

**SAN DIEGO POLICE DEPARTMENT  
PROCEDURE**

**DATE:** MARCH 14, 2017  
**NUMBER:** 3.08 - INVESTIGATIONS  
**SUBJECT:** JUVENILE PROCEDURES  
**RELATED POLICY:** 3.08  
**ORIGINATING DIVISION:** JUVENILE ADMINISTRATION  
**NEW PROCEDURE:**   
**PROCEDURAL CHANGE:**  **EXTENSIVE CHANGES**  
**SUPERCEDES:** DP 3.08 – 08/02/2016

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**I. PURPOSE**

This Department procedure establishes guidelines for the custody, care, and disposition of juvenile offenders.

**II. SCOPE**

This procedure applies to all members of the Department.

**III. BACKGROUND**

The "Juvenile Law" section contained in the Welfare and Institutions Code is primarily concerned with the protection of the juvenile offender. However, the law also recognizes the need to protect the public from criminal conduct by minors and to impose upon minors a sense of responsibility for their own acts. In carrying out this intent, the law recognizes that detention is sometimes necessary.

- A. Peace officers have the following legal alternative dispositions for juveniles taken into temporary custody, per Welfare and Institutions Code §626:
1. Release the juvenile to a parent, guardian, responsible adult, or on their own recognizance;

2. Refer or deliver the juvenile to an agency for shelter, care, counseling, or diversion (For diversion cases, refer to the JST operations manual);
  3. Complete a Juvenile Contact Report (ARJIS-8) with a statement of the reasons the minor was taken into custody and immediately release the juvenile; or,
  4. Deliver the juvenile to a probation officer (Juvenile Hall).
- B. Welfare and Institutions Code §626 specifies that the disposition selected should be the one that least restricts the minor's freedom of movement, provided it is in the best interest of the minor and the community.

#### **IV. DEFINITIONS**

- A. JCR – Juvenile Contact Report (ARJIS-8).
- B. JST – Juvenile Services Team.
- C. Law Enforcement Facility – includes a police facility, but does not include a jail.
- D. Minor – a term meaning the same as juvenile; a person under 18 years of age.
- E. Non-secure Detention – the condition in which a juvenile is in temporary custody and the juvenile's freedom of movement is controlled by the staff of the facility, and the juvenile:
  1. Is under constant observation and supervision;
  2. Is not locked in a room or enclosure; and,
  3. Is not physically secured to a cuffing rail or other stationary object.

Example of non-secure detention: The juvenile can free himself of the building in case of fire.
- F. Temporary Custody – the condition in which a juvenile is not at liberty to leave.
- G. Welfare and Institutions Code § 601 – juveniles subject to the jurisdiction of juvenile court and to adjudication as a ward for refusal to obey orders of parents, for violation of curfew, or truancy (Status Offenses).
- H. Welfare and Institutions Code § 602 – juveniles subject to the jurisdiction of the juvenile court and to adjudication as a ward for violation of law or an ordinance defining a crime (Criminal Offenses).

I. WIC – Welfare and Institutions Code.

V. **ARREST**

- A. Welfare and Institutions Code § 625 details the circumstances in which an officer can take a juvenile into custody. The laws of arrest for juveniles are essentially the same as for adults, with one major exception, an officer may arrest a juvenile for a misdemeanor not committed in his or her presence, if probable cause exists.
- B. Officers should take photographs suitable for line-up purposes and a full set of fingerprints from all juveniles detained for 602 WIC. The officer must complete the "Final Disposition" block on the fingerprint cards, stating the officer's disposition of the juvenile.
- C. Officers must fingerprint juveniles arrested on felony charges.
- D. The officer will complete three fingerprint cards and attach them to a copy of the JCR. The officer will forward the fingerprint cards and JCR to the assigned JST detective. The detective will determine the disposition and forward the packet to the Juvenile Records Section at MS 726. Records Division personnel will send fingerprint cards to the Sheriff's Department for entry into the local database and to the Department of Justice, Bureau of Criminal Identification, to be entered into Cal-ID. Copies of fingerprint cards are not acceptable.
- E. The Watch Commander/Field Lieutenant must approve all Juvenile Hall placements.
- F. On weekdays between the hours of 0700 and 1700, when an officer has taken a juvenile into custody and placed him or her in Juvenile Hall, the officer should notify the area JST sergeant of the arrest.
- G. Juvenile Hall cannot accept minors under 12 years of age without a judge's approval.
- H. Juvenile Hall will accept 18 year olds, until their 19th birthday, with "No Bail" warrants originating in Juvenile Court.
- I. Officers should take juveniles with traffic warrants directly to the deputies at Traffic Court. If the arrest occurs after business hours, the juvenile is to be taken to Juvenile Hall. Juvenile Hall will handle the Promise/Order to Appear and will return the juvenile to a parent or guardian.

