



Alexandria Police Department

Directive 10.17



JUVENILE PROCEDURES

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It is the policy of this Department to develop and perpetuate programs designed to prevent and control juvenile delinquency. The responsibility for participating in or supporting the Department's juvenile operations function is shared by all agency components and personnel. All personnel dealing with juvenile offenders should use the least coercive among reasonable alternatives, which may include:

- Outright release with no further action;
- Issuing written citations or summonses to juvenile offenders to appear at intake in lieu of taking them into custody; and
- Referral to juvenile court.

The purpose of this directive is to establish guidelines and procedures for handling juveniles who are in need of protection, in violation of status offenses and those charged with criminal offenses, ensuring that the constitutional rights of juveniles are protected. [44.2.2.c.]

10.17.02 AUTHORITY

The authority governing this directive is provided under the Code of Virginia, 16.1-228, 16.1-246, 16.1-247, 16.1-278.9, 16.1-299, 16.1-309.1, 19.2-390, 63.2-1517, and 63.2-1518.

10.17.03 DEFINITIONS

Booked On Information - The process by which a juvenile is charged for committing a delinquent act or status offense without taking the juvenile into custody. "Booked on Information" is placed in the "Location of Arrest" block on the Offense/Incident Report (APD-7).

Child, Juvenile, Minor - A person who is less than eighteen years of age.

Delinquent Act - Act designated as a violation of a law of the Commonwealth of Virginia or an ordinance of any city, county, town or federal law, but not to include status offenses.

Delinquent Child - A child who has committed a delinquent act or an adult who had committed a delinquent act prior to his/her 18th birthday.

Intake Officer - A juvenile probation officer who is designated by law as having the quasi-judicial authority to decide probable cause, divert or petition the court and initiate a detention or shelter care order.

Person Acting for a Parent - A teacher, a relative over the age of eighteen, or any adult willing to accept responsibility for the juvenile.

Status Offender - A juvenile who commits an act which is unlawful only if committed by a juvenile, e.g., a juvenile who remains away from or who habitually deserts or abandons the family (runaway). This juvenile may be charged as: (1) Child in Need of Services (CHINS) - a child whose behavior, conduct or condition presents or results in a serious threat to the well-being and physical safety of the child; (2) Child in Need of Supervision - a juvenile who, while subject to compulsory school attendance, is habitually and without justification absent from school or a juvenile who, without reasonable cause, runs away from or habitually deserts or abandons his/her family or escapes or remains away without proper authority from a residential care facility.

10.17.04 RESPONSIBILITIES**A. The arresting officer will:**

1. Notify the intake officer at the court when appropriate (see section 10.17.13) and follow the instructions given by them on the custody of the juvenile without delay. **[44.2.2.d.]**
2. Notify the juvenile's parent, or person acting for a parent, of the specific acts that brought the juvenile to the attention of the police as well as juvenile justice system procedures. If immediate contact cannot be made, continue notification efforts and if necessary request assistance from the Criminal Investigations section until notification is made. **[44.2.2.e.; 44.2.3.a.]**
3. Notify the Department of Emergency and Customer Communications (DECC) of the location of the juvenile, if in custody.
4. Notify Information Services Section (ISS) immediately upon arrest so that appropriate checks can be made prior to the juvenile's release or detention (i.e., runaway, missing, endangered, wanted, etc.) Document the notification in the on the Offense/Incident Report (APD-7).
5. Notify an immediate supervisor when it is discovered that a detained juvenile is definitely innocent, or that no crime has been committed.
6. Complete all required paperwork with information on the child, parents, complainant and witnesses. The APD-7 must be used to report arrests of juveniles and [the Juvenile Complaint and Probable Cause Form \(APD-007E\) for all class 1 misdemeanors and felony offenses. See 10.17.14 \(Reporting Requirements\).](#)
7. Ensure that juveniles in custody who are in need of emergency medical treatment receive such treatment without delay. **[44.2.2.d.]**

B. The supervisor will:

1. Review and approve all paperwork done by the arresting officer prior to submitting it to Information Services (ISS); ensuring that correct forms were used, the information on the forms is correct and complete, and that the juvenile justice system was explained and documented, if appropriate.
2. After receiving information about the innocence of a juvenile, immediately call or page the intake officer to relate the facts of the case and request a decision whether to release or detain if charges are pending. The supervisor or person acting for the supervisor will record efforts to contact a court official, and the subsequent decision, on a Supplemental Report (APD-7A).

