the JD-JM-218 and email, from their secure department email address, to the juvenile detention/residential center.
- The juvenile detention/residential center will provide the JD-JM-218 to the on-call Juvenile Probation Officer. The Juvenile Probation Officer will complete the bottom section of the JD-JM-218 and return to the originating arresting agency.



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G). If the Judge finds that there is probable cause and 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.

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 who is at least seven (7) years of age, but under the age of eighteen (18), and who is a Connecticut resident and is involved in the following non-criminal activity:
 - i. Has, without just cause, run away from his/her parental home or other residence.
 - ii. Is beyond the control of his/her parents or guardian(s).
 - iii. Has engaged in indecent or immoral conduct.
 - iv. 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. Determine if the juvenile is alleged to have been harmed, or to be in danger of harm.
- c. 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-120. 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



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who is a member of a family with service needs are as follows:

- i. Attempt to locate the child. If located:
- ii. **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)
 - A). 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 shall be made.
 - B). 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.
- iii. **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.
- iv. **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.
- v. **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:



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- A). The child may not be placed in a secure area such as: cell, locked room, holding cage, or be secured to a rail, chair or other object;
 - B). The child must be under constant and direct supervision; and
 - C). The officer may release the child at any time without taking further action
- vi. **A non-delinquent child must be released after 12 hours.** This may mean that a child is released to their own custody.
- A). Own-custody releases should be avoided, whenever possible.
 - B). Refer only children under 16 years of age to a juvenile court.
 - C). 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.

NOTE: 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, a case number shall be drawn and shall include the person's name and other relevant information.

F. Arrest Considerations

1. Nothing in this policy 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.



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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.

G. 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. Arresting officers shall make every attempt to notify the juvenile's parent or guardian as soon as is reasonably possible. The processing officer shall complete the following information when handling the arrest of a juvenile offender:

1. The transporting Officer shall:
 - a. Transport the juvenile to the Special Investigations Division for processing as soon as is reasonably possible and without delay; and
 - b. Complete the Juvenile In Custody log 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.
2. The Special Investigations Division Detective shall:
 - a. Enter information into AFIS using computerized tabs.
 - b. Check the appropriate section in AFIS to identify the individual as a juvenile.
 - c. Print two unique fingerprint cards to identify the individual as a juvenile;
 - d. Photograph the juvenile's mugshot and identifying markings such as visible tatoos and scars and upload the photographs to the juvenile



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mugshot file; and

e. Keep a hard copy file of the juvenile's fingerprints and mugshots.

3. Juveniles will not be 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.

H. Holding a Juvenile within the Police Station.

1. In addition to the following procedures, all officers shall comply with the provisions of Hartford 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.
2. Separation of juveniles from adult offenders:
 - a. Juveniles shall 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) or seventeen (17) year old with both juvenile and adult charges:
 - i. may be held in the Hartford Police Detention Facility, separated from any adult prisoners by both sight and sound, **if the reason for holding is adult charges;**
 - ii. may be transferred to juvenile detention, **if the reason for holding is for juvenile charges.**
3. Detention of Juvenile Offenders:
 - a. Only juveniles alleged to have committed a delinquent offense may be



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held in a police lockup or holding room. 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.

4. Female Juveniles:

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

I. 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 Suspect 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 section 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) or Seventeen (17) Year Old Juvenile:

- a. The police officer must have made reasonable efforts to contact a parent or guardian of the juvenile.



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- b. Officers shall 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, if present, the parent or guardian must be advised of their Miranda rights.
- e. The juvenile, and if present, the parent/guardian, shall 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) or seventeen (17) 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) or seventeen (17) 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 right against self-incrimination, and the consequences of waiving such rights;
- 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,



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confession, or statement including, but not limited to:

- i. when and where the admission, confession, or statement was made;
 - ii. the reasonableness of proceeding, or the need to proceed, without a parent or guardian present; and
 - iii. the reasonableness of efforts by the police to attempt to contact a parent or guardian;
- e. Statements from sixteen (16) or seventeen (17) 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:

An electronic recording shall 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 shall 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.

J. 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



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drugs or alcohol to appropriate services. If possible and without causing undue delay of treatment, notify a parent or guardian prior to transport.

K. 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. In all cases where child abuse and/or neglect is suspected, the investigating officer must draw a case number and document the incident, per General Order 6.10.

L. 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.

M. Maintaining Juvenile Records

1. Arrest records and identification materials on juveniles should be clearly marked “**JUVENILE**”.
2. Juvenile arrest reports and records shall be kept separate from adult records.
3. The Records Division Manager 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 Records Division Manager who will release records and information concerning juveniles only in conformance with applicable Connecticut State Statutes.



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5. Fingerprint cards and records relating to juvenile offenders shall not be open to 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. Juvenile arrest records shall be kept securely in the Special Investigations Division. Access shall be restricted to personnel assigned to the Special Investigations Division.
6. Whenever a child is apprehended with an adult, all identification information regarding the juvenile shall be expunged 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:
 - i. **Investigating police officer:** Whenever the arrest report copy will accompany the adult defendant to court on the same or next court business day and there will be no supervisor or unit clerk available to redact the report;
 - ii. **Duty supervisor:** Whenever the arrest report copy will accompany the adult defendant to court on the same or next court business day and there will be no unit clerk available to redact the report.
 - iii. **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;
 - iv. **Reports and Records supervisor:** Whenever an official arrest report copy or supplemental report copy is requested by the adult court or an FOI request.

For the purposes of this section, "redacting" means any information marked over with a black felt tip indelible marker, or electronic means, 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 Records Unit Manager shall ensure that the requirements of the order are met.
9. Copies of completed juvenile prosecutor reports and the juvenile summons (if



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applicable) shall be forwarded to the Special Investigations Division. Officers may contact the Special Investigations Division for guidance as needed.

N. 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;
 - The parent(s) or guardian(s) of the child or youth until such time as the child or youth reaches the age of majority or becomes emancipated; 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.