

# SPRINGFIELD POLICE DEPARTMENT

## Standard Operating Guideline

<b>Effective Date:</b> 12/03/2021	<b>Supersedes Policy Dated:</b> 09/09/2020	<b>Rescinds:</b>	<b>SOG Number:</b>
<b>Accreditation Index:</b> 1.2.5, 44.1.1, 44.2.1, 44.2.2, 44.2.3, 61.1.2, 82.1.2			<b>403.1</b>
<b>Part Title:</b> Operations		<b>Chapter Title:</b> Juvenile Operations	
<b>Chief of Police:</b> <i>Paul F. Williams</i>			

## Juvenile Operations

### I Policy

It shall be the policy of this Department to deal with juvenile offenders in the least coercive manner possible. All officers of this department will respect the juvenile's family autonomy and will use the most reasonable alternatives consistent with preserving public safety, order, and individual liberty. All members, regardless of duty assignment, are charged with the responsibility of participating in and supporting the Department's juvenile operations function. Each officer shall be familiar with the unique requirements of juvenile matters and shall respond to those requirements by ensuring the constitutional rights of the juvenile are protected, as provided by procedure or statute.

Police officers have, by law, certain duties and responsibilities pertaining to juveniles under the age of eighteen <sup>1</sup>. The police role in juvenile justice and delinquency prevention must be responsive to community needs. Officers must focus on both enforcement and prevention functions, realizing neither role at the expense of the other. The Police Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency.

Beginning July 1, 2017, the Springfield Police Department will be responsible for all follow-up investigation involving juvenile suspects.

### II Definitions

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<sup>1</sup> Policy statement revised, updates the age of juveniles to comply with RSMO 211.021, per [Policy Change Order 21-025](#).

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**Abuse** – Any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by those responsible for their care, custody, and control, except that discipline including spanking, administered in a reasonable manner shall not be construed to be abuse. (RSMo 210.110)

**Adult** – A person eighteen <sup>2</sup> years of age or older. (RSMo 211.021)

**Child** – Any person, regardless of physical or mental condition, under eighteen years of age. (RSMo 210.110) **[This definition of a child applies to situations involving child abuse and neglect.]**

**Child** – Any person under eighteen <sup>3</sup> years of age (RSMo 211.021)

**GCCS** – Greene County Children’s Services, formerly Division of Family Services.

**Juvenile Delinquent Offenders** – Juveniles suspected of committing acts that would be crimes if committed by an adult.

**Juvenile Status Offenders** – Juveniles who commit acts that would not be considered a crime if committed by an adult but may subject the child to juvenile or family court jurisdiction. Status offenses include truancy, beyond parental control, runaway, behavior or association injurious to the child’s welfare, and other acts that are applicable only to children.

**Missing Child** – Any person who is under the age of seventeen years, whose temporary or permanent residence is in the State of Missouri, or who is believed to be within the State of Missouri, whose location has not been determined, and who has been reported as missing to a law enforcement agency. (RSMo 43.400)

**Neglect** – Failure to provide; by those responsible for the care, custody, and control of the child; the proper or necessary support or education as required by law, nutrition or medical, surgical, or any other care necessary for the child’s well-being. (RSMo 210.110)

### **III Procedure**

#### **1 PROTECTIVE CUSTODY (ABUSE OR NEGLECT) (CALEA 44.2.2(b))**

1.1 When any law enforcement officer has reasonable cause to suspect a child has been or may be subjected to abuse or neglect, or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect, the officer shall immediately make a report to the Child Abuse Hot Line (phone # 800-392-3738). (RSMo 210.115)

1.1.1 The reporting officer shall also complete a police report.

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2 Adult definition revised, updates the age to comply with RSMO 211.021, per Policy Change Order 21-025.

