


<p style="text-align: center;"><b>STRATFORD POLICE DEPARTMENT</b></p> 	Type of Directive: <b>Policy and Procedure</b>	Updated: <b>04-19-2024</b>
	Title: <b>Juvenile Operations</b>	No. <b>8.9</b>
	Issuing Authority: <b>Chief Joseph McNeil</b>	Issued: <b>11-25-2020</b>
	Reference: 2.5.8, 3.4.8	
History: 8.8.1, 11-25-20		

**POLICY:**

It shall be the policy of the Stratford Police Department to refer juvenile offenders to other criminal justice agencies, public service agencies, or private social agencies within the parameters of the Juvenile Court in order to divert non-serious and/or social problems from the formal juvenile justice system. This Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. **2.5.8a**

**PURPOSE:**

The purpose of this policy is to assist in solving individual and community problems using community and regional resources prior to arrest/referral when possible.

**PROCEDURE:**

**Alternatives to Juvenile Court Referral**

In dealing with juvenile offenders, all officers will use the least coercive action among reasonable alternatives with preserving public safety, order and individual liberty. Any action taken must conform to and not be in violation of any State Statutes, Town Ordinances, Court Directives, or Department Policy and Procedures.

Formal referral to court should be avoided as much as possible, allowing for other community resources to be utilized. The following alternatives to referral to Juvenile Court may be utilized when appropriate:

- Release at scene with no further action. parent(s) will be contacted at a later time if warranted.
- Release to parent, guardian, or responsible individual with no further action except documentation in a police report
- Release to parent, guardian, or responsible individual. A parent/guardian will be contacted and given assistance in the voluntary referral to other state, local, or private programs dealing with juvenile problems.

## **Juvenile Diversion**

The State of Connecticut confers upon the juvenile court system authority for administering formal diversion programs for juvenile offenders. The court has the jurisdiction to informally screen referrals to determine whether the filing of the referral is in the best interest of the child and the public.

The Juvenile Court for the State of Connecticut operates a program for "status offenders." A status offender is an individual who is charged with an offense that would not be considered a violation of the law if committed by an adult. The diversion program handles unruly, truant, and some menacing complaints. These cases are screened by the Juvenile Court authorities for possible referral to non-Juvenile Court programs.

Officers may divert from the juvenile justice system any juvenile whom, in their opinion, legal proceedings would be inappropriate or the use of other resources would be more effective.

The officer having contact with the juvenile offender should take into consideration the following factors prior to referral:

- The nature of the offense
- The age of the offender
- The circumstances surrounding the incident
- The offenders past record
- The availability of community based or private rehabilitation programs
- Acceptance by the offender and his parents to participate in such a program
- Recommendation for diversion by the victim or complainant

All such juvenile cases will be reviewed by the Juvenile Crimes Unit with the possibility that based on past juvenile records and other information they may feel that a referral is more appropriate. In such cases the parent(s) or guardian of the juvenile will be contacted and informed as to the change and the reason for it.

## **Family with Service Needs**

A family is a Family with Service Needs (FWSN) if it includes a person under the age of 18 years who exhibits any of the following behavior.

- Has without just cause runs away from his or her parental home or other residence (includes any non-delinquent juvenile runaway from another state).
- Is beyond the control of his/her parents or guardian.

- Has engaged in indecent or immoral conduct.
- Is a truant or habitual truant or who, while in school, and has been continuously and overtly defiant of school rules and regulations. (No longer after August 15, 2017)
- Is 13 years old 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.
- Factors to Consider in FWSN Cases
- The nature of the alleged behavior.
- The age of the child.
- The safety of the child and other persons involved.
- Past police involvement with the child and family.
- The attitude of the child and parents toward the behavior, and toward referral for treatment or rehabilitation.
- Family, school and community adjustment of the child.
- The availability of community-based programs for the child and/or family.
- The likelihood that an alternative referral will prevent further Families with Service Needs behavior.
- Recommendations, if any, of other agencies or professionals involved with the child.

### **Release of Juveniles / Case Adjustments**

Consistent with the “Alternatives to Juvenile Court Referral” section of this policy, officers may employ a wide range of alternative remedies apart from diverting juvenile offenders to other social service agencies or referring them to juvenile court. These alternatives include verbal warning while on the scene, station house warnings, consulting with parents.

### **Juvenile Intake Referrals**

Juvenile referrals will be made with juveniles having family service needs and criminal offenses when the complainant requests or the investigating officer feels the juvenile court system should review the juvenile's actions.