C. Information Services Section (ISS) will:

1. Upon being notified of a juvenile arrest, check the files of this department to ensure that any outstanding warrants on file for the juvenile are promptly executed.
2. Immediately check VCIN and NCIC for wanted or missing person status and notify the arresting officer of any positive results.
3. Ensure that appropriate teletypes are completed (i.e., required notifications, responses, removal of wanted person or missing person from VCIN/NCIC).

D. The Department of Emergency and Customer Communications (DECC) personnel will, when a wanted check is requested on a juvenile, ensure that ISS is contacted for a local check in addition to the NCIC/VCIN check.**10.17.05 CHILD PROTECTION****[44.2.1; 44.2.2.b.]**

- A.** When probable cause exists that a juvenile is without adult supervision at such hours of the night and under such circumstances that there is a clear and substantial danger to the juvenile's welfare, the officer will take the child into immediate custody and notify the intake officer of the Juvenile Court, who will decide if a complaint should be filed. If the intake officer decides a complaint should **not** be filed, the officer will, in descending order:
1. Return the child home and release the child to a parent, guardian, legal custodian or other person acting for a parent; or
 2. Release the child; and
 3. Complete an Offense/Incident Report (APD-7).
- B.** All cases involving alleged abuse or neglect of juveniles will be processed under the provisions of Police Directive 10.18, Juvenile Victims of Crimes.

10.17.06 STATUS OFFENSES**[44.2.2.a.]****A. Runaways**

1. Officers will complete a separate APD-7 for each runaway.
2. Officers will follow procedures in Police Directive 10.8, Reporting Guide and 10.36, Missing Persons.
3. When probable cause exists to apprehend a juvenile who has run away from home, the officer will:
 - a. For Alexandria cases:

- Detain the juvenile.
- Notify ISS and document the notification on an APD-007B. (leave the case open for CIS/Youth to complete the follow-up.)
- Verify runaway and wanted status by requested wanted checks from NCIC/VCIN and ISS.
- Release the runaway to a parent, guardian, or legal custodian.
- Contact the intake officer when a parent, guardian, or legal custodian cannot be reached or refuses to take the child back. Follow the intake officer's instructions.

b. For out-of-town cases:

- Detain the juvenile.
- Verify runaway status with the Teletype from the reporting jurisdiction.
- Request wanted checks from NCIC/VCIN and ISS.
- Notify ISS and document the notification on the report.
- Notify the parents that the runaway is in custody.
- Notify the intake officer and follow his or her instructions.
- Complete an APD-7 and APD-007B for an out-of-town runaway.

B. Truant

1. When a juvenile is a reported truant by school officials, or an officer reasonably determines because of the child's age and circumstance that he/she is a truant, the juvenile will be taken into custody, delivered to the appropriate school personnel and released.
2. The officer will run a wanted check through NCIC/VCIN and a local check through ISS prior to releasing the juvenile and complete a Field Contact/Interview Card (APD-15A), which will include the name of the person notifying the parent of the truancy and the name of the person to whom the juvenile was released.

C. Child in Need of Services/Supervision (CHINS)

1. Juveniles who are in violation of the status offense child in need of supervision or child in need of services generally are handled through the Juvenile and Domestic Relations Court.
2. If an officer receives a call from a parent for a situation whereby no crime has been committed but a child is disobedient to the parent or guardian, the parent should be advised to contact the Youth Services Coordinator in CIS, who will then decide whether to make a referral to Juvenile Court.

10.17.07 INTERVIEWS/INTERROGATIONS

[44.2.3.]

- A.** Most juveniles that officers encounter will have little to no prior contact with police or the criminal justice system. Therefore, officers who interview juveniles should consider their age, mental state, and other factors or influences juveniles experience. Minors who have experience with the criminal justice system may understand the difference between custodial and non-custodial interrogations. However, juveniles who have no experience with the criminal justice system may be unable to make that distinction.

