



University of Pennsylvania Police Department 4040 Chestnut Street, Philadelphia, Pa 19104		 
Directive: 39	Subject: Juvenile Operations	Effective Date: 12/13/1999
Order of: Gary Williams, Chief of Police		Amended Date: 08/01/2023

I. Purpose

The purpose of this directive is to provide guidelines for officers when dealing with juveniles in need of protection or in enforcement and custody situations.

II. Policy

The University of Pennsylvania Police Department (UPPD) is committed to the development and perpetuation of programs designed to prevent juvenile delinquency. It is the responsibility of all components and members of the UPPD to participate in or support the UPPD's juvenile operations function. Furthermore, UPPD personnel shall familiarize themselves with juvenile problems and establish procedures for handling both criminal and non-criminal juvenile incidents as defined in this directive. Though the University of Pennsylvania, at any time, does not have a sizable or regular juvenile population, the UPPD expects officers to handle juveniles consistent with common sense and the dictates of state law. Officers are further expected to ensure that the constitutional rights of all juveniles taken into custody are protected. The UPPD encourages review and welcomes comments from other elements of the juvenile justice system in furthering to develop policies and procedures relating to juveniles. As per the Arrest Protocol Agreement between the Philadelphia Police Department (PPD) and the University of Pennsylvania Police Department, at no time will juveniles be transported to UPPD Police Headquarters, nor will juveniles be held (securely or non-securely) by the UPPD.

III. Scope

This directive shall affect all sworn police officers.

IV. Definitions

A. Child/Juvenile: An individual who:

1. is under the age of eighteen (18) years;

2. is under the age of twenty-one (21) years who committed an act of delinquency before reaching the age of eighteen (18) years; or
 3. was adjudicated dependent before reaching the age of eighteen (18) years and who, while engaged in a course of instruction or treatment, requests the court to retain jurisdiction until the course has been completed, but in no event shall a child remain in a course of instruction or treatment past the age of twenty-one (21) years.
- B. Status Offender: A juvenile who is taken into custody for an incident or behavior which would not be a crime if committed by an adult and would not result in the adult being taken into custody. (i.e., truancy, curfew violator, runaway, ungovernable, etc.)
- C. Responsible Adult: In the absence of a juvenile's parent or legal guardian, a responsible adult is one who is responsible for the physical custody of a juvenile or who is another adult acquaintance of the juvenile's parents or legal guardian who agrees and reasonably demonstrates the ability to provide supervision for the juvenile until a parent, legal guardian or next of kin can assume that responsibility.
- D. Non-Secure Custody: A condition under which a juvenile's freedom of movement is controlled by the PPD and, during such time, the juvenile may be held only under the following conditions:
1. the area where the child is held is an unlocked, multi-purpose area which is **not** designated or used as a secure detention area, or is not part of a secure detention area (i.e., a non-locking interview room or area);
 2. the child is **not** physically secured to a cuffing rail or other stationary object during the period of custody in the facility;
 3. the area is limited to providing non-secure custody only long enough for the purposes of identification, investigation, processing or release to parents or for arranging transfer to another agency or appropriate facility; and
 4. the child **must** be under continuous visual supervision by a police officer or other facility staff during the period of non-secure custody.
- E. Secure Custody: A condition in which a juvenile is physically detained or confined in a locked room, set of rooms or a cell that is designated, set aside or used for the specific purpose of securely detaining persons who are in police custody or when the juvenile is physically secured to a cuffing rail or stationary object. If a juvenile is held securely in a police lockup, he/she **must** be released within six (6) hours.