Juvenile referrals will not be limited to the above situations. Juvenile referrals should also be made on serious criminal conduct and repeated criminal violations.

Serious juvenile offenses (S.J.O.) are listed in the directive sent out by the Juvenile Court System. This list will be posted throughout the department and will be updated when changed by the court.

All court referral forms and the officer's report of the circumstances surrounding the incident will be completed as soon as practical.

Reports will be complete and accurate, showing the Probable Cause for the stopping of the juvenile and the seizure.

## **Juvenile Interviews and Interrogations**

### **Non-Custodial Interview**

Officers may conduct a non-custodial interview of a juvenile at any time. When practical, the officer should notify a parent or guardian of the interview. If the juvenile is in school then arrangements should be made to interview the juvenile outside of school unless the situation dictated that the interview be conducted immediately.

### **Custodial Interrogations**

Officers conducting a custodial interrogation of a juvenile will do so in the presence of their parent(s) or guardian, and will advise both of them of their constitutional rights prior to any interrogation. The rules governing the questioning of children are, as a matter of constitutional law, the same as those governing the questioning of adults. The full Miranda Warning should be given to both the child and the parent or guardian before beginning any in custody questioning. Both the juvenile and the parent/guardian must consent to answering questions.

In addition, the child's parent or legal guardian must be physically present when any admission, confession, or statement is taken. Any deviation from this rule may cause the child's statement to be excluded in court.

An interpreter will be provided to foreign speaking, deaf or hearing-impaired juveniles, parents, or guardians, involved in any criminal investigation, whether as a victim, witness, or suspect.

### **Taking Juveniles into Custody**

The police or State Juvenile Organizations may take juveniles into custody:

- Pursuant to an order of the court or state laws of arrest
- When there are reasonable grounds to believe that the child is suffering from illness or injury, is not receiving proper care, is in immediate danger from his surroundings, is under the influence of alcohol and/or drugs, and that his removal is necessary for his/her well being.
- When there are reasonable grounds to believe that the child has run away from his/her parents or guardian.
- When pending court proceedings, it appears to the court that the conduct, condition, or surroundings of the child are endangering the health, welfare, person, or property of themselves or others.

- When it becomes apparent that the child may flee or be removed from the courts jurisdiction, or will not be brought to court by the parent(s) or guardian.

Juveniles who are not accused of any criminal acts (i.e., juveniles from Families with Service Needs or juvenile victims) are never held in secure facilities.

Officers making a physical juvenile seizure will bring the juvenile to headquarters, home, or to the detention center.

If the juvenile is brought to either headquarters or the detention center, the juvenile's parent(s) or guardian will be notified as soon as practical. Officers will inform the parent(s) or guardian about the circumstances surrounding the incident and request that they come to headquarters providing the juvenile is being held at headquarters.

Officers will complete an incident report fully stating the circumstances surrounding the incident, date/time of notification to the parents, and date/time the juvenile was released or turned over to the Juvenile Detention Center or other state agency.

### **Guidelines for Juveniles in Custody**

Juveniles are afforded additional protections. In addition to providing the protections required in the case of adult arrests (Miranda Warning, etc.) certain additional protective procedures must be employed in making juvenile arrests. While state statutes provide for the arrest of juveniles, they also impose different requirements as to handling and detention of the offender (see Juvenile Justice and Delinquency Prevention Act.)

- When dealing with juvenile offenders, the least coercive among reasonable alternatives will be used consistent with public safety, order, and the rights of the child.
- If a juvenile is taken into custody, the parents of the juvenile will be informed as soon as is practical.
- Juveniles who are accused of any criminal acts should not be held longer than six hours before either being released or transported to the Juvenile Detention Center.
- Juveniles will be searched for weapons or contraband per the department's policy on searches.
- A juvenile will NOT be confined in a jail, lockup, or any area, which would expose them to sight or sound of adult offenders (see 46b-133 (d).)
- A juvenile may be placed in a cell that is NOT in the same cellblock area as adult prisoners. The policy on prisoners will apply and will be followed. Officers will make sure that juvenile offenders are segregated from adult offenders at all times.
- When not incarcerated, juveniles will remain with an officer at all times while at headquarters.
- Unless there is some form of aggravating circumstance between the family and the juvenile (i.e. child cannot be controlled, violence, etc.) the parent must accept the child.

- Juveniles that are being held in protective custody will be turned over to DCF or other state agency as soon as practical.

Officers should be aware of the "Youthful Offender" status in the State of Connecticut. Youthful Offenders are those individuals under the age of 18 who have been charged in the adult court with crimes which are not class A felony or other offenses as noted in the Police Officer's Field Manual. Youthful Offender status is granted at the discretion of the court.

