



SPRINGFIELD TOWNSHIP POLICE DEPARTMENT
Wyndmoor, Pennsylvania

Policy 4-07

Policy Title: Juvenile Operations

Date of Issue: December 1, 2022

Rescinds: None

By Authority of:

Chief of Police

I. Purpose

The purpose of this policy is to establish guidelines and familiarize department personnel with the policies regarding: the treatment of juveniles (persons under the age of 18) while in the care, custody, and / or control of employees of the Springfield Township Police Department; the handling of their records in accordance with Section 6308 of The Juvenile Act.

II. Policy

The Springfield Township Police Department is committed to the development, perpetuation, and improvement of programs designed to prevent and control juvenile delinquency. All department components and employees share in supporting and participating in this juvenile operation. The records of all persons under the age of eighteen shall be handled in accordance with the provisions of The Juvenile Act and department policies.

III. Policy Input and Review

- A. The Springfield Township Police Department encourages review and comment on its policies and procedures relating to juveniles by other elements of the juvenile justice system, such as Montgomery County Juvenile Probation and the Montgomery County Children and Youth Agency.
- B. As directed, the Chief of Police may designate an employee to review enforcement and prevention programs relating to juveniles, who shall submit a written evaluation to the Chief of Police. This report shall consider whether the programs should continue to function as is, be modified, or be discontinued.

IV. Handling Juvenile Offenders

- A. In dealing with juvenile offenders, all officers will use the least coercive action among reasonable alternatives. Any action taken must conform to and not be in violation of the Crimes Code, the Juvenile Act, or Springfield Township Police Department policy. Appropriate dispositions for juvenile offenders include:
1. Release with no further action, which can include a verbal warning.
 2. Parent / juvenile conference or reprimand and release; the juvenile is then released to a parent or guardian.
 3. Citation, either traffic or non-traffic.
 4. Diversionary or treatment programs.
 5. Referral to the juvenile court system.
 6. Criminal charges in adult court.
- B. When considering the disposition of a juvenile offender, officers should take into account the following:
1. Safety of the public.
 2. Safety of the juvenile.
 3. Best interest of the juvenile and the community.
 4. Seriousness of the offense.
 5. Juvenile's prior criminal history.
- C. When issuing a traffic citation to a juvenile (under 18 years of age), officers shall follow the procedures listed in the department's policy regarding traffic enforcement.
- D. When issuing a citation or filing any charges against a juvenile (under 18 years of age) other than a summary traffic offense, officers shall notify the parents or guardians. It shall be the responsibility of the arresting officer's supervisor to ensure that the citation and notifications are properly completed.
1. In the event of a non-traffic citation being issued for a violation of Title 18, Section 6308, the parents or guardian shall be notified regardless of the arrestee's age.

V. Juvenile Custody

- A. When taking a juvenile into police custody, officers shall comply with Section 6326 of the Pennsylvania Juvenile Act (42 Pa. C.S. 6321, et seq.), in regard to temporary detention of a juvenile, and the federal guidelines forwarded to the department by the Pennsylvania Commission on Crime and Delinquency (PCCD), ensuring that the constitutional rights of juveniles are protected.
- B. The PCCD may conduct a monitoring visit to verify that our reported juvenile practices are fully in operation and in compliance with department policy.
- C. Detention in a lockup where adult prisoners are housed is generally prohibited.
- D. Status Offenders
 1. Status offenders are defined as juveniles who have been accused of, or charged with conduct which would not, under law, be an offense if committed by an adult. Examples include: runaways, truants, dependent / neglected juveniles, underage alcohol offenses, or when the juvenile has been harmed, or is in danger of harm.
 2. Status offenders shall not be placed in secure custody; handcuffed to a stationary object or cuffing rail; placed in a holding cell, or placed in a lockable room under any circumstances.
 3. Status offenders shall be placed in a non-secure area in accordance with department policy.
 4. Non-secure custody of a juvenile in a facility with adults is appropriate when:
 - a. It is an unlocked multipurpose area, or area used only for processing purposes.
 - b. It is not physically secured in any way.
 - c. Non-secure custody is only long enough to accomplish the intended purpose.
 - d. Continuous visual supervision occurs.
- E. Accused Delinquents
 1. Accused delinquents are juveniles who have committed a crime that would also be a crime if committed by an adult, to include public drunkenness and disorderly conduct.
 2. Accused delinquents as well as those juveniles in custody for violation of probation, shall be detained non-securely while in custody. Exceptions, which shall be documented, include:
 - a. Violent or combative juveniles who cannot be subdued and pose a threat to the officer or themselves.