**VI. ADMONISHMENT**

- A. In any case where a juvenile, as described in Welfare and Institutions Code § 601 or 602, is taken into temporary custody, the officer must Mirandize the juvenile when it is reasonable and practical to do so, whether the officer is going to question the juvenile about the crime for which he or she has been taken into custody, as required in Welfare and Institutions Code § 625.
- B. When a juvenile is in police custody (arrest or arrest-like restraint), he/she must be admonished prior to interrogation.
- C. If the juvenile is not going to be questioned, officers are not to ask either of the two questions that would lead to a waiver or invocation of the juvenile's rights.
- D. The officer must inform the juvenile of the purpose of the arrest, the expected duration, and that it cannot exceed six hours, as required in Welfare and Institutions Code § 207.1 (d)(1) and (2).

**VII. INFRACTION OR MISDEMEANOR FIELD RELEASES**

- A. Officers may "field release" a juvenile arrested for any infraction or misdemeanor if the juvenile can provide satisfactory evidence of personal identification and the juvenile is a resident of San Diego County.
- B. If the juvenile is not a resident of San Diego County, it is not likely they will return for court on an infraction or a misdemeanor; therefore, another disposition is appropriate.
- C. To release a juvenile in the field for a non-traffic related offense, a Juvenile Contact Report (ARJIS-8) must be completed. Officers must enter "Field Release" in the field disposition box of the JCR. The officer should contact the juvenile's parent or guardian, advising them of the arrest before the end of shift. If the officer is unable to make contact, the appropriate area JST will do so later.
- D. When a school official calls an officer to a school campus to handle a juvenile, the officer must determine if the juvenile has violated the law or if the juvenile has violated a school policy. To maintain the credibility of the school officials and the Police Department, the officer should use discretion in determining the disposition of the juvenile.
- E. Officers may not release a juvenile in the field if:
  - 1. The juvenile is under 14 years of age;
  - 2. The juvenile is under the influence of alcohol or drugs;

3. The juvenile requires medical attention or is unable to care for his/her own safety;
4. The crime involves a great deal of criminal sophistication;
5. The immediate release of the juvenile would jeopardize the prosecution of the offense(s); or,
6. There is reasonable likelihood that the offense(s) would continue or resume, or the release of the juvenile would imminently endanger the safety of persons or property.

#### **VIII. DEPENDENT CHILDREN**

- A. Dependent children are defined as victims of child abuse, neglect, or molestation, children deserted by their parents, children whose parents have been arrested or hospitalized, or children otherwise in need of immediate protection as detailed in Welfare and Institutions Code § 300.
- B. If a child's welfare is in immediate danger, the officer should take the child to Polinsky Children's Center and complete and forward the appropriate report (ARJIS-9) to the Child Abuse Unit. Peace officers have the authority to remove a child from home and transport to Polinsky if the child is in immediate need of medical care or is in immediate danger of physical or sexual abuse.

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#### **IX. POLICE FACILITY DETENTIONS**

Secure detention is currently prohibited in all police facilities. Juveniles shall not be locked in a room or enclosure and shall not be secured to a cuffing rail or other stationary object while in custody in a law enforcement facility for any length of time.

