



Minneapolis Police Department Policy and Procedure Manual

Number:
8-100

Volume Eight - Minors – Policies and Procedures

Interacting with Minors

8-101 Engaging with Minors

(xx/xx/24)

I. Purpose

The purpose of this policy is to provide guidance to Minneapolis Police Department (MPD) members on interacting with minors in a developmentally appropriate, trauma-informed, and impartial manner. The goal is to minimize physical and psychological harm to minors while maintaining public safety, fostering positive relationships, and promoting a departmental culture that upholds humanity, dignity, de-escalation, and the civil rights of all individuals. building and fostering healthy relationships with minors, and to reinforce an organizational culture that values humanity, dignity, de-escalation, and the civil rights of all people.

II. Engaging with Minors Guiding Principles

MPD guiding principles are:

- [A] Sanctity of life
- [B] Promote trust, and show respect and dignity
- [C] Procedural justice and professional policing
- [D] Non-discriminatory policing
- [E] Duty to de-escalate
- [F] Recognize protections
- [G] Acknowledge differences

A. Sanctity of Life

Sanctity of life and the protection of the public are the cornerstones of the MPD's use of force policy. Members must recognize and respect the sanctity and value of all human life. Members shall make every effort to preserve human life in all situations.

B. Promote Trust and Show Respect and Dignity

Members shall act at all times in a matter that promotes trust between MPD and the communities it serves. Members shall exercise a high degree of ethics, professionalism, and respect for the public and the dignity of all people, without discrimination or prejudice. (see P&P 5-102, P&P 5-103, P&P 5-104 and P&P 5-109)

C. Procedural Justice and Professional Policing

Members shall practice procedural justice and professional policing principles in accordance with 5-109 during all contacts, including searches and arrests, when engaging with minors. Members shall apply the four pillars of procedural justice during interactions with minors, which are:

- **Voice:** Providing people the opportunity to explain their actions and ask questions before making a final decision.
- **Neutrality:** Making transparent, neutral decisions based only on relevant information.
- **Respect:** Being professional and courteous throughout the interaction and treat people with dignity and concern for their rights.
- **Trustworthiness:** Conveying trustworthiness throughout interactions by acting with professionalism, understanding, and transparency.

Such conduct fosters community trust increases confidence in the police and encourages greater cooperation to achieve shared public safety goals.

Members shall address, and in documentation, refer to minors using names and pronouns appropriate to their gender as expressed or clarified by the minor.

All members shall introduce or identify themselves by rank, last name, and agency, as soon as reasonable and practical.

D. Non-Discriminatory Policing

Members are prohibited from any of the protected class statuses in P&P 5-104 as a factor when establishing Reasonable Suspicion or Probable Cause, except that:

Members may consider the protected class statuses in P&P 5-104 of a specific suspect or suspects in an ongoing criminal investigation when such information is part of a specific and detailed suspect description tied to a time and place. This consideration must be based on credible, reliable, and recent locally based information that links specific unlawful or suspicious activity to the individual or group. The suspect description should also include other appropriate non-demographic identifying factors, such as clothing or an associated vehicle.

E. Duty to De-escalate

Sworn members have a clear affirmative duty to de-escalate and use de-escalation techniques and tactics to minimize the need to use force and increase the likelihood of voluntary compliance with legitimate and lawful orders (see P&P 5-301).

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As with all situations, members should implement the steps of the critical decision-making model to inform their actions. When reasonably known circumstances indicate it is feasible to do so, members shall:

