



ORONO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES

Protect with Vigilance & Serve with Compassion and Excellence

Subject:	Juvenile Interactions	Policy #	O-43
Effective Date:	June 16, 2025	Review Cycle:	2-Years
Distribution:	All Sworn Personnel	# of pages:	4
MLEAP:	7.06, 10.02		
	<i>Rescinds All Previous Policies Related To This Current Policy</i>		
Issuing Authority:	Chief of Police Daniel Merrill		

I. POLICY

It is the policy of the Orono Police Department to be proactive in preventing juvenile crime, enforcing juvenile law, and upholding the constitutional rights of juveniles.

II. PURPOSE

To establish guidelines to ensure that contact with juveniles is commensurate with applicable statutes and ordinances and consider the degree and severity of the violation committed.

III. PROCEDURE

A. General

1. When dealing with juvenile suspects, victims, and witnesses, the officer should attempt to determine and record the following information regarding those juveniles:
 - a. Full Name
 - b. Date of Birth
 - c. Address
 - d. Telephone number
 - e. Parent or guardian contact information
2. The officer should determine if the juvenile allegedly engaged in; non-criminal misbehavior, committed a civil offense, committed a traffic offense, or committed a criminal offense, and then take action that is appropriate to the nature of the allegation.
3. The officer should determine if the juvenile was harmed or is in danger of being harmed, and then take appropriate action to stop or avoid harm to the juvenile.
4. When a juvenile is suspected of committing a traffic, civil, or criminal offense, the officer may use his/her discretion on what action to take from a range of options allowed by law. The officer should consider the seriousness of the offense, history of the offender, age, maturity, and any possible mental disability. The officer may:

- a. Issue a warning for a traffic, civil or criminal offense.
 - b. Issue a summons for a traffic, civil or criminal offense.
 - c. Detain a juvenile when appropriate as permitted by law.
 - d. Arrest the juvenile when appropriate as permitted by law.
5. Officers are encouraged to contact a juvenile's parent or legal guardian, even when the juvenile was only given a warning. Sometimes, combining a warning with parental involvement may prevent future violations, depending upon the circumstances.

B. Questioning and Interrogation

1. Non-Custodial Questioning of Juvenile Suspects, Witnesses, and Victims. When a juvenile is questioned and is not in custody, the officer shall:
 - a. Ask non-leading questions.
 - b. Allow free movement if the safety of the officer, juvenile, and others would not be compromised.
 - c. Ensure that the juvenile's constitutional rights are protected.
2. Custodial Interviews and Interrogation. When a juvenile is questioned while in custody, the officer shall:
 - a. Notify the juvenile's parent or legal guardian and
 - i. Have a parent or legal guardian present during the questioning, or
 - ii. Obtain permission for the questioning to proceed without the parent or legal guardian's presence.
 - b. If the officer has made a reasonable effort to contact the juvenile's parent or legal guardian and cannot contact them, the officer may question the juvenile only concerning continuing or imminent criminal activity.
 - c. Advise the juvenile of his/her Miranda Rights by reading the Miranda Warning prior to questioning. If a juvenile waives his/her rights and decides to answer questions, the officer must first consider if the juvenile understands his/her rights and has the capacity to waive his/her rights. The following factors must be considered: **MLEAP 7.06**
 - i. Age
 - ii. Maturity
 - iii. Prior contacts with law enforcement
 - d. Limit the number of officers engaging in the interrogation at one time to the minimum number necessary, not to exceed 2.
 - e. Limit the duration of the interrogation while providing bathroom, water, and meal breaks as necessary.
 - f. Ask non-leading questions.
 - g. Confer with the juvenile and parent or guardian to explain the juvenile justice system procedures.
 - h. Ensure that the juvenile's constitutional rights are protected.

C. Summons Issuance

When a juvenile is issued a summons for a criminal or civil offense (excluding traffic tickets on VSAC forms), the officer will:

1. Explain the charge, court date, and court process to the juvenile and parent or legal guardian.
2. Read the juvenile his/her constitutional rights and notice of informal adjustment that is located on the back of the juvenile's copy of the summons.
3. Obtain the juvenile's signature and provide a copy of the summons to the juvenile.
4. Obtain a parent or legal guardian's signature and provide a copy of the summons to the parent or guardian.

D. Traffic Violations

When a juvenile is issued a traffic ticket on a Violation Summons and Complaint form (VSAC) or a traffic warning, there is no requirement to notify the parent or legal guardian. The officer may, however, notify the parent or legal guardian if s/he believes that the notification may assist in curbing future violations.

E. Arrest & Detention

Officers shall be familiar with *Maine Juvenile Code Title 15 3201 through 3206*.

1. Arrest - If a juvenile is placed under arrest, the officer will promptly:
 - a. Notify the juvenile's parents or legal guardian of their whereabouts. If the parent or legal guardian cannot be contacted, notification may be made to a person of enough maturity with whom the juvenile is residing.
 - b. Notify a Juvenile Community Corrections Officer. **MLEAP10.02**
 - c. If the JCCO authorizes the juvenile to be held:
 - i. Transport the juvenile to Mountain View Correctional.
 - d. If the JCCO does not authorize the juvenile to be held, follow the instructions of the JCCO. This may include releasing the juvenile to his/her parent or legal guardian with or without completing a conditional release form.
 - e. Complete a written incident report.
 - f. Fax a copy of the report to the Juvenile Community Corrections Officer
2. Detention - Other than a formal arrest, an officer may also detain a juvenile and/or transport the juvenile to the police department for the following reasons:
 - a. The juvenile poses a risk to the safety of him/herself or others.
 - b. The juvenile has committed a civil or criminal offense and will be detained until being released to their parents.
 - c. The juvenile is determined to be a missing person.

- d. Juveniles shall not be handcuffed to any stationary object within the Orono Police Department facility.
 - e. Juveniles shall not be placed in a holding cell.
3. Civil or Criminal Violations not resulting in arrest - If a juvenile is charged with a criminal or civil offense, but not placed under arrest, the officer shall promptly:
- a. Complete a written incident report.
 - b. Fax a copy of the report to the Juvenile Community Corrections Officer (Except those offenses on a VSAC or USAC)
4. Transportation of Juveniles. When an officer transports a juvenile in a custodial or non-custodial situation, the officer shall:
- a. Transport the juvenile by the least restrictive means possible without compromising officer safety or the safety of the juvenile.
 - b. Mandate the use of seatbelts and/or car seats.
 - c. Advise the Communications Center of the transport, including starting and ending mileage.
 - d. Not transport a juvenile with any other person who is under arrest.
 - e. Not transport a juvenile with any adult unknown to the juvenile, except law enforcement officers and authorized ride-a-longs.
5. Notification of Parents - Whenever a juvenile is taken into custody, whether for arrest or protective custody, the officer shall notify the juvenile's parent or legal guardian without delay.
6. Notification of Juvenile Community Corrections Officer – Maine Law requires that the Juvenile Community Corrections Officer (JCCO) must be notified in the following circumstances: **MLEAP 10.02**
- a. When, in the judgment of a law enforcement officer, Juvenile Court proceedings should be commenced against a juvenile.
 - a. If the juvenile has been arrested, the JCCO shall be notified as soon as possible, but no later than 12 hours following the arrest.
 - b. If the juvenile is not arrested, the JCCO shall be notified as soon as possible.