3 Child definition revised, updates the age to comply with RSMO 211.021, per Policy Change Order 21-025.

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- 1.2 When an officer who has reasonable cause to suspect a child is suffering from illness or injury or is in danger of personal harm by reason of their surroundings and a case of child abuse or neglect exists, the officer may request a juvenile officer take the child into protective custody. (RSMo 210.125.1)
  - 1.3 An officer may take a child into protective custody – without the consent of the child’s parents, guardian, or others legally responsible for their care – when they have reasonable cause to believe:
    - 1.3.1 A child is in imminent danger of suffering serious physical harm or a threat to life as a result of abuse or neglect, and
    - 1.3.2 Harm or threat of life may occur before the juvenile court can act to issue a temporary protective custody order or before a juvenile officer could take the child into protective custody. (RSMo 210.125.2)
  - 1.4 When an officer takes a child into protective custody, the responsible officer shall complete the following activities:
    - 1.4.1 Immediately notify the Greene County Juvenile Office (GCJO), Greene County Children’s Services (GCCS), and the Child Abuse Hot Line;
    - 1.4.2 Make attempts to notify parents or guardians, if they were not present at the time protective custody was initiated; (CALEA 44.2.2(e))
    - 1.4.3 Complete a report including the facts and circumstances which gave reasonable belief of the imminent danger, and file a written report with the juvenile officer as soon as practical, prior to the end of the shift. The officer taking a juvenile into protective custody shall complete form CS-33 from the Greene County Children’s Division.
  - 1.5 Greene County Children’s Services is responsible for appropriate placement of the child.
  - 1.6 The investigating officer will ensure photographs are taken to assist with the initial investigation.
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- 2 INVESTIGATION OF CHILD ABUSE AND NEGLECT CASES
    - 2.1 The investigative goal is the discovery of facts and evidence that can be used to prove or disprove whether a crime was committed and a specific individual committed the crime. The investigation may include:
      - 2.1.1 Joint interviews by this Department and GCCS;
      - 2.1.2 Assessing the safety of the child;
      - 2.1.3 Determining appropriate police action, if any;
      - 2.1.4 Collecting and preserving evidence;
      - 2.1.5 Identifying the suspect.

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- 2.2 In a sex crime case that involves any victim under the age of eighteen <sup>4</sup>, the preliminary investigating officer will do the following:
  - 2.2.1 Make immediate contact with victim's parent/guardian, unless the parent/guardian is a suspect;
  - 2.2.2 Immediately notify GCCS and ask them to respond to the scene;
  - 2.2.3 Collect information needed for follow-up investigation;
    - 2.2.3(a) The preliminary investigating officer will not interview the victim in depth. This ensures the number of victim interviews is limited.
  - 2.2.4 Complete a detailed offense report;
  - 2.2.5 Report incident to the Child Abuse Hotline (1-800-392-3738).

### 3 MISSOURI DIVISION OF YOUTH SERVICES

- 3.1 Officers may encounter situations in which they are dispatched to meet Missouri Division of Youth Services personnel. These persons, under RSMo 219.026.1, have authority to take a child into immediate custody when:
  - 3.1.1 They have reason to believe that permitting the child to remain in their own home would be dangerous to them or the community;
  - 3.1.2 The juvenile is about to flee the jurisdiction of the court.
- 3.2 When an officer receives a request to meet the Missouri Department of Youth Services, the officer has the authority and responsibility to take the juvenile into custody (RSMo 219.026.4 and 219.026.5).
- 3.3 An RMS report and a Greene County Juvenile Report shall be completed and include information concerning detainment of the juvenile for the Division of Youth Services.

### 4 CONFIDENTIALITY OF JUVENILE RECORDS (CALEA 82.1.2(a) & (c))

- 4.1 The Police Records Unit shall be responsible for the collection, dissemination, and retention of juvenile records.
- 4.2 This department shall not disclose to the general public or media the identity of any juvenile suspect, victim, or witness.
- 4.3 Police records of juveniles shall be kept separate from the records of persons eighteen <sup>5</sup> years of age or over and shall not be open to inspection nor their contents disclosed, except by order of the court. (RSMo 211.321.3)
- 4.4 Information and data may be released to persons or other organizations authorized by law to compile statistics relating to juveniles. (RSMo 211.321.4)
- 4.5 Information may be released regarding the informal adjustment or formal adjudication of the disposition of a case to a victim or a member of the immediate family of a victim. (RSMo 211.321.6)

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<sup>4</sup> Section 2.2, updates the age to comply with RSMO 211.021, per Policy Change Order 21-025.

<sup>5</sup> Section 4.3, updates juvenile age to comply with RSMO 211.321.3, per Policy Change Order 21-025.

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4.5.1 General information shall not be specific as to location and duration of treatment or detention or the terms of supervision.

4.5.1(a) Does not apply to juveniles transferred to adult court (certified) or to those convicted of gang activity under (RSMo 578.421 to 578.437)

## **5 GENERAL HANDLING OF JUVENILE OFFENDERS (CALEA 44.2.1)**

5.1 When dealing with a juvenile offender, officers should use the least coercive among reasonable alternatives. Officers should consider the following when selecting a course of action: (CALEA 44.2.1)

5.1.1 Nature of offense – the seriousness of an incident and circumstances surrounding the juvenile's involvement;

5.1.2 Age of the juvenile;

5.1.3 Attitude of the juvenile;

5.1.4 Officer's access to parent/guardian;

5.1.5 Complaint/victim's comments, especially where repetitive incidents are reported;

5.1.6 Gang affiliation;

5.1.7 Direction received by juvenile authorities;

5.1.8 Previous record.

5.2 The officer may use the following procedures in handling and resolving the immediate juvenile situation:

5.2.1 Warn and inform the juvenile of their wrongful action; (CALEA 44.2.1(a))

5.2.2 Release the juvenile with no further action; (CALEA 44.2.1(a))

5.2.3 Release the juvenile to a parent or guardian at the scene and complete a report; (CALEA 44.2.1(a))

5.2.4 Transport the juvenile to the Springfield Police Department, release to a parent/guardian, and complete a report;

5.2.5 Transport the juvenile to the Springfield Police Department for an interview. (See section 6.3 regarding the Immediate Juvenile Suspect Interview Process.)