- b. Juveniles held for identification, investigation, processing, release, or transfer to a parent, guardian, juvenile court, county children and youth official, or to shelter care.

F. Secure Custody

1. Secure custody of juveniles is defined as being cuffed to a stationary object or cuffing rail, being placed in a holding cell, or being placed in a locked room.
2. Juveniles shall be separated by sight and sound from incarcerated adult offenders and shall be under continuous in-person visual supervision.
3. The secure holding shall be limited to the minimum time necessary to complete identification, investigation, processing, or transfer, but in no case should such holding exceed six hours.
4. Should a juvenile be temporarily held securely, the required juvenile reporting form for the month during which this secure holding occurred shall be submitted to PCCD.

G. Juveniles held in police custody at the police department shall have their information recorded on the worksheet copy of the PCCD's "Summary information on juveniles held at police departments" log. At the end of each month, the worksheet shall be collected by the Detective supervisor to be reviewed for compliance and accuracy. Copies of the worksheet shall be provided to the Lieutenant and the Chief of Police, and provided to PCCD, as requested.

H. If a juvenile is held for more than six hours, a phone notification shall be made to The Department of Public Welfare Childline (800-932-0313). If unable to reach Childline, the PCCD backup number may be used (800-692-7292 x 3033).

I. If a juvenile is taken into custody, they must be brought without delay to the police department, unless the juvenile requires immediate medical treatment. In any case, immediate notification to the parents or guardian shall be made by the investigating officer.

1. If telephone contact cannot be made, an officer shall go to the child's address to contact the parents, guardian, or legal custodian in person.
2. If personal contact cannot be made, the officer shall leave a message with the nearest available neighbor or relative.
3. If the child is not a resident of the jurisdiction of the Springfield Township Police Department, and telephone contact cannot be made, the officer shall notify the appropriate law enforcement agency for the purpose of locating the child's parents, guardian, or legal custodian.

VI. Juvenile Records

- A. Title 42, The Pennsylvania Consolidated Statutes, Section 6308 (a) of The Juvenile Act, requires that law enforcement records concerning a child be kept separate from the records and files of arrests of adults.
- B. Juvenile records shall be maintained separately from adult records and files of arrest. These records shall be kept secure and shall be maintained as required by law. The Office of the Chief of Police shall have the responsibility to ensure the maintenance and security of these juvenile records.
- C. The contents of juvenile law enforcement records or files shall not be disclosed to the public unless all of the following applies:
 - 1. The child is 14 or more years of age at the time of the alleged conduct.
 - 2. The child has been adjudicated delinquent by a court as a result of an act or acts which include rape, kidnapping, murder, robbery, arson, burglary, and section 13(a) of Act 64 of the Controlled Substance, Drug, Device and Cosmetic Act
 - 3. A petition has been filed that the child committed one of these acts

VII. Fingerprinting and Photographing Juveniles

- A. Title 42, The Pennsylvania Consolidated Statutes, Section 6308, requires that fingerprints and photographs be taken on any child arrested for:
 - 1. Any misdemeanor or felony offense.
 - 2. Retail theft if the child is 16 years of age or older.

VIII. Custodial Interviews

- A. Officers will be allowed to question juveniles in custody only when the following applies:
 - 1. At least one parent, guardian, interested person, or counsel for the juvenile is present
 - 2. The juvenile has been given their Miranda rights.
 - 3. Both the juvenile and the parent, guardian, or other interested party understand the rights and the reason for the interview
- B. The number of officers involved in a custodial interview shall be limited to two.

- C. The duration of a custodial interview should be limited to a reasonable amount of time and should not be of such length and constructed in such a manner as to cause undue stress for the juvenile.
- D. "Private time" shall be granted as required by law.
- E. Any officer questioning a juvenile should make certain that the juvenile, parent, and / or guardian understands the agency and juvenile justice system procedures for juvenile offenders and the implications that may be forthcoming in the juvenile justice system.