



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

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TO: Distribution "A"		RETENTION DATE: Until Rescinded	
SUBJECT: Manual Revision – 8-300 Juvenile Arrest Procedures <u>Minor Searches, Seizures, and Arrests</u> 8-301 Minor Search, Seizure, and Arrest Policy 8-302 Minor Search and Seizure 8-303 Minor Status Offenses and Citations 8-304 Minor Booking Procedures 8-305 Transport and Release of Minors 8-306 Minors- Warrant Checks, Warrants and PC Pick Ups 8-307 Minors in Need of Medical Attention 8-301 – Booking Criteria for Hennepin County Juvenile Detention Center (JDC) 8-302 – Juvenile Misdemeanors and Status Offenses – Over 10 Years of Age 8-303 – Juvenile Gross Misdemeanor, Felony and Domestic Assault Arrest Procedures – Over 10 Years of Age 8-304 – Juvenile Suspects – Under 10 Years of Age 8-305 – Juveniles – Warrant Checks, Warrants and PC Pick Ups 8-306 – Arrest or Detention of Injured or Incapacitated Juveniles in Need of Medical Attention 8-306.01 Juveniles Under the Influence and Juvenile Low-Level Offenders in Need of Medical Attention 8-306.02 Juveniles to be Booked JDC in Need of Medical Attention 8-307 – Juvenile Traffic Offense 8-307.01 Juvenile Driving Under the Influence (DUI) 8-308 – Mass Arrests of Juveniles 8-104 – MECC and Parental Notification of Detained or Arrested Juveniles 8-105 – Juvenile Records 8-105.01 Authorized Use of Juvenile Photographs 8-105.02 Juvenile Photograph Expungement 8-106 – Juvenile Search and Seizure 8-107 – Interviews of Arrested Juveniles 8-108 – Arrest or Investigation of Juveniles at Minneapolis Public Schools 8-109 – Fingerprinting and Photographing Juveniles 8-110 – Juvenile Informants		APPROVED BY:	

~~8-203 Curfew Violations~~

~~8-204 Truancy~~

MP-8806

Introduction: This policy is being added to describe the searches, seizures, and arrests for minors.

Effective with the issuance of this Special Order, Section 8-300 of the MPD Policy and Procedure Manual shall be added as follows:

8-301 ~~Booking Criteria~~ Minor Search, Seizure and Arrest Policy

(xx/xx/24)

[Booking Criteria moved to 8-303]

I. Purpose

Minneapolis Police Department (MPD) recognizes the need to interact with minors in 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 members 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.

8-302 ~~Juvenile Misdemeanors and Status Offenses—Over 10 Years of Age~~ Minor Search and Seizure

A. DNA Collection from Minors

1. Secure search warrant
 - a. Search warrants shall be secured for DNA collection from the person of minor suspects or arrestees whenever feasible.
 - b. The ~~officer~~ member who executes a search warrant for DNA collection from the person of a ~~juvenile~~ minor suspect or arrestee shall ensure a reasonable attempt is made to notify the parent or ~~legal~~ guardian immediately after executing the warrant.
 - c. The notification may be made by telephone, in person, or by going to the ~~juvenile's~~ minor's home.
 - i. ~~Consent for a DNA collection shall only be sought for suspects in exigent circumstances.~~
2. Consent for DNA collection

Consent for DNA collection from the person of any juvenile minor suspect or arrestee, shall adhere to the following requirements.

a. Adult consent required

- i. A juvenile minor suspect or arrested person cannot waive their rights and consent to a DNA collection from their person without first being allowed to engage in a meaningful consultation with an attorney or an informed parent or guardian.
- ii. Any collection of DNA from the person of a juvenile minor suspect or ~~arrested person~~ via consent shall require consent from both the juvenile minor and the adult (i.e. attorney, parent, or guardian).

b. No subterfuge

Collecting or directing the collection of DNA from minors through subterfuge is prohibited. This includes offering a minor a beverage to collect the minor's DNA from the beverage container, even if only in part.

B. Fingerprinting and Photographing Minors

Status offenders, such as minors who are truant or out past curfew, shall not be fingerprinted or photographed.