5.2.6 Transport the juvenile to the Greene County Juvenile Center. (CALEA 44.2.1(c))

5.3 If a juvenile offender detainee, regardless of the offense, enters Springfield Police Headquarters or the South District Station; the officer must complete entry on the Juvenile Custody Log (SPD Form #13-SP-0642) located at the front desk.

5.3.1 Juveniles shall be kept physically separated, including sight and sound separation, from all adult detainees/offenders.

5.3.2 Refer to SOG 310.8 – Detainee Processing, Temporary Detention Areas, and Interview Rooms for additional procedures for the handling of juvenile offenders while at Police Headquarters or the South District Station.

5.4 All follow-up investigation of crimes committed by juveniles will be conducted by the Springfield Police Department.

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- 5.5 Officers shall ensure the constitutional rights of juveniles are protected. (CALEA 44.2.2(c))
- 5.6 Officers are authorized to release criminal history information to GCCS personnel for the purpose of assisting with placement decisions.

## **6 JUVENILE FELONY OFFENDERS (CALEA 44.2.2(d))**

- 6.1 Probable cause must exist before a juvenile who is a suspect in a felony case may be taken into custody.
  - 6.1.1 When apprehending a juvenile suspect at school, officers should contact school police and coordinate the apprehension with them.
- 6.2 When a juvenile suspect is taken into custody, the apprehending officer shall:
  - 6.2.1 Ensure the juvenile receives medical attention, if needed;
    - 6.2.1(a) If emergency medical treatment is necessary, the juvenile shall be transported to a medical facility, without delay.
  - 6.2.2 Notify the juvenile suspect of the reason for the apprehension;
  - 6.2.3 Notify their immediate supervisor that a juvenile is in custody for a felony crime and advise them of the severity of the crime;
  - 6.2.4 Notify the juvenile's parent/guardian as soon as practical. (CALEA 44.2.2(e))
    - 6.2.4(a) The date and time of notification, or attempted notification, shall be recorded in the officer's report.
  - 6.2.5 Transport the juvenile for processing and/or detention without delay. (CALEA 44.2.2(d))
- 6.3 If the juvenile in custody is a suspect in a serious or violent felony, an immediate interview may be needed.
  - 6.3.1 Immediate Juvenile Suspect Interview Process
    - 6.3.1(a) The apprehending officer will notify their immediate supervisor of the incident.
    - 6.3.1(b) The supervisor will then brief the UOB Watch Commander.
    - 6.3.1(c) If the UOB Watch Commander believes an immediate interview may be needed, they will notify the appropriate CID lieutenant (Crimes Against Persons, Crimes Against Property, or Special Investigations).
    - 6.3.1(d) The CID lieutenant will evaluate the situation and decide if an immediate interview will be conducted.
    - 6.3.1(e) If so, the CID lieutenant will make arrangements with the Greene County Juvenile Office to have a juvenile officer respond for the interview.
    - 6.3.1(f) The appropriate CID detective will respond to interview the suspect.
- 6.4 There may be circumstances when the apprehending officer believes a juvenile suspect should be interviewed immediately even though a serious or violent felony has not been committed. These situations should be evaluated by the officer's immediate supervisor to decide if the Immediate Juvenile Suspect Interview Process should be initiated.