The apprehension of a juvenile is the same as that of an adult. The officer is entitled to use reasonable force to affect and arrest, prevent the escape and protect the officer or other person C.G.S.53a-22. The standard of reasonableness would be determined in light of the circumstances existing at the time of the arrest.

Once arrested, a child charged with any crime, regardless of age, may be required to submit to the taking of fingerprints, photographs and physical description C.G.S. 46b-133.

The taking of physical samples such as hair, blood, urine, breath and handwriting samples from juveniles shall follow accepted guidelines as they apply to adults.

Officers should request an ambulance for juveniles who are in need of immediate medical attention or under the influence of drugs or alcohol in order for them to receive appropriate services such as community hospitals, mental health facilities, or alcohol and drug treatment programs. If possible, notify a parent or guardian prior to transport

Cases where a juvenile cannot be identified, or where parent(s) or guardians cannot be reached, they will be treated and/or transported to the hospital. DCF or state juvenile authorities will be contacted and informed of the situation. Officers or hospital staff will seek authority for medical treatment.

### **Police Notification to Superintendent of Students**

Police are required to report the arrest of any enrolled student between the ages of seven (7) and twenty-one (21) who is arrested for a felony, class A misdemeanor or violation of CGS 53-206c. Such notification shall be made orally no later than the end of the weekday following such arrest to the superintendent of schools where the student resides or attends. The superintendent shall be informed of the following:

- Student Name
- Offense Charged

Within 72 hours a written notification shall be made including a brief description of the incident.

### **Detention Center Procedures**

The Juvenile Detention Center will be notified prior to the transferring of any juveniles. If the juvenile fits the criteria for acceptance by the center, the personnel cannot refuse admittance. The following paperwork will be sent the Juvenile Center with the juvenile.

- Juvenile Referral -Original Copy

- Officers Report –Copy
- Order to Detain

Parent(s) or guardian will be informed of the incarceration as soon as possible. Officers will take the opportunity to assist the family as best they can. Social agencies, programs, or other forms of assistance can be discussed.

Officers should make every attempt to avoid placing a juvenile offender into a detention center. Officers should take into consideration the following:

- The offenders past record
- The type of offense (Serious Juvenile Offenses (S.J.O.) are automatically referred to the detention center)
- Extent of injuries or damage done by the offender
- If the offender is under the influence of alcohol and/or drugs they must first be evaluated and released by medical professional before the detention center will accept them.
- Attitude of the offender
- Control of the parent(s) or guardian over the offender
- Requests by the parent or guardian

A juvenile may be placed in the Juvenile Detention Center under any of the following circumstances:

- There is a strong probability the juvenile will run away prior to court disposition
- There is a strong probability the juvenile will commit or attempt to commit other offenses injurious to himself or the community prior to court disposition
- There is reasonable cause to believe the juvenile's continued residence at home pending disposition will not safeguard the best interests of the juvenile or the community because of the serious nature of the acts charged
- There is a need to hold the child for another jurisdiction
- There is an active Failure To Appear order from the Juvenile Court
- A judge approves an order to detain based on current charges.

The parent(s) or guardian will be contacted as soon as practical and informed about the circumstances surrounding the incident as well as the charges and court date assigned.

Once the juvenile has been accepted and turned over to the Detention Center the officer's responsibility ends.

## **Juvenile Responsibility**

All Department employees are responsible for participating in and supporting this Department's juvenile operations function. **2.5.8b**

## **School Resource Officer**

The accepted definition of “School Resource Officer” is a certified law enforcement officer who is permanently assigned to a school or set of schools. The SRO should carry out the three SRO roles and participate fully in school events and activities. School Resource Officers remain employees of their assigned law enforcement agencies. They should not perform tasks that are outside of the normal scope of police duties. The School Resource Officer is not responsible for student discipline or enforcement of school rules.

Because each school and student body is unique, the SRO must determine the best ways to address the needs of a particular school. The emphasis across the three roles, and specific duties of an SRO, will vary depending on the problems that exist in the school and other mechanisms that are in place to solve them. The SRO and the school principal must work collaboratively to determine the goals and priorities for the SRO program in a particular school.