B. Officers must be aware that whether a juvenile gave a confession voluntarily will generally be in question. In determining whether the juvenile's confession is voluntary, the following factors will be considered:

1. The juvenile's age
2. Intelligence
3. Educational background
4. Mental capacity, including whether the juvenile was nervous and their physical condition
5. Prior experience with the criminal justice system
6. Whether the juvenile was suffering from any injury or pain when they gave the statement
7. The duration of the questioning
8. Time of day
9. Whether the juvenile was tired or desiring to sleep
10. Length of confinement
11. Whether the police gave any caution warnings, if so, when were they provided
12. Whether the juvenile understood the caution warnings
13. The size of the room and whether there was sufficient furniture
14. Whether the officer handcuffed or threatened the juvenile
15. Whether the juvenile was refused the use of the bathroom, food, or drink
16. Whether there was a promise of leniency
17. Whether the juvenile understood the interrogation process
18. Whether the officers notified the juvenile's parents
19. Whether the juvenile asked for a parent to be present
20. Whether the police prevented a concerned adult from speaking with the juvenile
21. Whether the juvenile was familiar with the language used during questioning

**C. Custodial interrogation of a Child; Parental Notification (VA Code §16.1-247.1)
[44.2.3a]**

1. Prior to the custodial interrogation of a child, the child's parent, guardian, or legal custodian shall be notified of the child's arrest, and the child shall have contact with his parent, guardian, or legal custodian. Such notification and contact may be in person, electronically, by telephone, or by video conference.
2. The following are the only exceptions to the requirement for contact prior to custodial interrogations:
 - a. If the parent, guardian, or legal custodian is a codefendant,
 - b. If the parent, guardian, or legal custodian is suspected of committing a crime against the child,
 - c. If the parent, guardian, or legal custodian cannot reasonably be located or refuses contact; or
 - d. If the officer believes the information sought is necessary to protect life, limb,

or property from imminent danger, and questions are limited to those reasonably necessary to obtain that information.

D. Prior to custodial interrogation, officers will inform juveniles of their legal rights. The officer will also explain agency and juvenile justice system procedures to the juvenile being interrogated.

E. The Commonwealth's Attorney's Office has approved the following language (modified according to the type of case) to be used as a guide:

- "You will (or may) be photographed and fingerprinted" (if called for by Virginia law).
- "The Intake Officer will be contacted and will decide whether you (if arrested) will be:

1. Released outright;
2. Released to your parents, guardians, or others;
3. Brought immediately before the Juvenile Court (if open); or
4. Taken to the Northern Virginia Detention Home.

- "The charges against you may be handled within the Juvenile Court; or"

- "You may be certified and tried as an adult in Circuit Court."

- a. The fact that the juvenile justice system has been explained will be documented in the offense report or supplement (i.e., "Juvenile justice system explained".)
- b. Supervisors will also ensure explanation of the juvenile justice system during custodial interrogations.

Note: Juveniles have no explicit right to have parents/guardians present during questioning.

F. When interrogating juvenile suspects there will be a maximum of two officers present.

The duration of the interrogation will be dependent upon the totality of circumstances surrounding the arrest and interrogation, including evaluation of the juvenile's age, experience, education, background and intelligence, and assessment of whether he has the capacity to understand the warnings given him, the nature of his Fifth Amendment rights, and the consequences of waiving those rights.

In any event, the interrogation of a juvenile suspect should not continue for any one continuous period in excess of two hours without a break of at least ten minutes and should not exceed four (4) hours in total length unless authorized by the Commonwealth's Attorney or an Assistant Commonwealth's Attorney. **[44.2.3.b]**

G. For questioning or interrogating students at school, officers will report to the main office and will contact a school administrator who will assist them. (See also 12.7.03)

H. Questioning juveniles in detention.

1. Officers wishing to question juveniles held in detention about the charge for which the juvenile is being detained must:
 - a. Consult with an attorney from the Commonwealth's Attorney's Office prior to conducting the interview;
 - b. Inform the juvenile's parent or guardian and the attorney (if any) that an interview is requested;

Note: If the juvenile has retained an attorney for this charge, the attorney must grant permission for an interview either in writing or by calling the Detention Home Monday through Friday, 8 a.m. to 5 p.m., and providing his/her Bar Association number.
 - c. Arrange the interview by contacting the Detention Home; and
 - d. Provide written documentation of the parent or guardian approval if the aforementioned attorney approval does not apply.
2. Officers wishing to question (either as a suspect, victim or witness) juveniles held in detention about cases under investigation in which the juvenile has not been charged must:
 - a. Inform the juvenile's parent or guardian or attorney that an interview is requested;
 - b. Obtain written permission from the parent or guardian or attorney. (The attorney may call the Detention Home during their normal business hour, Monday through Friday 8 a.m. to 5 p.m.);
 - c. Arrange the interview by contacting the Detention Home; and
 - d. Provide written documentation of the approval at the time of the interview (if not done by the attorney by phone).