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- 6.5 If the juvenile suspect is to be interviewed by CID, the officer will transport the juvenile to Police Headquarters and ensure they are photographed and fingerprinted.
  - 6.6 At the conclusion of the interview, the juvenile officer may decide to detain the juvenile at the Greene County Juvenile Detention Center.
  - 6.7 When an immediate interview is not required, the apprehending officer will contact the Greene County Juvenile Office (417-868-4008) to ascertain if they would accept the juvenile suspect into the Greene County Juvenile Detention Center.
  - 6.8 If the juvenile is to be released, the officer will note in their report to whom the juvenile was released as well as the date, time, and location where the release occurred.
    - 6.8.1 If the parent(s) or legal guardian(s) cannot be contacted, or will not respond to take custody of the juvenile, the Greene County Juvenile Detention Center will be contacted for permission to detain the juvenile in their facility.
  - 6.9 Whenever a juvenile suspect taken into custody based upon probable cause of a felony crime is transferred to the Greene County Juvenile Detention Center, the investigating officer must provide a completed Greene County Juvenile Report and a completed SPD Juvenile Felony Case Report packet, including a Probable Cause Statement (SPD Form # 17-IN-0658-NICHE). (CALEA 44.2.1(c))
- 7 JUVENILE MISDEMEANOR OFFENDERS (CALEA 44.2.2(d))
- 7.1 Probable cause must exist before a juvenile suspect is apprehended.
    - 7.1.1 When apprehending a juvenile suspect at school, officers should contact school police and coordinate the apprehension with them.
  - 7.2 The apprehending officer shall ensure the juvenile receives medical attention, if needed.
    - 7.2.1 If emergency medical treatment is necessary, the juvenile shall be transported to a medical facility without delay.
  - 7.3 The officer shall notify the juvenile of the reason for the apprehension.
  - 7.4 Officers are to determine if the juvenile has committed a criminal violation or a “status offense”. (See section 15 for additional information). (CALEA 44.2.2(a))
  - 7.5 The apprehending officer may:
    - 7.5.1 Release the juvenile to a parent or guardian; (CALEA 44.2.1(a))
    - 7.5.2 Transport the juvenile to their residence and release to a parent or guardian; (CALEA 44.2.1(a))
    - 7.5.3 Transport the juvenile to the station and release to a parent or guardian; (CALEA 44.2.1(a))
    - 7.5.4 Request transfer to the Greene County Juvenile Detention Center.
  - 7.6 If an officer believes the juvenile should be held in the juvenile detention facility, the officer will contact the Greene County Juvenile Office (417-868-4008) to ascertain if they will accept the juvenile. When a juvenile suspect is accepted for detention, the investigating officer shall do the following: (CALEA 44.2.1(c))

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- 7.6.1 Ensure the juvenile suspect is transported to the detention center without delay. (CALEA 44.2.2(d))
- 7.6.2 Provide the Greene County Juvenile Detention Center with a completed Greene County Juvenile Report and a completed SPD Juvenile Misdemeanor Case Report packet, including a Probable Cause Statement (SPD Form # 17-IN 0659-NICHE).
- 7.6.3 Notify the juvenile's parent or guardian, by telephone or in person, as soon as practical. The notification shall be documented in the officer's Incident Report. (CALEA 44.2.2(e))
  - 7.6.3(a) If the apprehending officer cannot make telephone contact or notify a parent/guardian in person, they shall make arrangements with another unit or with the agency where the parent/guardian is located to make the notification.
- 7.7 It is not necessary to notify the Greene County Juvenile Office if the offense is a misdemeanor and the apprehending officer does not wish to request that the juvenile be held in the juvenile detention center.

## **8 UOB PRELIMINARY AND FOLLOW-UP JUVENILE INVESTIGATIONS**

- 8.1 All preliminary investigations that have a juvenile suspect will be conducted by the Uniform Operations Bureau (UOB), unless they are referred to or initiated by the Criminal Investigations Division (CID).
- 8.2 Juvenile Domestic Assaults.
  - 8.2.1 Uniform Operations Bureau officers are expected to complete the follow-up investigation and Juvenile Case Report in domestic violence cases involving juvenile suspects under the following circumstances:
    - 8.2.1(a) The domestic violence case is a misdemeanor or a third-degree domestic assault (a class E felony), AND
    - 8.2.1(b) The suspect is apprehended during the same shift as the complaint; OR
    - 8.2.1(c) Physical injury or other evidence of domestic violence is observed by the officer or a third party; OR
    - 8.2.1(d) The juvenile suspect makes admissions; OR
    - 8.2.1(e) Officer discretion (based on totality of circumstances).
- 8.3 Uniform Operations Bureau officers are expected to complete the follow-up investigation and Juvenile Case Report on all misdemeanor and third degree assault (a class E felony) cases involving juvenile suspects when:
  - 8.3.1 An apprehension/detention is made during the same shift as the complaint, OR
  - 8.3.2 The juvenile suspect makes admissions, OR
  - 8.3.3 Physical evidence is observed by the officer or a third party; OR
  - 8.3.4 Officer discretion (based on totality of circumstances).
- 8.4 The Uniform Operations Bureau will also be responsible for follow-up investigations of juvenile traffic-related offenses.

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- 8.5 Juvenile Case Reports will be completed in NICHE and printed by Records Personnel to be delivered to the Greene County Juvenile Office. (CALEA 44.2.1(c))

## **9 CID FOLLOW-UP JUVENILE INVESTIGATIONS**

- 9.1 The Criminal Investigations Division shall be responsible for the follow-up investigation of class A, B, C, and D felony crimes, as well as, selected class E felonies, misdemeanors, and infractions committed by juvenile suspects.
- 9.2 The Criminal Investigations Division shall have functional control and authority over all continuing juvenile investigations.
- 9.3 CID Supervisors shall review and screen juvenile cases for solvability prior to assignment and shall ensure completion, suspension, or authorized extension within 38 calendar days.
- 9.4 Refer to SOG 402.8 – Follow-up Criminal Investigations for additional information regarding general investigative procedures.

