



Minneapolis Police Department Policy and Procedure Manual

Number:
8-300

Volume Eight - Minors – Policies and Procedures

Minor Searches, Seizures and Arrests

8-301 Minor Search, Seizure and Arrest Policy

(xx/xx/24)

I. Purpose

Minneapolis Police Department (MPD) recognizes the need to interact with minors in an age and a developmentally appropriate manner. The goal is to divert minors from the criminal justice system whenever possible through utilizing the least restrictive alternative to arrest when encountering minors suspected of committing a crime.

This policy sets forth the procedures for MPD personnel when detaining minors for arrestable, citable, and status offenses.

II. Minor Search, Seizure and Arrest 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 use 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

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).

F. Recognize Protections

MPD recognizes that minors are afforded the same constitutional protections as adults and acknowledges the need for additional protective measures for minors.

G. Acknowledge Differences

Members must acknowledge that minors are developmentally different from adults and therefore must apply developmentally appropriate approaches during voluntary contacts, investigatory detentions, searches, and custodial contacts.

MPD members shall use discretion when interacting with minors and determining which law enforcement action to take, and acknowledge that noncompliance may be due to a medical or behavioral health disability, behavioral health crisis, physical or hearing impairment, language barrier or drug or alcohol use.

III. Exercising Discretion

When a minor is the alleged offender of a crime, the responding member shall exercise reasonable discretion to use alternatives to arrest and referral to court, when applicable and available, and when consistent with preserving public safety and for proper and lawful purposes. In exercising such discretion, the responding member shall consider all factors of the incident to determine whether an alternative to arrest or a warning may be appropriate, including, but not limited to:

- The nature and seriousness of the alleged offense.
- The age, circumstances, and mental health of the minor.
- The prior criminal record of the minor.
- The minor's relationship to any victims.
- Whether the minor is known to have committed repeated offenses.
- The risks to the minor or to public safety if the alternatives are used.