

GENERAL ORDER

Metro Transit Police

Subject: Juvenile Operations	Number: 350
<i>Next review date: March 7, 2018</i>	Effective: March 7, 2016

I. Purpose

This Order provides procedures for handling juveniles who come into contact with members of the Department. Metro Transit Police members are vested with a broad range of discretion when deciding whether or not to charge a juvenile with a crime, however, the manner in which these charges are brought is determined by departmental policy and jurisdictional laws.

II. Policy

The Metro Transit Police Department is committed to the development and implementation of programs and procedures designed to prevent delinquency and control juvenile offenses which affect Metro operations, customers and facilities. Principal factors members need to consider when interacting with juveniles are age, behavior, nature of the offense, seriousness of the complaint/incident, and prior involvement with law enforcement.

III. Definitions

Juvenile – an individual who has not yet reached his or her eighteenth birthday or has not been legally emancipated.

Status Offense – those specific offenses that are only illegal if committed by a juvenile (e.g.; truancy and staying out past curfew).

Delinquent Offense – an act committed by a juvenile for which an adult could be prosecuted in a criminal court, but when committed by a juvenile is within the jurisdiction of juvenile court.¹

IV. Procedures and Responsibilities

A. Members will use reasonable alternatives to custody when contacting, stopping, citing or charging juveniles.

B. Members contacting juveniles for offenses in which formal police action is not planned, but informal police intervention is warranted, will complete a Stop/Contact Report. This report will include the name, address and telephone number of the parent or guardian contacted and the date/time of notification.

1. Members will advise the juvenile that a parent or guardian will be contacted and informed of the circumstances surrounding the contact.
2. The notification will be made as soon as practicable during the same tour of duty.

¹ Office of Juvenile Justice and Delinquency Prevention, "Statistical Briefing Book," <http://www.ojjdp.gov/ojstatbb/glossary.html> (accessed September 21, 2015).

If the member is unable to contact the parent or guardian, a supervisor will be responsible for ensuring proper notification is made.

3. The supervisor will notify the Watch Commander if he or she is unable to reach the parent or guardian.
- C. The arresting member must notify the parent or guardian of the juvenile justice system procedures as well as the specific act(s) that brought the juvenile in police custody. If the member cannot notify the parent or guardian during the same tour of duty, then the member's supervisor will be responsible for making proper notification. The supervisor will notify the Watch Commander if he or she is unable to contact the parent or guardian.
- D. A member taking a juvenile into custody will comply with the laws and procedures of the jurisdiction in which the infraction occurred.
- E. A member must complete a Use of Force Report whenever force, including handcuffs, is used to control a juvenile during a police incident or investigation.

V. Protection and Status Offenses

- A. The member may take a juvenile into immediate custody under the following conditions:
 1. The member has probable cause to believe that the juvenile is a runaway.
 2. The member has probable cause to believe that the juvenile is a truant.
 3. The juvenile is in violation of jurisdictional curfew laws.
 4. The member has probable cause to believe that the juvenile is in immediate danger from his or her surroundings and removal is necessary for the juvenile's protection.
 5. There is a court order allowing for immediate custody of the juvenile.
 6. The member has probable cause to believe that the juvenile has violated a court order.
- B. The officer will run a wanted check through NCIC/VCIN/EAGENT/WALES and complete an Event Report when taking a juvenile into custody.
- C. The officer will release the juvenile based on procedures of the jurisdiction in which the juvenile was taken into custody. The officer shall also record the name of the individual receiving the juvenile.

VI. Interviews and Interrogations

- A. The member must transport the juvenile to District of Columbia or Virginia juvenile processing to conduct interviews. When the offense occurs in the State of Maryland, the juvenile may be transported to the Criminal Investigations Division for interviews.
- B. The member conducting the interview or interrogation must comply with the laws and procedures of the jurisdiction in which the interview or interrogation occurs.
- C. Members may interview students at their schools if the school administrator grants permission.
- D. It is the responsibility of each member to afford juveniles the same constitutional rights entitled to adults. Members should ensure that a juvenile understands his or her rights prior to questioning. Possible considerations that may factor into this decision are the maturity of the juvenile, the nature of the offense, and the presence or absence of parents/guardians or other responsible adult having legal authority over the juvenile.
- E. Members will make reasonable attempts to confer with a juvenile's parent or guardian regarding interviews and interrogations.

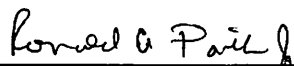
- F. No more than two members should engage in the interview or interrogation of a juvenile.
- G. The duration of an interview or interrogation will not exceed that which is reasonably necessary to complete the investigation.
- H. The juvenile must be provided a brief explanation of the Juvenile Justice System consistent with the jurisdiction involved.

VII. Transporting Juveniles

Members will follow procedures stated in **General Order 605 – Prisoner Transportation** when handcuffing juveniles and transporting them in vehicles.

VIII. Youth Programs

- A. All personnel are encouraged to actively participate and support departmentally approved programs that are designed and implemented to prevent delinquency and control juvenile offenses.
- B. If a member's request to participate in an approved program, the Chief of Police or his/her designee will draft a numbered memorandum assigning the member to participate in the program.
- C. Members participating in departmentally sponsored youth programs will submit a Departmental Activity Form (MTPD Form #240) to their immediate supervisor.
- D. The following goals may be considered when determining departmental endorsement of a proposed youth program activity:
 - 1. the program targets delinquency prevention;
 - 2. the program provides mentoring/counseling to juveniles;
 - 3. the presentation offers guidance on ethical issues and safety within a formal or informal setting;
 - 4. the presentation provides an explanation of the role of law enforcement in society; or
 - 5. the presentation promotes and offers guidance regarding safety and proper behavior when utilizing the Metro bus or rail systems.
- E. The Chief will designate the task of completing an annual written report to identify and evaluate each juvenile program. This analysis will include recommendations for the continuation or modification of current programs.


Ronald A. Pavlik, Jr.
Chief of Police