Fingerprinting and photographing of minors who will be booked will be done by Juvenile Investigations Unit, ~~Juvenile Detention Center or the Crime Lab~~ or CAR 21.

~~• Status offenders shall not be fingerprinted or photographed.~~

1. Juveniles Minors being ~~arrested~~ booked for a misdemeanor shall not be fingerprinted but may be photographed each time they are arrested in order to maintain a current photo record.
2. All ~~juveniles arrested~~ minors being booked for a gross misdemeanor or felony shall be fingerprinted and photographed. If a minor arrested for a gross misdemeanor or felony was not fingerprinted and/or photographed, the arresting ~~officer~~ members shall document in their ~~CARPS~~ Police Report why it was not done.

When members photograph a juvenile minor on scene who will not be booked, members should take five photos (from all four sides and a close up of the minor's face) ~~in order to have a visual record of the minor in case they reoffend.~~ Include the minor's name when uploading the photos to Evidence.com.

Fingerprint records of minors shall be maintained in ~~the Crime Lab~~ the Juvenile Investigations Unit.

[Moved from 8-109]

C. Interviewing Minors

~~Officers~~ Responding members are reminded that interviews should generally be conducted by investigators from the Juvenile Investigations Unit or other specialized units.

Members shall cease questioning and contact the Juvenile Investigations Unit if:

- Questioning would be better conducted by an investigator from the Juvenile Investigations Unit; or
- If any information leads to probable cause for arrest.

~~Prior to any in-custody interview, all juveniles shall be advised of their Miranda Rights in Juvenile Miranda format (P&P 8-107).~~

[Moved from 8-101]

Investigators from the Juvenile Investigations Unit will use the Enhanced Miranda Warning, which is:

A specific Miranda Warning where the investigator stops after each component to ensure that the minor understands and acknowledges the component and can restate the component in their own words. The investigator must be confident that the minor understands each of the components.

See P&P 8-xxx for additional information on interviewing of minors.

D. Search of a Premises with Parental Permission

1. A parent or guardian may give consent to search the room and personal belongings of a child living in the home.
2. The child may have an expectation of privacy if (because the person is 18 years of age or older, is paying rent, or for another reason), the parent may not be able to consent to a search of the child's room.

E. Minors on Direct Supervised Probation

~~Juveniles~~ Minors on direct supervised probation have a signed agreement in accordance with terms of their probation authorizing their probation officer(s) to perform a warrantless search of the juvenile's minor's person and the area under the ~~juveniles~~ minor's immediate control at any time.

1. Being in the presence of a Juvenile Probation officer does not provide the same authority to an MPD ~~officer~~ member.
2. MPD ~~officers~~ members shall not use probation officers as their agent to perform warrantless searches.

[Moved from 8-100]

F. Detaining Students

Whenever possible, members should coordinate with school administration to avoid taking custody of a student during school hours. If necessary to take custody of a minor during school hours, members will work with school administration to ensure it is done in the least intrusive and disruptive way.

G. Searches of School Lockers

1. Lockers may be inspected or searched by school authorities without a search warrant. School authorities may request to have an ~~law enforcement officer~~ MPD member present during the search.
2. If a ~~police officer~~ member believes it is necessary to search a locker, authorization from the school principal or a warrant signed by a judge shall be obtained.

[Moved from 8-106]

H. Strip Searches of Minors

Strip searches on minors are likely to be frightening and impact minors more severely than adults. This is especially true for minors who are victims of abuse or neglect.

Strip searches of ~~any juvenile~~ minors shall be ~~done~~ conducted in accordance with P&P 9-2031 ~~Strip Searches and Body Cavity Searches~~ Search and Seizure.

Members shall only conduct strip searches of minors in exigent circumstances. This can include:

1. If there is probable cause that the minor possesses or has immediate access to, a weapon, an implement that may reasonably be construed as a weapon, or contraband that can be used to harm themselves and others
2. All other less intrusive methods of discovering and removing the weapon, implement that may reasonably be construed as a weapon, or contraband have been exhausted, including the use of alternative search techniques that can be performed while the minor is fully clothed.

Approval shall be obtained from a supervisor at the rank of Lieutenant or above before conducting a strip search on a minor.

A strip search shall be conducted by a member of the same gender as the person being searched and shall also be witnessed by another member or supervisor of the same gender as the person being searched, when practical.