10.17.08 IMMEDIATE CUSTODY**[44.2.2]****A. Juveniles may be taken into immediate custody when:**

1. In the presence of the arresting officer, a juvenile commits an act which would be a crime if committed by an adult under federal, state or local law and ordinances, and the officer believes that such is necessary for the protection of the public interest;
2. A juvenile has committed a misdemeanor offense involving shoplifting, assault and battery or carrying a weapon on school property and, although the offense was not committed in the presence of the officer who makes the arrest, the arrest is based on probable cause on the reasonable complaint of a person who observed the alleged offense;

3. There is probable cause to believe that a juvenile has committed an offense which would be a felony if committed by an adult;
4. A juvenile is believed to be in need of inpatient treatment for a mental illness;
5. For protective reasons as stated in 10.17.05, A, above;
6. A juvenile who commits an act which is unlawful only if committed by a juvenile (see 10.17.06); or **[44.2.2.a.]**
7. A detention order or warrant is known to be on file in this or another jurisdiction.

B. Notification of Parents.**[44.2.3,a]**

1. To encourage and support the use of the parental authority, the officer will notify the parent(s) or guardian, of the specific act or acts (criminal or status offenses), which brings a juvenile to the attention of the Police.
2. Such notification will be made by telephone or in person, as soon as reasonably possible.
3. The name of the person notified will be noted on the APD-7, APD-007B, or Field Contact/Interview Card, APD-15A.
4. If a juvenile is released to a responsible adult, not his/her parent or guardian, the arresting officer must follow up with making notification to the parent or guardian.
5. Officers are to personally notify the parents or legal guardian of any juvenile who is stopped for a traffic violation, regardless of whether or not a VUS is issued. Contact should be made during the stop if at all possible to maximize its effectiveness. However, contact can be made by telephone or in person as soon as practical and before the end of the officer's shift. (see also 11.21.13)
6. Refer to section 10.17.07 C for the parental notification requirements to be made prior to custodial interrogation of a child.

C. Transporting Juveniles.

1. No juvenile who is known or believed to be under fifteen years of age will be transported in a police patrol wagon.
 - a. No juvenile will be transported with adults suspected of or charged with criminal acts.

D. Arrests Occurring on School Property.

1. Arrests should occur away from school grounds, if at all practical.
2. For an arrest or service of a detention order the arresting officer will:
 - a. Contact the school administrator and request that the student be brought to the main office; and

- b. Make the arrest in the presence of the school administrator.

10.17.09 WARNINGS AND COMPLAINTS

A. Warnings.**[44.2.1.a., 44.2.2]**

1. A non-custodial warning takes place when an officer requires the offender to desist from the offending activity and he/she complies. An APD-15A will be completed in all cases except class 2, 3, or 4 misdemeanors.
2. A custodial warning takes place when an officer takes the offender into custody for the offending behavior and releases him/her to the control of the parent or guardian. An explanation will be given to the parent regarding the juvenile's activity. At a minimum, an APD-15A will be completed documenting the incident including the notification of the parent or guardian. An officer taking a juvenile into custody must notify an intake officer when a parent or guardian cannot be located. **[44.2.1.b., 44.2.3.a]**
3. When making decisions on whether or not to issue a warning, officers should consider the following:
 - a. Seriousness of the offense;
 - b. The age and circumstances of the alleged offender;
 - c. Number and nature of previous contacts and arrests; and
 - d. The juvenile's attitude with regard to accepting a warning and the availability of community-based rehabilitation programs.
4. No complaint is made to the juvenile court when a warning is issued; however, use of a warning is prohibited when:
 - a. The complainant or victim wants to advance prosecution; or
 - b. You have knowledge that the juvenile has been warned or arrested in the previous year for a similar violation of law.

B. Complaints (placing charges).**[44.2.1.c]**

1. A complaint will be made in all cases in which a juvenile is taken into custody for a felony or a Class 1 misdemeanor.
2. In misdemeanor cases not committed in the officer's presence, the officer can complete an APD-7 and an APD-007E, and book the juvenile on information. This applies to those cases where a juvenile has committed a misdemeanor not in the officer's presence, and taking the child into custody is not allowed.
3. A complaint may be filed, or a warning issued, in all cases where a juvenile has committed an act that, if committed by an adult, would be a Class 2, 3, or 4 misdemeanor.