## **SRO Objectives 3.4.8**

- Act as a resource with respect for delinquency prevention
- Provide guidance on ethical issues in a classroom setting
- Provide individual counseling and/or mentoring to students
- Explain the law enforcement role in society

## **Length of assignment**

Continuity is an important aspect of a School Resource Officer program. To get full benefit from the program, the same person must be present in a school or schools so he or she can form relationships with students and understand the influences that affect them. This enables SROs to better identify potential problems and intervene to prevent them from occurring. Therefore, officers should not be assigned to SRO responsibilities on a rotating basis.

The recommended minimum length of assignment for SROs is 12 months, although many programs assign SROs for two or more years. SRO assignments should continue during the summer months so the officers can attend training sessions and conferences that are critical to their professional development. The summer months also enable SROs to complete critical job tasks such as to:

- Plan and develop effective school programs including emergency planning, security improvements, truancy prevention, etc.
- Develop linkages to other community agencies.
- Develop educational materials for a wide variety of law-related topics.
- Continue programs for students during the summer months.



## **SRO Recruitment and Selection**

Recruitment and selection of School Resource Officers should focus on officers who demonstrate interest in the program based on their career goals. Those who volunteer for the assignment, rather than being assigned without choice, are more likely to have the kind of motivation necessary to make the program successful.

Job descriptions for School Resource Officers vary by town and school environment (See Appendix H, School Resource Officer Program Materials for a sample list of SRO duties and a sample SRO job description, page 94).

Recommended recruiting criteria for SROs should include the following;

- Demonstrated police experience working successfully with children and youth.
- Strong verbal and written communication skills.
- Ability to work effectively with community agencies and other law enforcement agencies.
- Knowledge of criminal justice system operations, criminal law, criminal procedure, rules of evidence, search and seizure, warrants, and police policy.
- Ability to relate to a broad range of people with courtesy, tact, objectivity, and discretion.
- Ability to work with a minimum of supervision.
- Previous work history that demonstrates initiative and dependability.

## **SRO Training and Support**

It is critical that School Resource Officers receive adequate training and orientation to ensure that they can effectively handle their SRO responsibilities. SRO training programs and conferences provide new and experienced SROs with basic information about their roles and responsibilities, as well as the opportunity to network with colleagues and share challenges and successes. When available, a formal course of classroom training on subjects applicable to SRO responsibilities should be undertaken.

## **Office Space and Equipment**

To work most effectively in the school environment, School Resource Officers should have office space and logistical support in the school and be included with other administrative personnel in phone lists, voice mail systems, and other communication channels. The recommended space and equipment for each School Resource Officer includes;

- Access to an office or meeting room with a door for conducting private conferences with students, parents, teachers, administrators, etc.
- Filing storage that locks for security.
- Phone, desk, chair, and adequate work space.

- Access to office equipment such a copy machines, fax machines, and printers.
- Computer with Internet/e-mail access.

School Resource Officers should be linked with school administrators and security guards through a radio communication system or similar mechanism to provide instant, reliable communication during emergencies.

### **Missing Children**

Any time a call is received by the department indicating that a child is or may be missing a patrol officer will be assigned to conduct the initial investigation.

A child is any person under the age of 16 that is lost, abducted, kidnapped, a victim of a child custody dispute, or is an apparent runaway.

An incident report will be made out fully documenting the circumstances surrounding the incident. The initial investigating officer will take prompt action in attempting to locate the missing child. A recent photograph will be requested by the officer as well as any other important information.

If the investigating officer cannot locate the child in a reasonable amount of time the Detective Division will be made aware of the situation.

If the child is lost, or the victim of a criminal act (i.e. abduction, kidnapping, child stealing, etc.) the officer will immediately contact his supervisor. If no detective is working at the particular time the patrol supervisor will determine if the Detective Bureau Commander should be contacted.

Upon notification of an incident, the Detective Bureau Commander will determine if any other special efforts or outside agencies should be contacted.

The initial investigating officer will request that the communications center enter this missing child into the NCIC system as soon as his/her report is completed.

The National Child Search Assistance Act of 1990 (Child Act) will be followed by investigating officers. The information sent will be complete and as accurate as possible.

The "AMBER ALERT SYSTEM" will be activated as soon as practical for all non- family abductions. The activation will be the responsibility of the Detective Bureau Commander, or his designee.

This information will include, but will not be limited to:

Full Name, Nickname, Date of Birth, Physical Description, Clothing, Handicaps, Medical Problems, Distinguishing Characteristics, Fingerprint Classification, Credit Card Numbers, etc.

The parent(s) or guardian of the missing child shall be notified of the entry into the system. Officers will attempt to assist the family as much as possible. Other agencies may be contacted directly via telephone if there is reason to believe that the missing child may be in their jurisdiction.