Body cavity searches shall be prohibited unless for life saving purposes.

[Moved from 8-106]

I. Taking Custody of a Juvenile Minor not Under Arrest

1. Curfew and truancy violations

Curfew and truancy violations shall be handled in accordance with P&P 8-200 303 Minor Status Offenses and Citations.

2. Statutory limits on taking custody

MN Statute section 260C.175 Subd. 1 states: "No child may be taken into immediate custody except:

(1) with an order issued by the court in accordance with the provisions of section 260C.151, subdivision 6, or Laws 1997, chapter 239, article 10, section 10, paragraph (a), clause (3), or 12, paragraph (a), clause (3), or by a warrant issued in accordance with the provisions of section 260C.154;

(2) by a peace officer:

(i) when a child has run away from a parent, guardian, or custodian, or when the peace officer reasonably believes the child has run away from a parent, guardian, or custodian, but only for the purpose of transporting the child home, to the home of a relative, or to another safe place, which may include a shelter care facility; or

(ii) when a child is found in surroundings or conditions which endanger the child's health or welfare or which such peace officer reasonably believes will endanger the child's health or welfare. If an Indian child is a resident of a reservation or is domiciled on a reservation but temporarily located off the reservation, the taking of the child into custody under this clause shall be consistent with the Indian Child Welfare Act of 1978, United States Code, title 25, section 1922;

(3) by a peace officer or probation or parole officer when it is reasonably believed that the child has violated the terms of probation, parole, or other field supervision; or

(4) by a peace officer or probation officer under section 260C.143, subdivision 1 or 4."

Note: there are no exceptions for these limits.

3. Protective pat-down searches

Weapon pat-downs shall only be performed when a member has reasonable articulable suspicion, based on specific and articulable facts, that a minor is armed and presently dangerous. Weapon pat-downs shall not be performed solely for member safety.

1. ~~Protective pat-down searches~~

~~When taking custody of a juvenile (child) for a curfew or truancy violation or for one of the other reasons specified in MN Statute section 260C.175 Subd. 1, the following provisions apply (MN Statute section 260C.175 Subd. 3):~~

- a. ~~“Officers may perform a protective pat-down search of the child in order to protect the officer's safety.~~
- b. ~~A peace officer also may perform a protective pat-down search of a child in order to protect the officer's safety in circumstances where the officer does not intend to take the child into custody, if this section authorizes the officer to take the child into custody.~~
- c. ~~Evidence discovered in the course of a lawful search under this section is admissible.”~~

[Moved from 8-106]

J. Handcuffing, Searching and Transportation of Minors in Other Cases

In situations not described in this policy, ~~juveniles~~ minors shall be handcuffed, searched, and transported under the same rules and procedures as adults (See P&P 5-305 Control Options - Restraints)

[Moved from 8-106]

8-302~~3~~ Juvenile Minor Status Offenses and Citations ~~-Over 10 Years of Age~~ (10/07/08) (xx/xx/24)

[8-303 Juvenile Gross Misdemeanor, Felony and Domestic Assault Arrest Procedures – Over 10 Years of Age broken between 8-302 & 8-303]

~~The Hennepin County Juvenile Detention Center (JDC) will accept juveniles ages 10 thru 17 years old only if one or more of the following conditions exist:~~

- ~~The juvenile is accused of one of the following offenses:~~
 - ~~Any incident resulting in death~~
 - ~~Assault (1st, 2nd or 3rd degree)~~
 - ~~4th degree assault if the officer requires medical attention at a clinic or hospital~~
 - ~~5th degree domestic assault~~
 - ~~Criminal Sexual Conduct 1st to 4th degree~~
 - ~~Aggravated or simple robbery~~
 - ~~Kidnapping or false imprisonment~~
 - ~~1st degree arson of a business, dwelling or school, includes explosives, bombs and Molotov cocktails~~
 - ~~Possession of a firearm~~
 - ~~Terroristic threats~~
 - ~~Burglary of an occupied dwelling including attached garage or unoccupied dwelling where dwelling is defined as a home but does not include garages.~~
 - ~~Fleeing police in a motor vehicle~~
 - ~~Auto Theft (tampering and joyriding will not be admitted)~~
 - ~~Controlled substance possession or distribution (excludes petty offense)~~
 - ~~Tampering with a witness~~