V. Procedures

- A. Services Provided to Juveniles by the UPPD

1. The UPPD takes an active role in developing community recreational programs for neighborhood children by providing the Tucker PAL Center with one full time police officer, who serves as a positive adult role model and mentor in an effort to decrease juvenile delinquency.
2. The Tucker PAL Center officer will specialize in handling the problems and needs of juveniles residing in and around the University community.
 - a. Responsibilities of the Tucker PAL Center officer shall include, but not be limited to the following:
 - 1) designing and implementing programs intended to prevent and control delinquent and criminal behavior (i.e., truancy, bike thefts, etc.) by juveniles;
 - 2) acting in a liaison capacity with area schools as a resource with respect to delinquency prevention;
 - 3) providing guidance on ethical issues in a classroom setting;
 - 4) providing individual counseling to students; and
 - 5) explaining the law enforcement role in society.
3. The Tucker PAL Center is also staffed with a Philadelphia Police Department (PPD) officer and University and community volunteers.
4. The UPPD Tucker PAL Center officer shall report directly to the Captain of Patrol.
5. Members of the UPPD shall cooperate with the Juvenile Justice System and support its policies.
6. The UPPD encourages review and comment by other elements of the juvenile justice system in the development of policies and procedures relating to juveniles.

B. Enforcement Alternatives

1. Officers dealing with juveniles in enforcement capacities shall use the least coercive methods from among reasonable alternatives which are consistent with preserving public safety, order and individual liberty as outlined in this directive. Any action taken must conform to, and not be in violation of, the Pennsylvania Juvenile Act 42 Pa.C.S. Section 6301 et seq., as amended, pertaining to the Juvenile Court. Alternatives that may be considered include:
 - a. outright release with no further action;
 - b. informal referrals to community services;

- c. referral to parent, guardian or a responsible adult;
 - d. limited custody and warning;
 - e. issuance of a citation or summons;
 - f. referral to a juvenile court;
 - g. arrest under non-secure custody; and
 - h. arrest under secure custody.
2. If an officer comes in contact with a subject who claims to be a juvenile, but appears to be a young adult and does not have identification to confirm his/her age, the officer shall adhere to all applicable policies and procedures concerning the custody and processing of juveniles until the subject's age can be confirmed by his/her parent, guardian or a responsible adult, or some other verifiable means.

C. Enforcement Criteria

1. The following general guidelines may be used in determining appropriate enforcement and related actions that may be taken when dealing with juvenile incidents.
 - a. Release without further action, or referral to community resources or parent(s), may be appropriate in incidents where property damage or personal injury is not involved but intervention is necessary to avoid potential delinquent actions and when the youth has had no prior enforcement contacts with the police. Examples of these incidents include, but are not limited to:
 - 1) curfew violations; and
 - 2) disorderly conduct.
 - b. Officers may elect to transport the juvenile home or direct him/her to return home; make personal or telephone contact with the juvenile's parent, guardian or a responsible adult to provide them with information and counseling on their child's actions; refer the youth to appropriate community service agencies with or without follow-up; or transportation of the juvenile to be held by the PPD until he/she is released to a parent, guardian or a responsible adult when:
 - 1) the nature of the incident is of a more serious or potentially serious nature than exemplified in Section V., D., 1., a., above;
 - 2) the child involved is fully aware of the seriousness or potential seriousness of his/her actions and/or is acting in alliance or collusion with others to commit such acts;

- 3) the child fails to cooperate or to positively respond to police intervention and direction;
 - 4) the child has received prior informal warnings or referrals or has engaged in delinquent acts; and/or
 - 5) the child's parent, guardian or a responsible adult have apparently failed to provide appropriate control and supervision.
- c. Officers may transport a juvenile to the PPD to be held in custody pursuant to the laws of arrest when the circumstances surrounding the incident meet or exceed the seriousness of those cited as examples in Section V., D., 1., b., above. Officers should arrest juveniles when they commit:
- 1) acts that if committed by an adult would be felonies;
 - 2) acts involving deadly weapons;
 - 3) serious gang-related offenses;
 - 4) all acts involving aggravated assault;
 - 5) all acts while on probation or parole or when they have charges pending against them; or
 - 6) all acts as repeat offenders within the preceding twelve (12) months or when they have refused to participate in diversion or intervention programs.
- d. Pursuant to the rules of the Pennsylvania Juvenile Act, a child may also be taken into custody:
- 1) Pursuant to an order of the court.
 - 2) By a law enforcement officer or duly authorized officer of the court if there are reasonable grounds to believe that the child is suffering from illness or injury or is in imminent danger from his/her surroundings, and that his/her removal is necessary.
 - 3) By a law enforcement officer or duly authorized officer of the court if there are reasonable grounds to believe that the child has run away from his/her parent, guardian, or responsible adult.
 - 4) By a law enforcement officer or duly authorized officer of the court if there are reasonable grounds to believe that the child has violated conditions of his/her probation.