- A. Non-secure Detention
  1. Juveniles under non-secure detention may be handcuffed. However, they shall not be handcuffed to chairs, benches, handcuffing rails or other stationary objects.
  2. Juveniles held under non-secure detention shall be under constant observation and supervision by an officer. Observation by television monitor is not sufficient; constant personal observation is required.
  3. Juveniles detained under Welfare and Institutions Code § 300 must be kept under continuous supervision and are not permitted to come into contact with adults in custody within the facility, per § 206 WIC.

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4. Juveniles detained at San Diego Police Department facilities shall not be allowed to come into contact or remain in contact with adult arrestees.

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5. Juveniles in custody under Welfare and Institutions Code § 602 shall not be allowed to come into contact with juveniles in custody under Welfare and Institutions Code § 300 or 601.

6. A non-secure detention may not exceed six hours. Juveniles may be held in law enforcement facilities only long enough for officers to investigate a crime, facilitate release of the juvenile to a parent, guardian, responsible relative, or adult designated by the parent. In all cases, within the six-hour limit, officers must use one of the dispositional options available to them. If the juvenile is going to be detained longer than six hours, the officer must transfer the juvenile to Juvenile Hall.

B. Juveniles under non-secure detention at law enforcement facilities shall have the following amenities available to them:

1. Reasonable access to drinking water and/or other beverage;

2. Reasonable access to toilets and washing facilities;

3. Privacy during visits with family, guardian, and/or lawyer;

4. Provided with something to eat if he or she is in custody for four hours or is otherwise in need of nourishment. This includes any special diet required for the health or medical needs of the minor. If the juvenile has money, he or she should be provided access to facility vending machines. Operational Support provides food items to the area commands for juveniles without money; and,

5. Provided the opportunity to complete at least two telephone calls no later than one hour after being taken into custody. Officers should use discretion in permitting long distance phone calls. Privacy only applies to phone calls to an attorney. The arresting officer should listen in on all other phone conversations.

C. All officers who detain juveniles in a police facility will record the detention date, time in and time out, name and age of juvenile, offense and subsequent disposition, and the arresting officer's name and I.D. number on the standardized automated Juvenile Detention Log maintained on the I: Drive on the Police Department LAN. The arresting officer is responsible for recording this information on the log at the time of the detention.

**X. PROTECTION AND WELFARE OF JUVENILES**

A. Protection – the welfare and protection of all juveniles held in temporary custody is the responsibility of arresting officers and this Department.

B. Discipline – discipline of any kind, including withholding any of the amenities noted previously, is not permitted. However, officers are to maintain control of juveniles according to accepted Department procedures.

C. Suicide Risk and Prevention

1. If identified as a suicide risk, officers will maintain constant supervision of the juvenile.

2. A juvenile who exhibits excessive agitation, despondency, or other distressed behavior should be under constant direct supervision of an officer. If the juvenile appears to be potentially suicidal, the juvenile should be taken to:

Children’s Mental Health Services  
Emergency Screening Unit  
730 Medical Center Court  
Chula Vista, California  
(619) 421-6900

3. Juveniles being transported to Juvenile Hall who claim to be suicidal are still accepted at Juvenile Hall. The medical staff at Juvenile Hall will evaluate the juvenile. Juvenile Hall has procedures in place to conduct a “suicide watch” on juveniles who threaten suicide.

D. Use of Restraints

1. Officers are to use discretion and good judgment in the use of physical restraints consistent with procedures outlined in Department Procedure 6.01, Handcuffing, Searching, and Transporting Procedures.

2. A juvenile who exhibits behavior necessitating the use of alternative restraints should be kept under continuous in-person observation for evidence of breathing difficulty or other symptoms of physical distress. A juvenile displaying such symptoms should receive immediate medical treatment.

E. Medical Assistance and Services

1. Officers should comply with any reasonable request for medical assistance.

2. Officers will render necessary medical assistance and/or services.
3. Officers will obtain appropriate medical care for any juvenile who is known to have ingested one or more intoxicating substances or appears to be under the influence of one or more intoxicating substance which could result in a medical emergency.

