

# JUVENILE OPERATIONS

## 20.1 ADMINISTRATION

### 20.1.1 Juvenile Function

**Principle:** The Lakewood Police Department is committed to the development, implementation, and perpetuation of programs that are directed toward the prevention and control of juvenile delinquency. The effort to prevent and control juvenile delinquency is decentralized throughout the department. It is the responsibility of all department employees to support the agency's juvenile functions and to adhere to all written directives regarding juvenile matters.

Officers/CSOs should maintain a working knowledge of the Revised Code of Washington as it pertains to juveniles.

## 20.2 OPERATIONS

**PHILOSOPHY:** Juveniles are afforded additional considerations under various state and case laws. It is important for Lakewood Police Department employees to protect the rights and welfare of juveniles, while proactively enforcing laws. The guidelines provided in this section have been provided to assist employees in balancing these two functions.

### 20.2.1 Juvenile Criminal Offender Contact

**Principle:** It is the principle of the Lakewood Police Department to handle juvenile offenders in accordance with RCW and in a manner least coercive among reasonable alternatives while consistent with the preservation of public safety, order, and individual liberty. Officers should consider the age of the offender and RCW 9A.04.050 when selecting an alternative for the disposition of a juvenile offender. Officers may utilize the following alternatives:

- A. Release / No Further Action: When a minor offense is involved, the officer may elect to provide a verbal warning, complete a Field Interview Card, leave corrective action to the juvenile's parents, or any combination of alternatives. When an individual has been a victim of a criminal offense committed by a juvenile, he/she should be consulted before the officer selects an alternative that results in no further action.
- B. Referrals to Juvenile Court: An officer may select to release a juvenile from custody at the time of the criminal investigation and refer the case to the Juvenile Court for further action. Criminal citations are only issued to juveniles for criminal traffic violations. Refer to Standard 20.2.2 regarding practices related to juveniles in custody.
- C. Detention: A juvenile offender may be transported to Remann Hall for detention in accordance with RCW 13.40.040 and the Pierce County Department of Youth Services Detention Criteria provided to law enforcement agencies. Refer to Standard 20.2.2 regarding practices related to juveniles in custody.

### 20.2.2 Juvenile Custody Practices

**Principle:** The Lakewood Police Department takes juveniles into custody for a variety of reasons other than criminal violations. In all instances it shall be the priority of department personnel to ensure the welfare and protect the constitutional rights of juveniles.

- A. Status Offenders / RCW 43.185C.260: A law enforcement officer is mandated to take a juvenile into protective custody in several situations outlined in RCW 43.185C.260: Status offenders shall not be placed in the secure temporary detention rooms at any time unless other criminal charges apply. If officers transport status offenders to the station they must provide constant supervision until released or transported. Officer may not leave status offenders secured in the rear seat of patrol vehicles unattended. Status offenders may be transported to an approved juvenile facility when no parent or guardian is located.
- B. Juvenile at Risk / RCW 26.44.050: When a juvenile is taken into protective custody, notification will be made to

the parent (guardian).

C. Transportation to Remann Hall:

1. Juveniles in custody requiring medical attention or under the influence of drugs and/or alcohol will receive a medical examination. In non-emergency situations, if a parent or guardian cannot be contacted, the juvenile will be transported to a hospital where an administrative procedure will be followed by the hospital to administer medical treatment.
2. All juveniles being transported to Remann Hall for detention for felony charges shall be fingerprinted and photographed. Remann Hall personnel perform this function and maintain all records of identification.
3. All juveniles being transported to Remann Hall for detention shall be taken there as soon as practicable.
4. Juvenile violators will not be transported with adult violators. Juveniles will not be placed in the same temporary holding room with an adult violator.

D. Notification to Parent(s): An officer shall notify a parent (guardian) when a juvenile has been detained in Remann Hall as soon as practicable, and shall inform them of the reason for the arrest and the disposition of the juvenile.

### 20.2.3 Juvenile Custodial Interrogation

**Principle:** Standard 1.2.3 provides guidelines for custodial interrogations. Custodial interrogation of juveniles creates additional considerations addressed as follows.

**Practices:**

- A. Officers shall provide a juvenile with access to an attorney for consultation, which may be provided in person, by telephone, or by video conference, before the juvenile waives any constitutional rights if a law enforcement officer:
- (a) Questions a juvenile during a custodial interrogation;
  - (b) Detains a juvenile based on probable cause of involvement in criminal activity; or
  - (c) Requests that the juvenile provide consent to an evidentiary search of the juvenile or the juvenile's property, dwellings, or vehicles under the juvenile's control.

The consultation required by this section may not be waived.

- B. Notification / Presence of Parent(s): In many cases, a parent will be contacted prior to the interrogation and advised of the reason for the interrogation although contact with a parent prior to interrogation of a juvenile is not required. It is not required that a parent be present during the interrogation, although the parent's presence may be helpful at times. The officer will consider the following factors when deciding whether or not to allow the parent to be present.

- The crime being investigated
- The age of the violator and ability to understand his/her constitutional rights per Miranda
- The desire of the juvenile to have his/her parent present

C. Interrogation:

1. The duration should be limited to a reasonable amount of time and should not be of such length or conducted in such a manner as to cause undue stress for the juvenile being questioned.
2. Normally, no more than two officers conduct interrogations. If more are needed the reason must be documented.

- D. Officers may question a juvenile without access to an attorney only if:

1. The Officer believes the juvenile is a victim of trafficking as defined in RCW 9A.40.100; however, any information obtained from the juvenile by law enforcement pursuant to this subsection cannot be used in any prosecution of that juvenile; or

2. An Officer believes that the information sought is necessary to protect an individual's life from an imminent threat; AND

a. A delay to allow legal consultation would impede the protection of an individual's life from an imminent threat; AND

b. Questioning by the Officer is limited to matters reasonably expected to obtain information necessary to protect an individual's life from an imminent threat.

#### **20.2.4 School Resource Officers (Liaison)**

**Principle:** The Clover Park School District contracts with the city of Lakewood to provide a dedicated School Resource Officer in each high school and middle school in the district. This is accomplished as an “off-duty” assignment where the officer is paid directly by the district. The officer works closely with school administration, security, and other staff to address concerns related to security and criminal activity on and around the campus.