## **10 JUVENILE CRIMINAL CASE PREPARATION**

- 10.1 The investigating officer should complete the appropriate Juvenile Case Report packet (felony, SPD Form # 17-IN-0658-NICHE or misdemeanor, SPD Form # 17-IN-0659-NICHE) on each involved suspect for which there is sufficient probable cause and submit the case to the Greene County Juvenile Office. (CALEA 44.2.1(c))
- 10.2 The victim of the crime should be contacted a second time informing them of the results of the investigation. This contact should be consistent with the Missouri Crime Victim's Bill of Rights.
- 10.3 All lab reports associated with the case should be reviewed and included in the reports sent to the Greene County Juvenile Office.
- 10.4 If the investigation does not link a suspect to the offense or probable cause does not exist, a report documenting those findings shall be completed in the Record Management System.

## **11 JUVENILE VICTIMS AND WITNESSES**

- 11.1 Juvenile victims or witnesses may be questioned in connection with offenses for which they are not suspects; however, questioning should be kept to a minimum unless exigent circumstances exist.
  - 11.1.1 Officers performing preliminary investigations should conduct only cursory interviews with juveniles when physical or sexual abuse is suspected.
- 11.2 Rooms specifically designed for interviews with child victims or witnesses are available at Police Headquarters (Room 139) and at the South District Station (Room 136).
- 11.3 Information concerning the questioning will be included in the officer's report.
- 11.4 Officers transporting juveniles under the age of four may request GCCS to help transport.

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#### 12 INTERROGATION (CALEA 44.2.2(c) and 44.2.3)

- 12.1 Officers shall always treat juvenile suspects fairly and with respect during interviews or interrogations. No statements or confessions will be taken in a manner that is in violation of their constitutional rights.
- 12.2 A juvenile suspect has the same rights as an adult suspect in regards to Miranda warnings. Juvenile Miranda warnings shall be given when: (CALEA 1.2.3(b))
  - 12.2.1 The subject is in custody *and*
  - 12.2.2 The officer intends to interrogate the subject.
- 12.3 If the Miranda warning is applicable, in accordance with procedural directions from the Greene County Juvenile Court, the apprehending and investigating officers shall not be allowed to interrogate a juvenile offender unless the following criteria are met:
  - 12.3.1 The interrogation is conducted in a recognizably friendly environment. This can be the Greene County Juvenile Center, Springfield Police Headquarters, or the South District Police Station.
    - 12.3.1(a) Juvenile offenders must be kept away from adult offenders; this includes sight and sound separation.
    - 12.3.1(b) In-custody juvenile suspects will be afforded the opportunity to confer in private with a parent or guardian prior to any interrogation.
  - 12.3.2 The interrogation must take place in the presence of a juvenile officer. It is the responsibility of the juvenile officer to do the following: (CALEA 44.2.2(c))
    - 12.3.2(a) Confer with the juvenile's parent/guardian;
    - 12.3.2(b) Limit the number of officers present during the interrogation;
    - 12.3.2(c) Explain agency and juvenile justice system procedures to the juvenile being interrogated;
    - 12.3.2(d) Provide a Juvenile Miranda Warning Form and read the Miranda warning to the juvenile suspect;
    - 12.3.2(e) Ensure a parent or guardian is present during the interrogation;
    - 12.3.2(f) Ensure a legal representative is present if requested by the juvenile's parent or guardian.
- 12.4 The investigating officer will conduct the interview with the juvenile offender.
  - 12.4.1 Interviews shall only be conducted for a reasonable length of time.
    - 12.4.1(a) Officers will document the time the interview began, any breaks or meals, and the time the interview concluded.
  - 12.4.2 If an in-custody, juvenile delinquent offender is placed in an interview room capable of being locked as to prevent someone from exiting, the juvenile must be released or transferred to the Greene County Juvenile Office within six hours from their time of entry into Police Headquarters or the South District Station.
  - 12.4.3 Juvenile suspects have the same rights as adults and may stop the interview at any time.

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- 12.5 The circumstances of the interview/interrogation and statements made by the juvenile offender shall be documented in the investigating officer's report.

## **13 FINGERPRINTING AND PHOTOGRAPHING (CALEA 1.2.5(b & c) and 82.1.2(b))**

- 13.1 A juvenile will be fingerprinted and photographed when an order is obtained through Greene County Juvenile Court granting permission to do so or when the juvenile has been taken into custody for an offense which would be considered a felony if committed by an adult (RSMo 43.503).

- 13.1.1 Fingerprint/photograph stations are available at the Greene County Juvenile Office and Springfield Police Headquarters.

- 13.2 When the juvenile is to be immediately interviewed or the Greene County Juvenile Office fingerprint/photograph station is unavailable, officers shall take the juvenile to Springfield Police Headquarters and use the fingerprint/photograph station there.