- e. In cases of alleged child abuse, officers shall contact their immediate supervisor unless probable cause justifies immediate action in order to protect the safety and well-being of the child.
 - 1) The supervisor shall ensure that the Deputy Chief of Investigations and Director of Special Services are contacted in order to conduct an investigation of the complaint, provide counseling services and/or to determine placement for the juvenile.
- f. Lost, runaway, or seriously endangered children, shall be held in **non-secure** protective custody by the PPD.

D. Status Offenses

- 1. Based on the seriousness of and circumstances surrounding the offense, the background and demeanor of the juvenile and other relevant factors, an officer may release a juvenile to his/her parent, guardian or a responsible adult.
- 2. Juveniles transported to the PPD to be held in custody for status/non-offenses, investigation or identification should normally be frisked for weapons prior to being transported and may be handcuffed at any time IF, in the judgement of the officer, the juvenile poses a physical risk to the officer or others.
- 3. Status/non-offenders shall be held in **non-secure** custody by the PPD in accordance with the Pennsylvania Juvenile Act with the following exception:
 - a. Out-of-state juvenile runaways and accused status offenders who are a danger to themselves or others shall be detained in secure facilities until returned by the home/demanding state. The holding state shall have the discretion to hold runaways and accused status offenders who are not a danger to themselves or others at a location it deems appropriate.
- 4. Handcuffing a juvenile to himself/herself or transportation of a juvenile in a caged or otherwise screened vehicle is **not** considered secure custody.

E. Criminal-Type Offenses

- 1. Juveniles arrested for criminal-type offenses are subject to the same security requirements as adults and may be handcuffed as necessary during transport to a PPD facility in accordance with **Directive 6, "Prisoner Transportation."**
- 2. Whenever anyone under eighteen (18) years of age is arrested for any crime, he/she will be transported directly to the PPD district wherein the divisional detectives are located for investigation by personnel of the PPD Juvenile Aid Division (JAD) unless they are in police custody for one of the following exceptions:

Exceptions: Murder, Narcotics Violations, Driving Under the Influence, Rape and other sex offenses, Summary Offenses, Status Offenses (truants, runaways, curfew violators and ungovernable).

- a. Juveniles taken into custody for Homicide will be transported directly to the PPD Homicide Unit.
- b. Juveniles taken into custody for Narcotics Violations will be transported directly to the PPD Narcotics Unit.
- c. Juveniles taken into custody for Rape and/or other sex offenses will be transported directly to the PPD Special Victims Unit.
- d. Juveniles taken into custody for Driving Under the Influence will be transported directly to the PPD's Detention Facility (Police Administration Building, 8th & Race Sts.)
- e. Juveniles taken into custody for Summary Offenses will be transported directly to the PPD district wherein the divisional detectives are located.
- f. Juveniles who are Curfew Violators will be processed in the following manner:
 - 1) Juveniles under fifteen (15) years of age shall be transported directly to the PPD JAD for processing and parental notification.
 - 2) Juveniles who are fifteen (15) years of age or older may be issued an on scene citation and released at the discretion of the apprehending officer's supervisor. The supervisor shall consider the following factors in determining whether to release a curfew violator:
 - a) maturity level;
 - b) time of night;
 - c) weather conditions; and
 - d) juvenile transportation options and/or distance of travel.
 - 3) If the supervisor releases the juvenile from the scene, he/she shall ensure that the juvenile's parent, guardian or a responsible adult are notified.
- g. Juveniles taken into custody for truancy WILL NOT be transported to a PPD facility unless the investigation reveals that the juvenile is wanted or additional charges are being placed against the juvenile as a result of the investigation.
 - 1) Juveniles who are found to be absent from school without a legitimate reason will:

- a) first be transported to the office of the principal in the school to which the juvenile is registered; or
- b) if the school is not in session at the time of arrival, then transport the juvenile home.

F. Officer Responsibilities

1. Any officer who takes custody of or arrests a juvenile will:
 - a. Upon arrival at the PPD facility, **immediately** notify the juvenile's parent, guardian or a responsible adult and inform them that their child is in police custody. Also inform them that any information regarding their child can be obtained by telephoning (list telephone number, police facility and the location of detention within the facility, i.e., 18th Police District, 215-686-3180, 55th and Pine Sts., Operations Room, First Floor).
2. Prepare both a PPD (75-48) and an Incident Report (UPPD-10), listing the juvenile's name, age, address, telephone number and the reason for the apprehension. In the case of truancy, also indicate on the reports whether the juvenile was returned to school or home and indicate the title and name of the person that took custody of the juvenile.
3. Make a copy of the PPD (75-48) to be attached to the (UPPD-10).
4. Give the completed copy of the PPD (75-48) to the appropriate PPD Operations Room Supervisor.
5. Officers will forward the (UPPD-10) and copy of the PPD (75-48) to the PennComm Center Police Supervisor.

Note: have the parent, guardian, or a responsible adult sign the incident report whenever a juvenile is transported back to school or home.

G. Juveniles in Need of Medical Care

1. Any juvenile in need of medical care shall first be transported to The Children's Hospital of Philadelphia, 34th & Civic Center Blvd., prior to transport to any other facility.
2. Officers shall pay particular attention to juveniles under the influence of alcohol or drugs to determine whether emergency medical services are warranted.

H. Juvenile Custody Record

1. A PPD Juvenile Information Sheet/Flow Chart (75-602) will be prepared for all juveniles placed into PPD custody, regardless of the offense or investigation.
 - a. The arresting/investigating officer will:

- b. prepare a (75-602) in duplicate for each juvenile placed into PPD custody; and
 - c. ensure that all appropriate blocks on the (75-602) are completed neatly and accurately.
2. The (75-602) will accompany the juvenile throughout his/her processing to whatever PPD district, unit, or detention facility he/she is transported to. The (75-602) will be maintained and updated until the juvenile is released to his/her parent, guardian or a responsible adult or turned over to the custody of the PPD.
 3. The transporting officer will ensure that the juvenile is not turned over to any police or detention facility until a (75-602) has been prepared. The (75-602) will accompany the juvenile throughout the processing procedure.

I. Fingerprints and Photographs

1. The UPPD shall **not** fingerprint or photograph juveniles. All juveniles arrested for criminal-type offenses shall be fingerprinted and photographed by the PPD's CCTV personnel in accordance with the Pennsylvania Juvenile Act, Subchapter B, Section 6308.

Exceptions: Juveniles who have sustained injuries may be photographed for evidence in criminal investigations when they are the victim of a crime and to assist in identifying juveniles who are unable to identify themselves.