## **XI. REQUIRED REPORTS**

- A. Officers must complete a Juvenile Contact Report (JCR) after taking a juvenile into custody for a criminal offense.
  1. If the juvenile is to be detained at Juvenile Hall, it is important that the JCR, the Declaration and Determination form, Affidavit and Application for Filing of Juvenile Court Petition, and the Crime Case be completed immediately and one copy left with the Juvenile Hall Intake Officer. The Declaration must include a description of the offense and the juvenile's involvement. If the officer does not include the elements of the offense in the reports, Juvenile Hall will immediately release the minor from custody.
  2. The only time a Declaration and Determination form, Affidavit and Application for Filing of Juvenile Court Petition, and Crime Case are **not** required is when the juvenile has been arrested for a Juvenile Detention Order or warrant. Officers must explain in the JCR how they initially came into contact with the juvenile.
  3. If the juvenile is detained at Juvenile Hall and it is not immediately possible to complete the Crime Case (ARJIS-2), the Crime Case must be taken the next day to the District Attorney's Juvenile Division. All other reports are required before the Intake Officer will accept the juvenile. If the officer is going to submit the Crime Case the following day, the officer must advise the JST detective handling the case.
  4. On weekdays, between the hours of 0730 and 1600, the Intake Officer will direct the transporting officer to the District Attorney's Juvenile Division for a review of the reports before booking.
- B. Officers may request that the juvenile not be released, but a factual description of the situation must support the request. The request must fall within the provisions of Welfare and Institutions Code § 628 that include situations where:
  1. The minor is in need of proper and effective parental care or control and has no parent, guardian, or responsible relative; has no parent, guardian, or responsible relative willing to exercise or capable of exercising such care



- or control; or, has no parent, guardian, or responsible relative actually exercising such care or control;
2. Continued detention of the minor is a matter of immediate and urgent necessity for the protection of the minor or a reasonable necessity for the protection of the person or property of another;
  3. The minor is likely to flee the jurisdiction of the court;
  4. The minor has violated an order of the juvenile court; or,
  5. The minor is physically dangerous to the public.
- C. If a juvenile has committed multiple traffic or criminal offenses, include all violations on a Juvenile Contact Report.
- D. Department personnel should not tell citizens victimized by juveniles to contact the Juvenile Administration Unit to sign a complaint. When a juvenile has broken the law and it is reported to the police, police can take action despite the wishes of the complainant.
- E. Parent Notification Letter
1. When an officer determines a juvenile meets the criteria below, he/she will forward a copy of the contact (Field Interview, Traffic Cite, Crime Case, or JCR information where the juvenile is listed as a companion only) to the Juvenile Services Team in the area in which the juvenile lives. This will assist the parent in seeking help and allow for community-neighborhood intervention and assistance.
  2. The juvenile meets the criteria when he or she is:
    - a. A companion of a person interviewed, cited, or arrested for a narcotics violation (possession, under the influence, sales, transportation);
    - b. A companion of a person interviewed, cited or arrested for an alcohol violation (open container, DUI, drunk in public, furnishing alcohol to a minor, minor in possession of alcohol);
    - c. A companion of a person involved in criminal activity where that person is listed as a suspect, cited, or arrested for a crime. (Do not send a letter if doing so will jeopardize an ongoing investigation); or,
    - d. A companion of a person known to be a member of a street gang.

3. The Juvenile Services Team Sergeant will evaluate the contact and make the decision to have a "Parent Notification Letter" sent to the juvenile's parents/legal guardian. A tracking system will be implemented to evaluate the effectiveness of the notification letter. Tracking will consist of the date the letter was sent, date the parent or guardian contacted Juvenile Services at the command, the outcome of the parent/guardian contact, and any future contacts with law enforcement. The Juvenile Administration will compile data from the area commands to determine the effectiveness of the program.
4. When a parent/guardian contacts the area command Juvenile Services Team, the parent/guardian will be provided necessary intervention referrals for the identified high-risk behaviors. Information regarding the nature of the contact will be provided to the parent/guardian. The names of the other individuals involved with the juvenile during the contact will not be shared to preserve their privacy. The focus will be only the behaviors of that particular child and possible ways to help prevent future contacts with law enforcement. The number of notifications to a parent/guardian regarding the high-risk behaviors of their child will be at the discretion of the Juvenile Services Team Sergeant. After the first notification without contact from the parent/guardian, subsequent contacts will be evaluated by the Juvenile Services Team Sergeant to determine an appropriate course of action that could include sending an additional letter or initiating personal contact.