4. Whenever a juvenile is questioned, in any offense, ISS should be notified to ensure there are no outstanding charges or missing alerts on file.

10.17.10 WARRANTS AND DETENTION ORDERS**[44.2.2.d]**

Warrants, Detention Orders or Temporary Detention Orders are served on juveniles in much the same manner as adults. However, in some instances arrested juveniles will be taken directly to the Juvenile Court.

- Officers who arrest juveniles on a detention order will advise the intake officer by phone of the arrest of the juvenile.
- The intake officer will instruct the arresting officer on whether to bring the child directly to the court or transport them to the detention home.
- A parent or other person acting with parental authority will be given notice by the arresting officer of the action taken and the reason for taking the juvenile into custody. **[44.2.2.e]**
- The officer will inform the intake officer whether the parent, guardian or foster parent was notified of the juvenile's arrest.
- The officer will complete the APD-7 and an APD-7A or APD-007E as required.
- If transported to the Juvenile Court, officers will file the original copy of the executed detention order with the Clerk of the Juvenile & Domestic Relations Court on the same day it is executed. Officers will see that the detainee is served with a copy of the detention order.
- When an officer transports and places a juvenile in the custody of the Northern Va. Juvenile Detention Home or the local Sheltercare program, he/she shall leave the original order (issued by the Judge or Intake Officer) with the facility.
- Completed CCRE and fingerprint cards (in felony cases) will be delivered to the Information Services Section (ISS).

10.17.11 HANDLING OF ESCAPEES

A. Juveniles who are escapees from jail, a detention home, or other institution in which they were placed by the order of a Juvenile Court, Child Protective Services or other licensed child welfare agency may be taken into immediate custody when: **[44.2.2.d]**

1. There is a detention order or warrant known to be on file in this or another jurisdiction; or
2. An officer has probable cause to believe that a juvenile has escaped or run away from a jail, detention home, residential childcare facility or home after placement by the Court, by the Department of Social Services, or, by a licensed child welfare agency.

- B. Whether Juvenile Court is open or closed, the juvenile may be returned and released to the facility from which the juvenile escaped or fled.
- C. When the juvenile is not released to the facility from which the juvenile escaped or fled, the officer will contact the intake officer of the court who will determine where the juvenile will be placed.
- D. Officers will initiate a search and broadcast a lookout for any juvenile reported missing or escaped from an Alexandria facility.
- E. When an Alexandria-placed juvenile escapes from either the detention home or the jail, the officer will complete an APD-7 with applicable supplements.
- F. When an Alexandria-placed juvenile runs away from an unsecured group home, or foster home, no matter where that home is located, the officer will:
 - 1. Take an APD-7 titled Runaway; and
 - 2. Complete a VA Missing Children Information Clearinghouse Report (APD-134), to include the signature of the adult reporting the incident, thereby authorizing entry into NCIC/VCIN.
- G. When an out-of-town placed juvenile has either escaped from the detention home or run away from a group home in Alexandria, the officer will:
 - 1. Notify the administrator reporting the missing juvenile to contact the jurisdiction which placed the juvenile in the facility to make the original report and ensure the juvenile is entered into NCIC/VCIN; and
 - 2. Complete an APD-7 titled Police Information (Escape) if missing from the detention home and Police Information (Runaway) if missing from a group home and include an APD-007B.
- H. When an escaped juvenile or one that has run away from a group home is apprehended, the officer will:
 - 1. If Alexandria placed the juvenile, complete an APD-7A and/or an APD-007B to the original report. An APD-007E will be used only if a detention order is on file for the juvenile.
 - 2. If an out-of-town placed juvenile escaped or ran away from an Alexandria facility, complete an APD-7A to the original Police Information APD-7 and an APD-007B; and notify the jurisdiction that placed the juvenile of the apprehension.
- I. If a serious juvenile offender escapes from a local secure facility (i.e., Juvenile Detention Center) the Commonwealth's Attorney will be contacted prior to releasing identifying information (e.g., photograph or name) to the public or the media. (Refer

to Code of Virginia 16.1-309.1) The Patrol Division Commander and the P.I.O. will coordinate the release of such information.