- ~~DUI Offense, MN Statute 169A.40 Subd.3: Certain DUI Offenses, Custodial Arrest.~~

JDC may be contacted to confirm that the following booking criteria condition(s) exist:

- ~~The juvenile is accused of a new felony offense and is on probation for a previous felony offense or is pending court on a prior, non-property felony offense or auto theft. The juvenile is accused of a new felony and has previously been certified and sentenced by an adult court or is on parole.~~
- ~~The juvenile is Extended Juvenile Jurisdiction (EJJ), under 18 and has any new charge.~~
- ~~The juvenile is on court ordered Electronic Home Monitoring and is accused of a new felony or has absented overnight or has substantially violated terms of the court ordered supervision.~~
- ~~The juvenile has absconded from a correctional facility or a court ordered treatment facility or another jurisdiction's probation or parole supervision.~~
- ~~The court has issued a warrant for detention.~~
- ~~The juvenile has violated a Restraining Order and the arresting officer has the RO number and provides it at time of intake.~~
- ~~The juvenile resides out of Hennepin County and has been arrested for a felony.~~
- ~~The court has issued a change of venue order on an in-secure custody juvenile placing the juvenile under Hennepin County jurisdiction.~~

A. Juvenile Diversion

MPD is dedicated to diverting minors away from the criminal justice system whenever possible.

Hennepin County and the MPD Juvenile Investigations Unit work in tandem to determine when a minor will be referred to a juvenile diversion program.

B. Status Offenses and Citations

~~Officers may issue a Hennepin County Juvenile Citation (tag) to juveniles over the age of 10 for non-traffic misdemeanors, petty misdemeanors and status offenses, **except** for incidents involving domestic assault or a violation of an Order for Protection (refer to section 8-201 Juvenile Gross Misdemeanor, Felony and Domestic Assault Arrest Procedures).~~

1. ~~The juvenile shall be released~~ For status offenses such as truancy and curfew, members shall not issue a citation but shall complete a Police Report. For other status offenses including but not limited to underage drinking or traffic related offenses, it is at the discretion of the member to determine if a citation will be issued. If the member decides to issue a citation, they shall complete a Police Report.
2. ~~If the juvenile minor is unable to be identified, officers members may transport the suspect minor to the Juvenile Investigations Unit (during officer hours) or the Crime Lab (when the Juvenile Unit is closed) to receive assistance with identification. Officers should contact the Crime Lab prior to transporting the juvenile to ensure personnel are available. contact the on-call juvenile investigator to receive assistance with the identification.~~

3. For every Juvenile citation issued to a minor, officers members shall complete a corresponding CARPS Police Report including documentation of whom the juvenile was released to and the citation number. The court copy of the citation shall be forwarded to the Juvenile Unit parent and or guardian contact information, current school, grade, and current contact information for the minor. Also, documentation of whom the minor was released to and the citation number.
4. Sworn personnel members shall make a reasonable attempt to notify a parent, or guardian, or custodian when sworn personnel members issue a citation and shall document their notification in a Police Report. If the juvenile minor cannot be released to a parent or guardian, they shall be brought to the YCC.

Members shall complete a YCC intake form for any minor's brought to YCC if minors are transported to YCC. This form is located at the YCC.

~~The juvenile shall be released to a parent or legal guardian. If the juvenile cannot be released to a parent or legal guardian, he/she shall be brought to the Juvenile Supervision Center.~~

~~**Note:** Citations are not routinely investigated; they are intended to be complete investigations and must contain all of the information necessary for prosecution and subpoena services.~~

C. Truancy

In the event that member encounters a minor during normal school hours and reasonably believes the student is truant without a lawful excuse (e.g. taking post-secondary courses off campus, employment, etc.), the member shall make a reasonable attempt to contact a parent, guardian, or school administrator to determine the appropriate course of action, if any.

If no criminal activity or safety risk to the minor seems apparent, the member should coordinate the release of the truant student. If criminal activity or a safety risk is present, then members shall reference P&P 8-305 Transport and Release of Minors.