## **XII. PHOTOGRAPHING JUVENILES**

- A. The policy of the San Diego Police Department in regards to taking photographs of individuals is the same for juveniles and adults. An officer may photograph a person either in the field or at a police station under the following conditions:
  1. The person is under arrest for a crime;
  2. The person is being detained as a suspect in a particular crime;
  3. The person is being legally detained for a criminal investigation; or,
  4. The person consents to being photographed.
- B. An officer who photographs a juvenile will notify the parent or guardian that photos were obtained. If photographs are obtained subsequent to a custodial arrest, the officer will include notification information in the JCR. If photographs are taken during a FI, the officer will include notification information in the "Comments" section of the FI form. Notification information includes the date

and time of notification, as well as the name and telephone number of the person notified.

- C. If officers are unable to make parental notification, officers will include this in the JCR or FI. Notification then becomes the responsibility of the area JST detective. If the detective is unable to make contact by telephone, he or she will complete and mail a copy of the “Parental Notification, Photographing of Juvenile” form to the juvenile's home address of record.
- D. The “Parental Notification, Photographing of Juvenile” form can be located on the LAN system at F:\Templates\Investigative Reports\Parental Notification. Print a copy of this form and fill in the necessary information.

### **XIII. COLLECTION OF DNA MOUTH SWABS FROM JUVENILES**

- A. Deoxyribonucleic acid (DNA) collection is a useful law enforcement tool for identifying and prosecuting criminal offenders and exonerating the innocent. The collection of DNA evidence plays an important role in solving a wide variety of crimes.
- B. Only under specific circumstances can a juvenile’s DNA be taken and submitted to a state DNA databank. This procedure will generally be performed by a probation officer within Juvenile Hall in conjunction with a court order. Refer to Penal Code § 296 (a)(1) and (3) for further details.
- C. A juvenile’s DNA can be taken and stored in the San Diego Police Department’s own databank, if obtained legally and for investigative purposes. An officer may take mouth swab samples from a juvenile for investigative purposes, either in the field or at a police station, under the following conditions:
  - 1. The juvenile is being legally detained as a suspect in a criminal investigation;
  - 2. If the juvenile is in a place of confinement, immediate steps must be taken to notify the juvenile’s parent, guardian, or a responsible relative that the minor is in custody and the location in which the minor is being held, per Welfare and Institutions Code § 627. The means of notification should be noted on the JCR. When a parent or guardian cannot be notified, an explanation must be included on the JCR;
  - 3. The juvenile has been identified and the means by which he/she was identified (i.e., school identification card, passport, California I.D. card, etc.) is documented;

4. A JCR documenting the reasons for the detention and circumstances for the contact is completed; and,
  5. To obtain a mouth swab from a juvenile under the age of 14 years, it must be established that the juvenile knew what he/she did was wrong at the time of the commission of the crime. Per California Penal Code § 26, children under the age of 14 are not capable of committing a crime UNLESS there is clear proof that WHEN they committed the crime, they knew its wrongfulness.
- D. Prior to collecting a mouth swab, officers will notify their immediate supervisor or contact the field lieutenant for approval. During normal business hours, the officer will contact the detective sergeant assigned to the unit affected (i.e., Sex Crimes, Child Abuse, or Juvenile Services Team). After business hours, officers will ensure their immediate supervisor has been notified and briefed on the circumstances, prior to the collection, and obtain approval to collect the sample. Officers must document the approving supervisor's name in the report.
- E. Officers shall fill out the "Consent to Collect Saliva Sample" form and obtain the signature of the juvenile. This form must be included in the police report. The consent form will be inside the DNA collection kit or it can be located on the LAN system at F:\Templates\Juvenile Forms\Consent to Collect Saliva Sample and printed.
- F. Once approval is obtained, the officer will ensure the mouth sample is obtained in a controlled environment, outside of public view. The officer obtaining the sample will also ensure a witness is present during the collection. The witness officer's information will be documented on the report.
- G. Officers will obtain one mouth swab at a time and ensure the process is complete prior to beginning the collection of an additional mouth swab sample.
- H. Officers will ensure they follow the procedures described on the "SDPD Reference Mouth Swab Collection Kit" envelope.
- I. An officer who takes a mouth swab sample from a juvenile will notify the parent or legal guardian that a sample was taken. Notification will be documented on the JCR. Notification information includes the date and time of notification, as well as the name and telephone number of the person notified.