- 13.3 When fingerprinting a juvenile, a fingerprint card containing a watermark with the word "Juvenile" shall be used. Juvenile fingerprint cards can be obtained from the Greene County Juvenile Office if none are available at Police Headquarters. Procedures for completing and distributing juvenile fingerprint cards are as follows:

- 13.3.1 The juvenile shall sign the signature block.

- 13.3.2 The officer shall sign under "signature of person taking fingerprints," and shall complete the "date" section of the card.

- 13.3.3 Both carbon copies containing the fingerprint card information will be released to the Greene County Juvenile Office.

- 13.3.4 The completed fingerprint card will be forwarded to the Investigative Services Unit for processing.

- 13.3.4(a) The Investigative Services Unit shall forward the fingerprint card to the Missouri State Highway Patrol.

- 13.4 When photographing a juvenile, a departmental digital camera shall be used along with a clean media card.

- 13.4.1 The digital media card will be turned in to the Police Services Administrator.

- 13.4.1(a) The digital image(s) shall be uploaded and electronically stored in the juvenile mug shot database.

- 13.4.1(b) The digital media card will be erased and returned to the submitting officer for reuse.

## **14 TRAFFIC VIOLATIONS (CALEA 44.2.1(b) and 61.1.2)**

### **14.1 Juveniles Fifteen Years of Age or Older**

- 14.1.1 Missouri Revised Statute 211.031.1(2)(e) states Juvenile Court shall not have jurisdiction over any child, fifteen years of age or older, who is alleged to have violated a municipal traffic ordinance or a non-felony state traffic regulation.

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When charged with a violation of city traffic ordinance, or a non-felony state traffic regulation, they shall be treated in court as an adult traffic violator.

- 14.1.1(a) Juveniles will not be detained in a jail or other facility where they will have any contact with adult prisoners (RSMo 211.033). This provision includes "sight and sound separation."
- 14.1.2 Traffic tickets issued to juveniles fifteen years of age or older will be set on a regular arraignment date.
  - 14.1.2(a) Juvenile violators with a valid driver license or permit who are operating within the restrictions of the license/permit may be cited and released without the involvement of a parent/guardian.
  - 14.1.2(b) When a juvenile violator is taken into custody, they shall be released to a parent or guardian as soon as practical. If a parent or guardian cannot be contacted, the Greene County Juvenile Office will be contacted for detention.
- 14.1.3 Driving Under the Influence (CALEA 44.2.2(c))
  - 14.1.3(a) Officers are authorized to administer chemical tests to juveniles suspected of operating a motor vehicle while under the influence of intoxicants.
  - 14.1.3(b) The adult Miranda Warning will be read to the juvenile prior to questioning as required on Missouri Department of Revenue Alcohol Influence Report (DOR Form 2389). (CALEA 44.2.2(c))
  - 14.1.3(c) Intoxicated juveniles will not be released on their own. They will be released to a parent or guardian.
  - 14.1.3(d) Officers shall take possession of any Missouri Driver License held by an intoxicated juvenile driver in accordance with administrative revocation procedures required by the state.
- 14.1.4 Traffic Warrants
  - 14.1.4(a) Juveniles with outstanding traffic warrants, which require the posting of bond, will be immediately transported to the station.
  - 14.1.4(b) A parent or guardian will be contacted for release. (CALEA 44.2.2(e))
  - 14.1.4(c) If unable to contact a parent or a guardian, Greene County Juvenile will be contacted for detention.
- 14.2 Juveniles Under Age Fifteen
  - 14.2.1 In traffic cases involving juveniles under age fifteen, the following guidelines shall be followed:
    - 14.2.1(a) Any vehicle operated by a juvenile who is charged with a traffic violation shall be towed unless the vehicle can be released to its legal owner.
    - 14.2.1(b) If a Missouri Uniform Crash Report is completed and a juvenile is involved, do not enter any information concerning criminal charges against the juvenile in the narrative section.