Members shall document the encounter, the attempts made to contact a parent, guardian or school administrator, and the final course of action in a Police Report.

[Moved from 8-204]

8-304 Juvenile Suspects – Under 10 Years of Age Minor Booking Procedures (10/07/08)

[8-304 Juvenile Suspects – Under 10 Years of Age moved to 8-100]

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

~~This means that juveniles under the age of 10 cannot be:~~

- ~~arrested;~~

- ~~issued a citation;~~
- ~~placed in secured detention at the Juvenile Unit or JDC;~~
- ~~fingerprinted or photographed.~~

~~Juveniles under the age of 10 may be detained to conduct an investigation.~~

~~Juveniles under 10 years of age shall be taken into custody if a parent/legal guardian cannot be located. Officers shall contact First Response to determine where the child can be placed. A CAPRS report shall be completed for the offense, to include whom the child was released to and/or the facility that the child was transported to.~~

~~Cases in which a juvenile under 10 years of age is listed as a suspect will be referred to the Hennepin County Attorney's Office with an accompanying Hennepin County Attorney "Delinquent Under 10 Referral Form". These forms can be obtained through the Juvenile Unit or Hennepin County Attorney's Office.~~

A. Probable Cause Authorization

~~All probable cause juvenile felony arrests must be authorized at the scene of arrest whenever possible. In the event a supervisor is unable to respond to the scene of the arrest, authorization may be given by radio or telephone by:~~

When a minor is arrested and will be brought to JDC, members shall remain on scene with the minor, contact their direct supervisor and provide the supervisor with a detailed description of the incident and the facts leading to probable cause (PC). PC authorization must be received prior to any transport of the minor. If the direct supervisor is not available, PC authorization can be given by the following:

- ~~The arresting officer's Supervisor at the scene.~~
- A~~n~~ investigator from the concerned at the rank of Sergeant or above from the concerned investigative unit;
- Juvenile on-call investigator;
- A~~a~~ supervisor from a neighboring precinct;~~or~~
- T~~he~~ on-duty Watch Commander.

Members shall document their PC and their method of authorizing PC in a Police Report.

~~If the arrested minor requires medical attention, refer to P&P 8-2308 Minors in Need of Medical Attention Injured or Incapacitated (under the influence) Juveniles.~~

~~The juvenile shall be released to a parent or legal guardian. If the juvenile cannot be released to a parent or legal guardian, he/she shall be transported to the Juvenile Supervision Center.~~

Sworn Members shall make a reasonable attempts to notify a parent or guardian when members make an arrest and shall document their notification in a Police Report.

~~Officers arresting a juvenile for domestic assault, violation of an Order for Protection, or a probable cause offense shall have the suspect processed at:~~

- ~~the Juvenile Unit during office hours;~~

- ~~JDC when the Juvenile Unit is closed and the juvenile meets JDC booking criteria; or~~
- ~~the Crime Lab when the Juvenile Unit is closed and the juvenile **does not** meet JDC booking criteria. (Officers should contact the Crime Lab prior to transporting the juvenile to ensure personnel are available.)~~

~~If the juvenile does not meet JDC booking criteria and the Juvenile Unit is closed, officers may conduct a Scales interview regarding the incident.~~

B. Prior to JDC Admission

Prior to bringing a minor to Hennepin County (HC) Juvenile Detention Center (JDC), the member shall:

1. Transport the minor to the Public Service Building (PSB) for processing.
 - a. Prior to arriving at PSB, contact the Juvenile Investigations Unit to see if an investigator is on-duty, who may conduct an interview, photograph and when applicable fingerprint the minor.
 - b. If a juvenile investigator is not on-duty, the member shall contact CAR 21 to complete the photographing and fingerprinting.
2. Contact JDC to notify them that they will be transporting a minor to JDC.

C. JDC Booking Criteria

JDC will accept minors ages 10 thru 17 years old only when offenses are listed on the JDC Detention Admission Criteria List. When an offense is listed on the list, no additional action is needed to have the minor admitted into JDC. This list can be found on the MPD SharePoint under the Juvenile Division Resources page.

When a juvenile minor is booked at JDC for a crime of violence members shall complete a Victim Information/Notification Form (HC-11551) must be completed when applicable. These forms are available at JDC or the Juvenile Investigations Unit.