NEW

**XIV. INTERVIEWS OF JUVENILE SUSPECTS, VICTIMS OR WITNESSES AT PUBLIC SCHOOLS**

- A. In December 2009, the Ninth Circuit Court of Appeals ruled that removing a minor from a classroom for the purposes of conducting an investigative interview

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was a “seizure” under the Fourth Amendment (*Greene v. Camreta*). The court ruled that barring exigent circumstances, parental consent or a court order, the interview was unconstitutional. However, in May 2011, the Supreme Court vacated the search and seizure portion of the Ninth Circuit Court’s decision, leaving open the question of the requirements for a law enforcement interview of a child at school.

In 2014, in the case of *C.B. v. City of Sonora*, the Ninth Circuit Court of Appeals reaffirmed lack of clarity in the laws governing searches and seizures in school settings. The court in *C.B. v. Sonora* acknowledged disagreement among federal district and circuit courts on whether student interviews in the context of a child abuse investigation requires applying traditional Fourth Amendment requirements of reasonableness, or whether to apply the lower “special needs” standard articulated in *New Jersey v. T.L.O.*, 469 U.S. 325 (1985). Given that the applicable standard remains unsettled, the right (to be free from unreasonable search and seizure in a school setting) is not clearly established, and officers are entitled to qualified immunity.

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- B. A court order is not required before conducting interviews of minors at school. However, officers should take all necessary steps to ensure the reasonableness of the interview. Officers should be mindful of the time, place, duration, and scope of the interview. Investigators in plain clothes should consider concealing their firearms during the interview. The interview should take place in a location where the juvenile would be comfortable and not in a place associated with wrongdoing (e.g., principal’s office). The number of persons present during the interview should be minimal. The interview should also be as brief as possible, minimizing the intrusion into the child’s privacy interests, and limited to questions relevant to the allegations under investigation. It is still recommended that officers document the time the minor was removed from the classroom, the length of the interview, the time the minor was released from the interview, and whether the interview was recorded. Penal Code section 11174.3 authorizes a court order to interview a suspected victim of child abuse during school hours, on school premises. A court order is not required for every interview, but should still be considered for prolonged or intrusive activities.

See SDPD Training Bulletin 16-06 for further details.

## **XV. NOTIFICATION OF PARENT OR GUARDIAN**

- A. Welfare and Institutions Code § 627 states that when an officer takes a minor to a place of confinement, he will take immediate steps to notify the juvenile's parent, guardian, or a responsible relative that the minor is in custody and the location in which the minor is being held. The means of notification should be noted in the JCR. When a parent or guardian cannot be notified, an explanation must be

included on the JCR (i.e., "Parents reside out of the County" or "Unable to locate or identify parents on basis of information furnished by the subject").

- B. When notifying parents or guardians of minors residing within the City of San Diego, the arresting officer should make the notification by telephone when possible or leave a brief, written explanation of the circumstances at the residence.
- C. When notifying parents or guardians residing within the County of San Diego, the arresting officer should make the notification by telephone when possible or make a request to the juvenile's local police or Sheriff's Department to make the notification.
- D. When notifying parents or guardians residing outside the County of San Diego, the arresting officer will notify the parent or guardian by telephone or use the assistance of Teletype.