1. Attempt to slow down or stabilize the situation so that more time, options, and resources may become available.
 - a. Consider, based on the member's actual observations and in the totality of the circumstances, whether a minor's lack of compliance is a deliberate attempt to resist or whether the subject may be noncompliant due to factors such as a mental health or medical condition, behavioral health challenges, physical or hearing impairment, language barrier, drug or alcohol use, or a crisis situation (P&P 7-809).
2. When feasible, members shall employ developmentally appropriate and trauma-informed de-escalation and communication tactics with minors including, but not limited to:
 - Using a calm and measured tone and neutral demeanor.
 - Using simple and direct language.
 - Avoiding threatening language.
3. Members may use repetition in a clear voice to reinforce instructions. When appropriate, members will allow time for the minor to comply with instructions.
4. Minors may not comply immediately, and members may need to try multiple times without resorting to force or the threat of force.
5. Members shall account for any fear-based reactions minors may experience during an encounter which may manifest as aggression, defensiveness, defiance, or flight.
6. Member presence may be intimidating and threatening to minor's, therefore members should approach calmly and respectfully in a non-confrontational manner while avoiding physical contact, if possible, to diffuse tension and anxiety while maintaining safety. Members should avoid using threats and intimidation to gain compliance from minors.
7. Members' duty to de-escalate continues throughout the entire encounter.

F. Recognize Protections

MPD recognizes that minors are afforded the same constitutional protections as adults, and that MPD may need to take additional measures when interacting with minors to ensure those rights are protected.

G. Acknowledge Differences

Members must acknowledge that minors are developmentally different from adults and therefore require the use of different approaches during voluntary contacts, investigatory detentions, searches, and custodial contacts.

Unlike adults, minors cannot fully consider the consequences of their behavior, due to the nature of adolescent brain development.

MPD recognizes the position members have as figures of authority to influence minors. A minor's interactions with law enforcement can have a lasting impact on their perceptions of the legitimacy of the justice system and their likelihood of reoffending. When faced with stressful situations such as interactions with law enforcement, minors may react anxiously and distrustfully. This can be exacerbated with minor's who have experienced trauma.

III. Policies and Procedures

A. Trauma-Informed Interactions

Members should interact with minors in a trauma-informed manner. This includes:

1. Recognizing the signs and symptoms of trauma in minor.
2. Responding in a way that fully integrates knowledge about trauma into policies and practice and avoids re-traumatizing minors.
3. Creating an environment where minors feel safe in interacting with law enforcement.
4. Providing minors with the ability to voice any concerns and gain clarification from the member.

B. Communication with Minors

In addition to following the procedural justice policy (P&P 5-109), members interacting with minors should focus on:

- Speaking in clear and concise language.
- Slowing down and meeting minors at their mental and physical level (i.e. kneeling or sitting to be at eye level to reduce intimidation, using simple, clear developmentally appropriate language, and repeating instructions to ensure understanding) when feasible. Active listening and patience are crucial, allowing minors to express themselves without feeling rushed.
- Being attentive to a minor's actions over their words. Often, minors may comply even when their words suggest otherwise.

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- Allowing minors the chance to express their thoughts.
- Answering any questions that the minor may have.
- Frequently checking with the minor regarding their comprehension of the situation. If the minor does not understand what is being asked of them, members should attempt to rephrase the statement in a way the minor can understand.

In accordance with 5-301, officers should avoid any threatening language.

C. Minors Under the Age of 10

According to Minnesota State Statutes, minors under the age of 10 cannot commit a crime.

This means that minors under the age of 10 cannot be:

- Arrested.
 - Issued a citation.
 - Placed in secured detention at the Juvenile Investigations Unit or JDC.
 - Fingerprinted or photographed.
1. Minors under the age of 10 may be detained to conduct an investigation.
 2. Minors under 10 years of age shall be taken into custody if a parent or guardian cannot be located. Members shall contact a Juvenile on-call investigator and Youth Connection Center (YCC) to determine where the minor can be placed. A Police Report shall be completed for the offense, to include whom the minor was released to and/or the facility that the minor was transported to.
 3. Minors under 10 shall not be listed as an arrested person (AP). Another appropriate code shall be used (e.g., other, suspect, etc.).

D. Interacting with Minor Witnesses

In accordance with P&P 10-216, minors witnesses shall not be subject to a detention or an interview against their will, solely because they are witnesses. Additionally:

1. Members investigating crimes shall make a reasonable attempt to locate a parent or guardian who can be present during the interview unless:
 - The offense involves a family member of the juvenile or if the parent or guardian is a suspect in the offense being investigated.