The investigating officers will determine if it would prove beneficial to bring in a K-9 to track the missing child. Canines brought in for a track will follow the guidelines set down under the Canine policy.

A cancellation entry into NCIC and notification to other agencies will be made as soon as the child is located or returned to the parent(s) or guardian.

### **Missing Children Follow-Up Investigations**

The Detective Division will review all missing children complaints. The assigned detective will be responsible for continuing the investigation.

If the child has been found and the investigation is completed, the assigned detective will check over the report for any abnormalities, patterns, or problems. The detective will check to make sure that departmental procedures were followed and NCIC entries were cancelled.

If the missing juvenile investigation is still active, Detectives will re-contact the parent(s) or guardian of the child to ascertain additional information.

Investigators will make every effort appropriate to locate the missing child. School officials, family members, and friends will be personally interviewed in an attempt to obtain additional information.

Full cooperation will be given to the news media in releasing information. Information that would be detrimental to the investigation, the missing juvenile, or the family, will be restricted and may be released at a later date.

NCIC and other agencies will be updated periodically with new information. Calls received by the department indicating that a child, previously reported missing is now located, will be documented, and the report forwarded to the Youth Bureau.

Detectives will review all complaints regarding runaway juveniles. Detectives will investigate the circumstances surrounding the disappearance of the juvenile, and determine if additional investigation is required. The parents of the juvenile will be interviewed as to the reasons they left and if the problem has been corrected. Detectives will offer their assistance and those of outside agencies in attempting to correct the problem.

Juveniles who have a habitual record of being a runaway will be personally interviewed to see if there is any family problem or abuse, which is causing their behavior. Juveniles who have a family problem will be assisted by the Youth Bureau investigators and other outside agencies.

Runaway juveniles who have been apprehended will be interviewed prior to being returned home to their parent(s) or guardian. If the investigating detective feels that the incident was not related to abuse, sexual contact, or other criminal factors relating to the family, the child will be released to the parent(s) or guardian. If the investigator feels that the incident was brought on by abuse, sexual contact, or other serious problem with the parent(s), guardian, or other family member, DCF will be contacted.

## **Child Abuse and Neglect**

Unlike other juvenile laws, the child abuse and neglect statutes pertain to children and youth under the age of 18 years, or under the age of 21 and attends full time secondary or technical school, college or state accredited job training program.

### **Duty to Report and Reporting Procedures**

When officers have reasonable cause to suspect or believe that a child or youth under the age of 18 has been abused or neglected or placed in imminent risk of serious harm, a telephone report to the Department of Children and Families shall be made within 12 hrs., and DCF form (CYS -136) will be completed and returned to DCF within 48 hours of the initial reporting of the incident.

An officer can have “reasonable cause” to suspect that a child or youth is abused or neglected or placed in imminent risk of serious harm 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.

Include the following information when completing a report to DCF concerning suspected abuse or neglect.

- Officer’s name, affiliation, addresses and telephone number.
- Names and addresses of the child or youth and his/her parents or other legally responsible person providing care.
- Child or youth’s age and sex.
- Nature and extent of the child or youth’s injuries, maltreatment or neglect.
- Approximate date and time when injury, injuries, maltreatment or neglect occurred.
- Information concerning any previous injuries, maltreatment or neglect to the child, youth or his or her siblings.
- Circumstances under which the injury or neglect came to be known by the officer.
- Name and relationship of the person or persons responsible for causing the injury, maltreatment or neglect (may include parent, guardian, foster parent, school employee or volunteer, staff personnel or volunteer of day care setting, staff of licensed camp, employee or volunteer of residential child care setting).
- Actions taken, if any, to treat, provide shelter to, or otherwise assist the child or youth.
- Additional information that may be helpful (including directions to the home, present location of the child or youth, and criminal history of adults in the home).

## **Child Abuse Cases**

Detectives will be continually alert to signs of child abuse and will document in writing, photography, and voice recordings all evidence of it.

Detectives will pay particular attention to juveniles that show signs of physical beatings, bruises, welts, scratches, lacerations, sprains, dislocations, burns, etc.

Questionable physical injuries inflicted by other than accidental means (i.e. internal injuries, fractures, head injuries, burns, dismemberment, or death.)

- Sexual molestation of any kind
- Malnutrition
- Exposure
- Poisoning
- Deprivation of necessities or neglect of any kind
- Emotional or psychological abuse.

## **Social Service Agency Directory**

The Youth Bureau will maintain a list of all community-based social agencies that provide services to juveniles. This list will be updated periodically and will be made available to all officers.