## **XVI. UNDOCUMENTED JUVENILES**

- A. Welfare and Institutions Code § 300 - Dependent Children
  - 1. Under 13 years of age

Children in this category will be transported to the Polinsky Children's Center if a parent or guardian cannot be contacted. The Polinsky Children's Center will determine the status and disposition of the child.
  - 2. Thirteen years of age or older
    - a. If the juvenile's non-offending parent or guardian can be located, the juvenile will be released to them regardless of the family's immigration status.
    - b. If the juvenile's parent or guardian cannot be contacted, the juvenile will be released to Customs and Border Protection (CBP) agents. Transportation to a CBP facility is authorized for this purpose.
  - 3. An ARJIS-9 report will be submitted detailing the circumstances of the detention and the disposition of the juvenile.
- B. Welfare and Institutions Code § 601 - Status Offenses (i.e., curfew, truants, and runaways)
  - 1. Under 13 years of age

- a. If the juvenile's parents or guardians are in the United States and can be located, the juvenile will be released to them regardless of the family's immigration status.
    - b. If the parents reside in a foreign country, the juvenile will be transported to the Polinsky Children's Center.
  2. Thirteen years of age or older
    - a. It is incumbent upon the Police Department to return juveniles without parental supervision to their parents, guardians, or school officials. If the parents or guardians are in the United States and can be contacted, the juvenile will be released to them.
    - b. If the juvenile's parent or guardian cannot be contacted, the juvenile will be released to Customs and Border Protection personnel. Officers are authorized to transport the juvenile when CBP agents are unable to respond or there would be an excessive time delay.
  3. A Juvenile Contact Report (ARJIS-8) will be completed detailing the circumstances of the detention.
- C. Welfare and Institutions Code § 602 - Minor Offenses
  1. Under 13 years of age
    - a. If the parent or guardian cannot be contacted, a court order is required before the Polinsky Children's Center will accept them. In these cases, personnel at the Polinsky Children's Center will be responsible for obtaining the court order. Officers will stand by until a disposition is reached by Juvenile Hall.
    - b. In cases where a court order is not issued, the arresting officer should contact the division's JST detective (day or night). The JST detective, with the assistance of the Juvenile District Attorney, will coordinate the placement of the juvenile in Juvenile Hall or the Polinsky Children's Center.
  2. Thirteen years of age or older

If a juvenile is arrested and the parents or guardian cannot be contacted, the juvenile will be placed in Juvenile Hall.
  3. A Juvenile Contact Report (ARJIS-8) will be completed detailing the circumstances of the arrest.

- D. Welfare and Institutions Code § 602 - Serious Offenses
1. Juveniles arrested for serious and/or violent crimes shall be placed in Juvenile Hall.
  2. Officers shall photograph and fingerprint (three print cards are required) the juvenile taken into custody. The photograph and fingerprints should be attached to the investigator's copy of the Juvenile Contact Report.
  3. All arrests of undocumented juveniles shall be documented on a Juvenile Contact Report (ARJIS-8).

## **XVII. JUVENILE FOREIGN NATIONALS**

- A. When an officer arrests or otherwise detains a foreign national, international treaty obligations require notification of foreign authorities.
1. Officers should attempt to release juveniles to a parent or guardian.
  2. Officers should take juvenile foreign nationals to Juvenile Hall when they are involved in the commission of serious/violent crimes or they cannot be released to a parent or guardian.
- B. When juvenile foreign nationals are placed in Juvenile Hall, Juvenile Hall staff members will make the notification.

## **XVIII. ADDITIONAL DEPARTMENT PROCEDURES RELATED TO JUVENILES**

- A. For information related to missing and/or runaway juveniles, refer to Department Procedure 3.09 - "At- Risk" Missing/Runaway Juveniles, and Department Procedure 3.10 - Not "At- Risk" Missing/Runaway Juveniles.
- B. For information related to daytime loitering and truancy enforcement, refer to Department Procedure 3.11- Daytime Loitering Ordinance/Truancy.
- C. For information related to curfew violations, refer to Department Procedure 3.12 - Curfew Ordinance Enforcement.