

	<u>SUBJECT</u>		<u>NUMBER</u>
	JUVENILE PROCEDURES		402/29
EFFECTIVE DATE: 09-25-09	AMENDS: 08-14-08	RESCINDS:	
DISTRIBUTION: Administration, CID, Patrol, Communications, Clerical		REFERENCES: CALEA 44.2 / IACLEA TPCFA 10.02.1, 10.03.1	

JUVENILE PROCEDURES - The purpose of this procedure will be (1) to provide for the care, protection, and the wholesome moral, mental, and physical development of children coming within its provisions and (2) to protect the welfare of the community and to control the commission of unlawful acts by children.

- .10 It will be the duty of every officer within the Police Department to know and put into use, provisions of [Title 3](#) of the [Texas Family Code](#) in regards to handling of [delinquent children and children in need of supervision](#).
- .20 At all times a child is taken into custody by an officer of the Department, for Status or Nonstatus violations, a Juvenile Custody Report will be made.
- .21 A juvenile suspected of an offense will be given his Miranda Warning as soon as possible. The warning will be given in full, regardless of age, from the Juvenile Miranda Warning Card issued by the Department.
- .22 As soon as possible after a child is taken into custody; the parents or guardian of that child will be notified and advised of the detention.
- .23 At no time will a child in Police custody be allowed to come into contact with an adult prisoner. If a child is detained at the same time as an adult, the child will be transported separately.
- .24 Adult prisoners and juveniles will not be allowed contact, passing in hallways, etc.
- .25 Truancies from Independent School Districts will be turned over to the respective Independent School District Police, if available. Otherwise, they shall be transported back to the school of attendance and released to the Principal or other designated official or released to a parent or guardian.

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- .29 All children taken into custody will be released to a parent or guardian with instructions that the case will be filed with the Juvenile Court. The only exceptions to this rule, and incarceration allowed, will be:
- A. When no parent or guardian can be contacted;
 - B. When the child is detained for an act of violence other than Class C, and the violence may be continued if released;
 - C. Any Felony grade offense with approval of the Shift Supervisor.
- .30 When an officer takes a report of a missing or runaway juvenile, he will immediately have this information entered into NCIC/TCIC by Communications personnel.
- .31 If a runaway is taken into custody, they are to be released to a parent or guardian. If the parent or guardian cannot be located, or if the runaway is not from this area or from out of state, the child will be placed into County Juvenile Detention.
- .32 When an officer takes a child into custody who is less than 10 years of age, for a criminal reason or any other reason, appropriate reports are to be completed. The child should be released to parents or guardians. When the parents or guardian cannot be located, the Department of Human Resources, Child Protective Services (TDHRCPS) will be notified for placement.
- .33 When an Officer takes a juvenile into custody for a juvenile curfew violation the juvenile shall be detained within the police facility, separate from adult prisoners, while processing is completed. The following shall be observed while processing juvenile curfew ordinance violators:
- A. The processing office must be an unlocked, multi-purpose area that is not designated, set aside, or used as a secure detention area or part of a secure detention area.

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- B. The juvenile may not be secured physically to a cuffing cail, chair, desk, or other stationary object.
 - C. The juvenile may not be held longer than is necessary to accomplish the purposes of identification, investigation, processing, release to parents, guardians, or custodians, and arrangement of transportation to school or court.
 - D. The juvenile curfew processing office may not be designated or intended for residential purposes.
 - E. The juvenile must be under continuous visual supervision by a peace officer or other person during the time the juvenile is in the juvenile processing office.
 - F. A juvenile may not be held in a juvenile curfew processing office for more than six (6) hours.
- .40 The only forms to be used for juvenile cases will be those provided by and approved by the Alamo Colleges Police Department.