J. Interrogations of Juveniles

1. **All custodial interviews and interrogation of juveniles will occur at the PPD JAD division of record. Juvenile subjects will not be transported to or interviewed or interrogated at UPPD Headquarters.**
2. Prior to custodial interviews or questioning of a juvenile, the assigned Detective will ensure that the juvenile **and** his/her parent, guardian or a responsible adult, if available, are:
 - a. advised of the charges, and informed of the "Miranda" rights from the Miranda Waiver Form (UPPD-12); and
 - b. given an opportunity to consult privately.
3. In the absence of a juvenile's parent, guardian or a responsible adult, and based on the "totality of the circumstances" (i.e., juvenile's age, prior criminal history, maturity, etc.), a juvenile may be questioned and may provide statements if reasonable assurances can be made that the juvenile fully understands his/her constitutional rights.
4. If, prior to or during questioning, the juvenile, his/her parent, guardian or a responsible adult, express their desire to remain silent or to speak with an attorney, all questioning shall cease immediately.

5. Interrogation of juveniles shall not extend over periods of time that could be considered unreasonable or harassing, and should be conducted by no more than two (2) Detectives at a time.
6. Juveniles who are being interrogated, and their parent, guardian or a responsible adult, shall be informed of the procedures that will be followed with regard to what to expect (i.e., custody, release, transport to another facility) and how the court system works.
7. Detectives shall follow all other applicable policies and procedures, in accordance with **Directive 33, "Interrogations and Confessions"**, when taking formal "custodial statements and confessions" from juveniles.
8. A juvenile can be interviewed (no Miranda/non-custodial) without a parent, guardian, or custodian present; however, the parent, guardian, or custodian should be notified, if practical, that an interview is necessary or is being conducted. If a juvenile request that his/her parent be present, this should be allowed or if a parent requests to be present, this also should be allowed.
9. If a coworker needs to interview a juvenile at school, he/she should adhere to all school board policies concerning law enforcement interview of students in school.
10. If a coworker needs to interview a juvenile who is in secure custody (in a youth development center, detention center, or community commitment placement), the coworker shall contact the Facility Director with the purpose of the interview to arrange a time.

K. Record Keeping

1. Officers who select non-custodial alternatives or engage in informal enforcement contacts with juveniles shall complete an Incident Report (UPPD-10) as required. These reports shall clearly identify the juvenile(s) involved, the nature of the incident, and the rationale for the officer's disposition.
2. Juveniles transported to the custody of the PPD for criminal-type offenses shall be subject to the same reporting requirements as adults. Such reports shall be maintained in a separate location from adult arrest records and be subject to state law regarding dissemination and access in accordance with the Pennsylvania Juvenile Act and the Pennsylvania Crimes Code, Title 18, Section 9123.

L. Release of Juveniles from Custody

1. When a juvenile is detained by the PPD pending the arrival of a parent, guardian or a responsible adult, the PPD will:
 - a. Ensure that a parent, guardian or a responsible adult is notified that identification is necessary to obtain the juvenile's release.

- b. Ensure that the person to whom the juvenile is released presents one (1) or more of the following types of identification:
 - 1) valid driver's license;
 - 2) social security card;
 - 3) voter's registration card;
 - 4) telephone number listed in the Philadelphia phone directory;
 - 5) employment identification card; and/or
 - 6) military or selective service identification.
- c. Ensure that the arresting/investigating officer affixes his/her signature in the "Released By" block on the (75-602).
- d. Ensure that the person taking custody of the juvenile signs the "Released To" block on the (75-602).

M. Release of Information Concerning Juveniles

- 1. The public release of any information concerning the contents of law enforcement records and files regarding juveniles is governed by the provisions of the Pennsylvania Juvenile Act and the Pennsylvania Crimes Code.
- 2. Only the Deputy Chief of Investigations may release such information when the juvenile's conduct meets the requirements for disclosure as set forth in the Juvenile Act.

N. Compliance

Violations of this directive, or portions thereof, may result in disciplinary action.

O. Officers Assigned to Other Agencies

Officers of this department assigned to or assisting other law enforcement agencies will be guided by this directive.

P. Application

This directive constitutes departmental policy, and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims insofar as the employer's or employee's legal duty as imposed by law. Violations of policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