10.17.12 FINGERPRINTS, PHOTOGRAPHS AND CCRE**[44.2.2]****A. Virginia Law § 16.1-299. Fingerprints and photographs of juveniles.**

1. All duly constituted police authorities having the power of arrest shall take fingerprints and photographs of any juvenile who is taken into custody and charged with a delinquent act an arrest for which, if committed by an adult, is required to be reported to the Central Criminal Records Exchange pursuant to subsection A of § [19.2-390](#). Whenever fingerprints are taken, they shall be maintained separately from adult records and a copy shall be filed with the juvenile court on forms provided by the Central Criminal Records Exchange.
 2. One CCRE is required for each charge. In addition to the appropriate number of CCREs:
 - a. Three (3) red fingerprint cards (total);
 - b. One (1) palm card (front and back); and
 - c. A color mug shot series must be taken in AJIS.
- B.** When fingerprinting cannot be accomplished in the CSI office, the arresting officer will contact a Sheriff's Department supervisor and arrange for the fingerprinting to be done at booking.
- C.** Fingerprints and photographs may not be taken under any other circumstances except that an officer may seek a Juvenile Court order requiring a juvenile to submit to the taking of either or both.
- D.** For investigative purposes, officers may use fingerprints or photographs obtained from other agencies or persons in the community. In some cases this may require a court order.
- E.** A Criminal Records Exchange (CCRE) form will be completed by the officer for each and every felony charge.
- F. Only one charge will be recorded per arrest record (CCRE).** Additional charges will require a CCRE for each charge. Items 1 through 37 must be completed for each additional CCRE and a complete set (all ten fingers) of fingerprint impressions must be recorded on each additional fingerprint card submitted to the Juvenile Court. This is different from Adult arrests that allow printing just the thumbs on additional charges.
- G.** When a CCRE is required, do not separate the copies until after completing the top half of the form through the field labeled Shield/Code. The distribution of the three (3) parts of an arrest set is as follows:

1. Copy 1 (White) - provided for use by the arresting agency. This copy will be maintained by the Identification Section (ID) along with the red fingerprint cards, palm cards, and photographs.
 2. Copy 2 (Yellow) and Copy 3 (Fingerprint) - The yellow and fingerprint card copies of the CCRE form will be hand-delivered to ISS immediately by the person taking the fingerprints. ISS will attach these forms to the warrant, petition or police report which substantiated the arrest and these will be forwarded promptly to the clerk of the Juvenile Court.
- H. APD-7s involving felony juvenile arrests will be written prior to the end of the officer's tour of duty and delivered to ISS immediately to ensure that the report and the CCRE go to J&DR Court together. These APD-7s are NOT to be placed in the incoming basket. They are to be hand-delivered to ISS staff with advisement of Felony Juvenile Arrest. ISS staff will promptly attach all the required documents and place in the Juvenile Court Mailbox. In the event that the Court Liaison Officer has taken all the arrest documents to court, ISS staff will make arrangements to have the documents transported to J&DR Court by Patrol. ISS staff will have a separate box to hold any CCRE awaiting a report. It is extremely critical that all documents go to court simultaneously.
- I. Juvenile fingerprint cards, photographs, and criminal records authorized for retention, will be separately and securely maintained. All juvenile confidential information is to be secured and access controlled. All computerized records will distinguish juvenile records through the use of juvenile designators. Juvenile records are disposed of in accordance with Virginia Code after the juvenile reaches adult age. Provisions for the expungement and sealing of juvenile records are explained in detail in the Code of Virginia and will be adhered to as mandated. [82.1.2]

10.17.13 NOTIFYING INTAKE**[44.2.2]**

- A. Officers will notify intake [using a video call](#) of all felonies when charges are going to be placed. Generally, juveniles charged with felonies should be taken into custody. However, there are some exceptions:
1. The suspect is incarcerated, and probable cause exists to place charges on additional cases; or
 2. Fingerprints and photographs are not required when taking the child into custody serves no purpose. Questions regarding these cases should be addressed to a supervisor.
- B. Officers will notify intake [using a video call](#) whenever juveniles are taken into custody for Class 1 misdemeanors.