If JDC refuses admission for a bookable offense for a reason other than medical, the member shall contact their supervisor for immediate action. The supervisor shall contact JDC on-duty supervisor and may escalate the issue to their MPD chain of command if necessary.

D. Offense-level overrides

When an offense is not on the JDC Detention Admission Criteria List, JDC will require an offense-level override to admit the minor:

1. To request an offense-level override, there must be an articulable and specific public safety risk (similar to a Rule 6 reason – see P&P 9-102 Citations and Misdemeanor Arrests), and such requests should be limited to the most chronic or prolific offenders with high-risk behavior.
2. If there is a specific public safety risk, members shall notify their supervisor to assist with the override.

3. If the supervisor determines an offense-level override is necessary, they should then call the duty-supervisor at JDC to request the override, explaining the public safety risk posed by not admitting the minor to JDC.
4. If the offense-level override is granted, the minor will be admitted to the JDC.
5. Examples of public safety risks include repeated criminal behavior, numerous cases of motor vehicle tampering, etc.

The MPD supervisor may need to wait for a callback from the JDC duty-supervisor due to staffing levels. The call for an offense-level override should be made as soon as possible to begin the process.

E. Override of detention criteria

When minors are accepted into JDC, they may or may not be held beyond the booking (admission) process based on results of a risk assessment (determined by JDC) and detention criteria.

1. If a member believes that a minor should be held beyond the booking process regardless of their risk assessment score because of an articulable and specific public safety risk, they should request a detention override from their supervisor when requesting PC authorization.
2. In the comments section on the Authority to Detain form, the member shall include the supervisor's name and badge number (who authorized the detention override request), along with the specific public safety risk.
3. If a member is unclear about whether to move forward with an override of detention, contact the on-call juvenile investigator.
4. This option should **only** be used when necessary, due to limitations on space and processes.

F. Documenting Override Requests

Any requests for overrides shall be documented by the member in the electronic JDC Override form.

1. The member shall record the required information for each minor they requested an override for (all on the same form for one case).
2. The override request information shall also be documented in the Police Report.

8-305

Juveniles—Warrant Checks, Warrants and PC Pick Ups Transport and Release of Minors

(xx/xx/24)

In most situations, a member transports a minor, they shall make a reasonable attempt to notify a parent or guardian of where the minor is being transported to (e.g. school, YCC, JDC, etc.) and the reasoning. Members shall notify a parent or guardian if a minor is being transported from an initial location to another (i.e. from PSB to JDC).

Discretion is given to a member to decide whether a minor should be:

1. Released
2. Transported to YCC
3. Transported to a parent or guardian
4. Picked up by a parent or guardian
5. Transported to JDC (see P&P 8-304 Minor Booking Procedures)
6. Transported for medical attention

If a parent or guardian is not available, members should consider a minor's age, employment, school, religious observances, emergencies, and errands when determining if a member should transport a minor and if so, where would be most appropriate.

Members shall only transport minors in necessary circumstances. These circumstances include but are not limited to:

1. A minor is being booked, and transported to PSB for processing then JDC for booking
2. A minor being issued a citation or warning in what is considered a high-risk area and will be transported to YCC or to a location where a parent or guardian is present
3. A minor is detained after curfew and their parent or guardian cannot pick up the minor, a member could transport the minor to YCC or to a location where a parent or guardian is present

If members transport a minor, they shall document the reasoning for transport and where they transported.

[Moved from 8-104]

8-306 ~~Arrest of Detention of Injured or Incapacitated Juveniles in Need of Medical Attention~~ Minors – Warrant Checks, Warrants and PC Pick Ups
(04/01/93)(04/27/07)(10/07/08)

~~(A-D)~~

~~Anytime~~ When a juvenile minor is detained or arrested, officers shall ~~members can~~ check the minor in the juvenile National Crime Information Center (NCIC wants) and local warrants. Officers ~~Members~~ may also contact Minneapolis Emergency Communications Center (MECC)

or JDC Intake for local warrant checks. ~~Juveniles~~ Minors taken into custody for a warrant and no other offense should be transported to JDC or ~~other~~ the facility as ~~directed~~ stated on the warrant. ~~Officers~~ Members shall complete a ~~CAPRS report~~ Police Report coded WT.