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- 14.2.1(c) When apprehended, the juvenile may be released at the scene to a parent/guardian or transported to the station.
- 14.2.2 Driving Under the Influence (CALEA 44.2.2(c))
  - 14.2.2(a) The juvenile will be informed of their Constitutional rights as prescribed in the Miranda/McMillen warning. (CALEA 44.2.2(c))
  - 14.2.2(b) Juveniles will also be advised prior to submitting to a chemical test that:
    - 14.2.2(b.1) It is not mandatory.
    - 14.2.2(b.2) If the test indicates they are under the influence, the information can and will be used against them in a juvenile court.
  - 14.2.2(c) In Greene County, a juvenile officer must be notified before the juvenile is administered a chemical test to determine intoxication.
  - 14.2.2(d) Alcohol Influence Report (DOR Form 2389) will be completed by the apprehending officer and submitted with the test results through normal channels to the Records Unit. An Alcohol Influence Report will be completed even if the chemical test is not administered.
  - 14.2.2(e) Juveniles charged with driving while intoxicated will be processed as indicated above and will then be released to their parent or guardian. A Greene County Juvenile report will not be completed.
  - 14.2.2(f) Juveniles are not to be detained in a jail or other facility where they will have sight or sound contact with adult prisoners.
- 15 STATUS OFFENDERS (CALEA 44.2.2(a))
  - 15.1 Status offenders are juveniles who have committed acts that would not be considered a crime if committed by an adult. Status offenses include:
    - 15.1.1 Runaways;
    - 15.1.2 Truancy;
    - 15.1.3 Beyond parental control;
    - 15.1.4 Behavior or association injurious to the child's welfare;
    - 15.1.5 Other acts applicable only to children (e.g. possession of alcohol, tobacco).
  - 15.2 Status offenders who have been taken into custody will be released to their parent or guardian.
  - 15.3 If an in-custody status offender enters Police Headquarters or the South District Station for any purpose, the detaining officer must complete entry on the Juvenile Custody Log located at the front desk.
    - 15.3.1 Status offenders shall not be placed in a holding cell or any other room/area that is capable of being locked as to prevent exit, whether or not the lock is actually engaged.
      - 15.3.1(a) Status offenders can be handcuffed as long as the handcuffs are not used to secure them to an object.

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15.4 Status offenders may include incorrigible juveniles. Incorrigible juveniles are those juveniles who are beyond parental control.

15.4.1 Officers who come in to contact with a reported incorrigible juvenile will determine whether the juvenile has committed a delinquent offense (e.g. property damage, assault) and/or displayed behavior injurious to themselves or others.

15.4.1(a) When there is a delinquent offense, normal juvenile processing procedures will be followed.

15.4.2 In the absence of a delinquent offense or injurious behavior displayed by the juvenile, officers will inform parents/guardians that it is their responsibility to seek assistance from the Greene County Juvenile Office.

15.4.2(a) Contact can be made with the Juvenile Office during normal working hours to discuss the particular problem and seek advice for guidance or alternative solutions.

## 16 MISSING AND RUNAWAY JUVENILES (CALEA 44.2.2(a))

16.1 The Uniform Operations Bureau will respond to calls involving missing children and complete a missing/runaway report. The missing/runaway juvenile investigative function is performed by the Criminal Investigations Persons Section.

16.1.1 Missing/runaway juvenile reports will be taken from parents, guardians, or other adults with custodial authority of the juvenile.

16.1.2 Reports will be taken on missing juveniles who were last seen in Springfield, but may not be Springfield residents.

16.1.3 Reports will be taken on missing persons under the jurisdiction of Juvenile Court, regardless of their age.

16.2 A preliminary investigation is to be conducted whenever a missing person report is received. The purpose is to verify the report and to obtain necessary information to locate the missing person.

16.2.1 In instances involving a small juvenile, the initial investigation should begin with a search of the child's home to verify the youth is not sleeping or hiding.

16.3 After verifying the child is missing, the investigating officer shall attempt to obtain the following information from parents, guardians, friends, and acquaintances:

16.3.1 Sufficient background information to determine the possible reason the juvenile is missing and their whereabouts;

16.3.1(a) Inquire about family relationships and attitudes.

16.3.1(b) Determine if there are problems within the home.

16.3.1(c) Find out if the missing juvenile displayed recent or unusual changes in attitude or interest toward the family.

16.3.2 The juvenile's interests and activities;

16.3.2(a) Ascertain hobbies, interests, and hangouts.

16.3.3 Identity of the juvenile's friends;

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- 16.3.3(a) Interview and obtain information from the friends, if practical.
- 16.4 A recent photograph of the juvenile should be obtained if possible.
- 16.5 Officers should instruct the reporting party to notify the department of any new developments or when the child returns.
- 16.6 A copy of the runaway/missing person report will be disseminated at shift briefings.
- 16.7 Missing/runaway juveniles shall be entered into MULES/NCIC by the MULES operator.
- 16.8 When an officer comes in contact with a missing/runaway juvenile and the filing of criminal charges or processing by Juvenile Court is not necessary, the juvenile will be released to a parent/guardian.
- 16.9 If a parent/guardian is unavailable or refuses to accept responsibility, the officer will transport the missing/runaway juvenile to the Greene County Juvenile Detention Center.
- 16.10 The officer locating the missing/runaway juvenile shall complete a report documenting the recovery of the juvenile. Information regarding the release or detention of the juvenile should be included.
- 16.11 The MULES operator will cancel the missing person entry in MULES/NCIC.
- 16.12 Refer to SOG 402.4 – Missing Persons for additional procedures regarding missing/runaway juveniles.