- C. Officers are not required to **immediately** notify intake for Class 1 misdemeanors when the juvenile is not in custody if the matter does not warrant the use of juvenile detention or shelter care, the officer may go forward by submitting the APD-007E/Juvenile Complaint and Probable Cause Form at this time; however, they may also submit this form at their earliest convenience. Intake will not be able to act upon this charge until this form is received and sworn to (recommended to do at time of contacting intake). If a petition is to be filed the intake officer will coordinate the review, swearing and signing of the petition(s) with the arresting officer at a later date, unless one of the following conditions exists:
1. The child constitutes an unreasonable danger to the person or property of others;
 2. The child presents a clear and substantial threat of serious harm to their life or health;
 3. The child has threatened to abscond from the court's jurisdiction or has a record of willful failure to appear at a court hearing within the previous twelve months;
 4. The child has fled from a detention home or facility operated by the Department of Youth and Family Services;
 5. The child is a fugitive from another state where there is an outstanding detention order or warrant; or
 6. The child has failed to appear for a court hearing on a delinquent act.
- D. Officers are not required to notify intake for Class 2, 3, or 4 misdemeanors, when the juvenile is in custody, as long as the arrestee can be released to a parent, guardian or responsible adult. The parent(s) or guardian must be notified of what occurred even in cases where the juvenile is released to a responsible adult.
- E. Officers are not required to notify intake for Class 2, 3, or 4 misdemeanors, when the juvenile is not in custody.
- F. Officers will notify intake as soon as practical once the officer has obtained the arrestee's full name, address, and has obtained some basic facts of the case.
- G. Intake will be notified at all other appropriate times.

10.17.14 REPORTING REQUIREMENTS**[44.2.2]**

- A. All juvenile arrests require a **Juvenile Complaint and Probable Cause Form** (APD-007E) and an **Offense/Incident Report** (APD-7), except for Class 3 or 4 misdemeanors. **The APD-007E will be emailed to juvenile intake after being sworn to and signed by the officer (e-signatures included).**

- B. Traffic charges are reported on a Virginia Uniform Summons (VUS), except for DWI and Hit and Run, which are reported on an APD-7.
- C. Arresting officers will notify ISS of all juvenile arrests. The date, time, and name of the person notified.
- D. Officers who plan to release a juvenile after issuance of a warning will run a wanted check through NCIC/VCIN and local checks through ISS, prior to release and will complete an APD-15A card. The officer will note a complete clothing description and all details relating to the facts surrounding the contact. Information of the juvenile's parents is also required.
- E. An APD-007E/[Juvenile Complaint and Probable Cause Form](#) must be completed to book a juvenile "on information for all class 1 misdemeanor and felony offenses." Complete information for the booking process must be provided on the APD-7. Booking on information may be done if the officer has made attempts without success to locate and interview the juvenile, or with the concurrence of a supervisor or member of the CIS Youth Unit. Contact must still be made with the juvenile's parent explaining the facts of the case. A wanted check will be run as in 10.17.14.D. above. [The APD-007E will be emailed to juvenile intake after being sworn to and signed by the officer \(e-signatures included\).](#)
- [44.2.1.b.]
- F. See Police Directive 10.8, Reporting Guide, and 10.36, Missing Persons for further information.

10.17.15	JUVENILE ALCOHOL AND DRUG VIOLATIONS
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- A. **"Use and Lose Law"(Code of Virginia 16.1-278.9)**
It is department policy to take positive action when encountering minors in violation of drug and/or alcohol laws, and arrests are encouraged. Placing charges allows the court the latitude to also impose license sanctions under 16.1-278.9, causing juveniles a loss of their driving privileges when convicted of alcohol or drug charges. Officers making an arrest of a juvenile for an alcohol or drug violation will complete a APD-7 and an APD-007E.
- Notify the juvenile and parent or legal guardian of the arrest as described earlier.
- B. **Organized parties involving juveniles.**
Parties involving groups of juveniles and alcohol at hotels/motels or at private residences should be handled in the following manner:
- A supervisor will be dispatched to accompany officers dispatched to these types of calls.
 - An offense report will be initiated detailing the facts and circumstances regarding the rental of the room (or the authorization the use the private residence) and the persons present.

- Officers will notify the on-duty Youth detective, when appropriate.
- Officers will make arrests when possible.
- Officers may use Alco-sensors as a screening aid when appropriate.
- Officers will forward a copy of the offense report to the Youth Detail in Criminal Investigations.

10.17.16	RELATED INFORMATION
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For other related information see:

Police Directive 10.18, Juvenile Victims of Crime.

Police Directive 11.21, Traffic Enforcement.

[Appendix – APD-007E/Juvenile Complaint and Probable Cause Form](#)

By Authority Of:

Raul Pedroso
Chief of Police, Interim