In circumstances which ~~juveniles~~ minors are found to have an outstanding warrant from another county, ~~officers~~ members shall contact JDC to determine where the juvenile minor will be placed.

Adults found to have an outstanding ~~Hennepin County~~ HC juvenile warrant as the only offense shall be booked at JDC. ~~Officers~~ Members encountering adults found to have an outstanding juvenile warrant from another county should contact JDC Intake to determine what facility the individual will be transported to. ~~Officers~~ Members shall complete a ~~CAPRS report~~ Police Report coded WT.

When a juvenile minor is arrested for a PC Pick-Up, prior to transport, the ~~arresting officer(s)~~ members shall attempt to contact the appropriate investigative unit. If the investigative unit cannot be reached, the juvenile minor shall be transported directly to JDC. ~~Officers~~ Members will complete the JDC Authority to Detain ~~form~~ Form and note the original offense, not PCPKUP. ~~Officers~~ Members shall generate a new ~~CCN case number~~ and complete a ~~CAPRS report~~ coded PCPKUP. The original ~~CCN case number~~ shall be referenced in the "Related CCN" data field. In addition, the ~~arresting officer(s)~~ members shall notify the ~~Transcription Unit~~ investigator that authorized the PCPKUP to cancel the PC Pick-Up.

Minors that are under arrest for warrants in Minneapolis will be transported and processed at JDC directly. Members shall contact the Juvenile Investigations Unit to inform them about the minor and the warrant.

[Moved from 8-305]

~~8-307~~ Juvenile Suspects – Under 10 Years of Age (10/07/08) (08/xx/24)

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

~~This means that juveniles under the age of 10 cannot be:~~

- ~~• arrested;~~
- ~~• issued a citation;~~
- ~~• placed in secured detention at the Juvenile Unit or JDC;~~
- ~~• fingerprinted or photographed.~~

~~Juveniles under the age of 10 may be detained to conduct an investigation.~~

~~Juveniles under 10 years of age shall be taken into custody if a parent or legal guardian cannot be located. Officers shall contact a Juvenile on-call investigator and Youth Connection Center (YCC) to determine where the child can be placed. A Police Report shall be completed for the offense, to include whom the child was released to and/or the facility that the child was transported to.~~

Juveniles under 10 shall not be listed as an arrested person (AP). Another appropriate code shall be used (e.g. other, suspect, etc.)

[Moved to 8-100]

8-307 ~~Arrest or Detention of Injured or Incapacitated Juveniles~~ Minors in Need of Medical Attention
(04/01/93) (04/24/07) (10/07/08) (xx/xx/24)

A. Minors in need of medical attention

Any ~~juvenile minor~~ needing medical attention or evaluation shall be transported directly to ~~HCMC Emergency Room or other area hospital, if necessary~~ the nearest medical facility. This policy includes those who:

1. Have ingested or are suspected of ingesting drugs or other dangerous substances.
2. Are under the influence of drugs or alcohol.
3. Have observable physical injuries that may require medical attention; are requesting medical treatment; or if ~~officers~~ members have reason to believe that medical attention is needed.
4. Display signs of a mental illness health crisis and/or are considered to be a danger to themselves or others (see P&P 7-803 Crisis Intervention).
5. ~~A juvenile~~ Minors taken to the hospital for only medical care and no other offense can be released to a parent/legal or guardian by the hospital. ~~Officers~~ Members shall complete a CARPS Police Report indicating that the juvenile was brought to a HCMC (or other area hospital) for medical evaluation and that authorization was given to the medical facility to release the juvenile to a parent/legal or guardian after completion of treatment. ~~Officers are not required to stay with the juvenile until a parent/legal or guardian arrives.~~

[Moved from 8-306]

B. Minors in need of medical attention who do not meet booking criteria

[8-306.1 - Juveniles to be Booked JDC in Need of Medical Attention moved to 8-306.B]

1. Minors who are in need of medical care but will not be booked (refer to section 8-304 Minor Booking Procedures) may be released to a parent or guardian after medical treatment.
2. Members shall complete a Police Report indicating that the minor was brought to a medical facility for medical evaluation and that authorization was given to the medical facility to release the minor to a parent or guardian after completion of treatment. Members are not required to stay with the minor until a parent or guardian arrives.