## **17 CAPIAS WARRANTS**

- 17.1 Juveniles apprehended on the authority of a capias warrant issued by Greene County will be taken to the Greene County Juvenile Detention Center.
  - 17.1.1 The apprehending officer will complete the return portion of the original capias warrant which is on file in the Greene County Juvenile Office.
  - 17.1.2 The apprehending officer will complete a police report and Greene County Juvenile Report containing details pertinent to the apprehension.
    - 17.1.2(a) A copy of the Juvenile Report will be submitted with the capias warrant.
- 17.2 Juveniles apprehended on the authority of a capias warrant outside Greene County will be taken to the police station for disposition.
  - 17.2.1 The apprehending officer will contact the Greene County Juvenile Office for detention instruction.
  - 17.2.2 The apprehending officer will complete a police report and Greene County Juvenile Report detailing information about the apprehension.
    - 17.2.2(a) A copy of the Juvenile Report shall be submitted to the appropriate holding facility with the capias warrant.
    - 17.2.2(b) Copies of all reports will be sent to the Greene County Juvenile Office.
  - 17.2.3 The officer must complete entry on the Juvenile Custody Log located at Police Headquarters and the South District Station front desk.

## **18 RELEASE TO PARENTS OR GUARDIAN**

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- 18.1 Under no circumstances will a juvenile offender who has been taken into custody be released on their own.
  - 18.2 Normally, juvenile offenders will only be released to a parent/guardian.
    - 18.2.1 Parents/guardians of the juvenile may designate an alternate person to take custody of the child.
    - 18.2.2 If a parent/guardian cannot be reached, Greene County Juvenile authorities may authorize the release of the juvenile to another family member.
  - 18.3 If the parent/guardian refuses to accept custody, the juvenile should be taken to the Greene County Juvenile Detention Center.
  - 18.4 Officers shall document the date, time, and location of the release in their report.
- 19 **ROLE OF THE POLICE IN CONTROL AND PREVENTION OF DELINQUENCY (CALEA 44.1.1)**
- 19.1 The Springfield Police Department recognizes the juvenile justice system is dedicated to the protection and rehabilitation of juveniles.
    - 19.1.1 Police officers are entrusted with enforcing laws that protect juveniles.
    - 19.1.2 Officers should remember spending extra time with a juvenile offender may impact a juvenile enough to aid in the rehabilitation process.
    - 19.1.3 Each officer can help to control and prevent juveniles from becoming adult criminals by doing the following:
      - 19.1.3(a) Learn the trouble areas and patrol these frequently;
      - 19.1.3(b) Arrest adults responsible for contributing to the delinquency of children;
      - 19.1.3(c) Learn state and city laws pertaining to juveniles and enforce them;
      - 19.1.3(d) When large groups of juveniles are observed loitering on streets late at night, learn the purpose of their presence;
      - 19.1.3(e) When you observe conditions that establish child neglect or contribute to delinquency, investigate further and report findings to the appropriate authority (e.g. Greene County Children's Services and/or Department investigator);
      - 19.1.3(f) Check children of school age when observed on the streets during school hours to ascertain if they are legally excused from school;
      - 19.1.3(g) Patrol near schools before and after school hours to help prevent juvenile problems.
  - 19.2 In an effort to improve communications between the police and the school and to improve police community relations, SPD Crime Prevention Officers are assigned to assist with school and community programs.
    - 19.2.1 The following objectives have been established to improve communications between the police and the school:
      - 19.2.1(a) Inform the school of community problems that may affect them;

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- 19.2.1(b) Inform the school of students that may cause them serious problems (Safe Schools Act);
- 19.2.1(c) Aid in recognizing deviant student behavior;
- 19.2.1(d) Assist school officials in counseling and immediate action.
- 19.2.2 To improve police-community relations:
  - 19.2.2(a) Make citizens aware of police-related juvenile problems;
  - 19.2.2(b) Involve the community in programs to help with juvenile problems.
- 20 GOVERNMENT AND PRIVATE AGENCIES THAT PROVIDE YOUTH SERVICES AND/OR DIVERSION PROGRAMS (CALEA 44.1.1 and 44.2.1(c))
  - 20.1 Child Abuse Hot Line (800-392-3738)
  - 20.2 Greene County Children's Services (417-895-5677)
  - 20.3 Greene County Juvenile Office (417-868-4008)
  - 20.4 Greene County Juvenile Detention Center (417-868-4008)
  - 20.5 Division of Youth Services (417-895-6485)
  - 20.6 Lakeland Behavioral Health (800-432-1210)
  - 20.7 Burrell Behavioral Health (417-761-5555)
- 21 RECREATIONAL YOUTH PROGRAMS (CALEA 44.1.1)
  - 21.1 Officers may periodically receive assignments of a proactive, tactical, or supportive nature in connection to youth programs.
    - 21.1.1 Police presence is encouraged at youth recreational events sponsored by the community. Officers should take this opportunity to promote good police communications.

## **IV Attachments**