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2. If reasonable efforts have failed to secure the presence of a parent or guardian, a Juvenile Investigations Unit investigator shall be present during the interview.
3. Members shall not interview a minor witness who is experiencing an emotional or behavioral health crisis or has an apparent mental health or developmental disability.
4. Members should ensure the security and privacy of the minor witness to the extent possible.
5. Members should ensure the comfort and overall well-being of the minor witness to the extent possible.
6. Members should use simple, developmentally appropriate language to ensure the minor understands that their responses are voluntary, they are not being detained, and that they are free to depart at any time (P&P 10-216). In accordance with P&P 9-201, members shall refrain from using words or actions that tend to communicate that the minor is not free to leave or that they must answer questions.
7. If members are in need of any clarification for appropriate next steps, they shall contact any of the following resources:
 - a. On-call juvenile investigations unit investigator.
 - b. Shift supervisor.
 - c. Car 710 or 712.

E. Interacting with Minor Victims

Members conducting an investigation with a minor victim shall:

1. Contact the minor's parent or guardian prior to receive consent to interview with the minor unless one of the below-listed exceptions applies:
 - a. If there is an immediate need to render aid, protect their safety, or to protect public safety. If medical attention is required members shall be in accordance with P&P 7-350.
 - b. Members have reasonable suspicion that the parent or guardian is the perpetrator of the offense. Members shall inform the minor that they can have a different parent, guardian, or supportive adult present if they wish.

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- c. If the minor initiated the call for service or otherwise requested law enforcement assistance. Members shall inform the minor that they can have a parent, guardian, or other supportive adult present if they wish.
2. If members are in need of any clarification for appropriate next steps, they shall contact any of the following resources:
 - a. On-call juvenile investigations unit investigator.
 - b. Shift supervisor.
 - c. Car 710 or 712.
3. Review next steps of the case with minor's parent or guardian to establish a clear understanding of what to expect.
4. Complete and submit all necessary reports and notifications, unless otherwise directed by a supervisor.
5. Members responding to a case of sexual assault with a minor victim shall follow P&P 7-349, including the requirements that:
 - a. Unless evidence or the investigation would be compromised, initial responding members should not attempt to interview the victim in situations in which a minor is involved. Instead, members should attempt to obtain basic information and facts about the situation, including the jurisdiction where the incident occurred and whether a crime occurred. Members should seek to obtain information from parents, the reporting party, or other adult witnesses, unless those individuals are believed to be the perpetrator (see P&P 7-349 for additional steps to be taken).
 - b. Members must comply with mandated reporting requirements when applicable (see P&P 7-349).

F. Custody Disputes

See P&P 8-210 for situations involving requests or disputes of legal custody.

G. Domestic Abuse

See P&P 7-314 for requirements and procedures in domestic abuse cases, as well as the sections in this policy covering minor witnesses, victims, and offenders.

H. Minor Offenders

At all times, members shall remain aware of and protect the rights of each minor offender or suspect who comes under MPD control. When no other alternative to arrest is feasible, members shall process the minor in an expedient manner, in accordance with P&P 8-300.

I. Minor Confidential Informants

Minors require special review and approval before they can be used as confidential informants and shall not be used except when approved and used in accordance with P&P 10-203.

IV. Definitions

Developmentally Appropriate: A term used to reflect a general understanding of the social, emotional, physical, neurological, behavioral, and moral aspects of development in a minor.

Diversion: A program that provides minors an opportunity to avoid being charged and having a juvenile court record, through community accountability measures. This involves a diversion agreement and acceptance of responsibility.

Minor: A person who is under the age of 18.

Trauma: An emotional response that results from exposure to an incident or series of events that are frightening, distressing, or life threatening with lasting effects on a person's or community's functioning and mental, physical, social, emotional and/or spiritual well-being.

Trauma-Informed: Strategies, approaches or tactics that consider symptoms of trauma and mental health conditions when determining how to interact with a person.