3. If the juvenile minor is transported to the ~~Juvenile Supervision Center (JSCYCC)~~ following medical evaluation or treatment, appropriate medical release forms (provided by the hospital) must accompany the juvenile minor when ~~he/she~~ custody is admitted transferred to JSC YCC.
4. Should ~~officers~~ members become aware of underlying circumstances which necessitate placing the juvenile minor on a 72-Hour Health and Welfare Hold, members shall place the hold in accordance with P&P 8-204-8-205 Health and Welfare Holds – Juveniles Minors.

~~In all cases, officers shall make a reasonable effort to have all gross misdemeanor and felony offenders photographed and fingerprinted (refer to section 8-109 Fingerprinting and Photographing of Juveniles).~~

C. Minors in need of medical attention who will be booked

[8-306.02 Juveniles to be Booked JDC in Need of Medical Attention mover to 8-306.C]

~~If the juvenile meets JDC booking criteria, appropriate medical release forms (provided by HCMC upon completion of medical treatment/evaluation of juvenile) must accompany the juvenile before he/she is admitted into JDC. It shall be at the sole discretion of the JDC Supervisor or Nursing staff whether a juvenile should be seen at HCMC, as there may be other factors not listed above. (04/24/07)~~

~~In regards to intoxicated juveniles, JDC policy states:~~

~~“The Admissions Juvenile Correctional Officer shall not accept custody of juveniles referred to detention who appear to be intoxicated from alcohol, drugs or inhalants, but shall direct the referring agent to HCMC’s Emergency Department. Juveniles who appear intoxicated from alcohol shall submit to a breath analysis test. Those juveniles that register .090 or higher, or refuse to submit to a breath analysis test shall be denied admittance to detention and the referring agent directed to HCMC’s Emergency Department”.~~

~~The preliminary breath test (PBT) will be administered by JDC. (04/24/07)~~

If an arrested or detained and the minor is in need of immediate medical attention, members shall follow 7-350 Emergency Medical Response.

After the minor has received medical treatment, members shall bring appropriate medical release form with the minor to JDC. Members shall upload a copy of the form to Evidence.com.

D. Impaired Minors

If the arresting member encounters a minor that meets booking criteria that is intoxicated or suspected to be intoxicated by alcohol, drugs or inhalants, they shall transport them to the nearest medical facility prior to transporting to JDC. JDC will not accept minors that are intoxicated.

If a juvenile minor is admitted to the hospital for an extended period of time, the precinct of the ~~arresting officer member(s)~~ shall be responsible for providing a guard until the juvenile minor can be taken to JDC, or until otherwise properly relieved.

Note: After the juvenile minor has been charged, ~~he/she is~~ they are then under the authority of the county at which time JDC or the Hennepin County Sheriff's Office will take over guard duty.

~~8-307~~ **Juvenile Traffic Offense**

~~(10/07/08)~~

~~(A-D)~~

~~When a juvenile is charged with a petty misdemeanor or misdemeanor traffic offense, officers shall issue a Uniform Citation. The court copy of the citation shall be placed in a "Traffic Violations" box and the other citation copies shall be distributed as indicated.~~

~~Juvenile traffic offender(s) properly identified at the scene of a traffic stop may be issued a citation and released.~~

~~If a juvenile traffic offender is unable to be identified officers may transport the suspect to the Juvenile Unit (during office hours) or contact the Crime Lab via telephone (when the Juvenile Unit is closed) to receive assistance with the identification. The juvenile shall be released to a parent/legal guardian or taken to the Juvenile Supervision Center.~~

~~8-307.01~~ **Juvenile Driving Under the Influence (DUI)**

~~(10/07/08)~~

~~(A-D)~~

~~When placing a juvenile under arrest for Driving Under the Influence (DUI), officers shall:~~

- ~~6. Process the juvenile for DUI (refer to section 7-605 Chemical Testing—Driving Violations).~~

~~Transport the juvenile to HCMC~~

~~[8-307 – Juvenile Traffic Offense & 8-307.01 – Juvenile Driving Under the Influence (DUI) moved to 8-306.D]~~