



KANSAS CITY MISSOURI POLICE DEPARTMENT

**PROCEDURAL INSTRUCTION**

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SUBJECT

Juvenile Procedures

AMENDS

REFERENCE

PI Intoxicated Driving Arrests, Amber Alert  
DM Case Clearance for Juvenile Cases

RESCINDS

DM 11-12

**I. INTRODUCTION**

This directive emphasizes officers' responsibilities for processing juveniles taken into police custody. Certain specific juvenile matters are addressed in other directives.

**II. PROCEDURE**

Procedures for processing juveniles are contained in the attached annexes for easy reference. The procedures are generally applicable to all counties within the department's jurisdiction, but individual family/juvenile court authorities do have specific requirements, which must be utilized for processing juveniles taken into police custody.

- Annex A- General Procedures
- Annex B- Status Offenders
- Annex C- Traffic Violators
- Annex D- Capias Warrants
- Annex E- Missouri Division of Youth Services
- Annex F- Missing/Runaway Juveniles

Darryl Forté  
Chief of Police

Adopted by the Board of Police Commissioners this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Alvin Brooks  
Board President

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**GENERAL PROCEDURES**

A. Apprehension of Juvenile Offenders

1. Probable cause must exist before juvenile suspects are apprehended.
2. When a juvenile is apprehended for a crime, officers will contact the appropriate investigative element. If the investigative element determines the offense committed is a misdemeanor or equivalent to a city infraction, the officers will be directed to contact the Crimes Against Children Section for further instructions.
3. When transporting a juvenile arrest, the juvenile will not be placed in any department vehicle within sight or sound of an adult arrest regardless of the association to the adult.
4. If it is determined that the juvenile will not be held in a secure detention facility, the apprehending officer will be instructed to contact the juvenile's parent, guardian, or responsible adult and request that they immediately respond to the scene to take custody of the juvenile.
5. On arrival of the parent, guardian, or responsible adult, the officer will provide them with a completed Juvenile Court Referral, Form 308 En/Sp P.D., and inform them of the crime committed by the juvenile (pursuant to Missouri Law).
  - a. To complete the Juvenile Court Referral, Form 308 En/Sp P.D., officers will enter the CRN (case report number), offense, and apprehension date, and check the box next to the correct county juvenile court office where the offense occurred.
  - b. Officers shall instruct the parent, guardian, or responsible adult taking custody of the apprehended juvenile, that the office indicated on the Juvenile Court Referral, Form 308 En/Sp P.D., will handle the disposition of the case and that all inquiries should be made to that office.
  - c. Officers will include all parent, guardian, and/or responsible adult information (to include a current address, telephone number, cell phone number, work number and work address) in the offense report. Officers will include all parent, guardian, and/or responsible adult information to whom the juvenile was released (to include a current address, telephone number, cell phone number, work number and work address) in the offense report.

6. Officers will then contact the Crimes Against Children Section again to complete the administrative booking process over the phone.

B. Interviewing or Interrogating Juveniles

1. Cass, Clay, Jackson, and Platte County Family Courts will no longer accept statements made from juvenile suspects without a Deputy Juvenile Officer (DJO) present.
2. The following guidelines will be followed regarding interviews and interrogations of juvenile suspects, regardless of their custody status at the time the interview/interrogation is completed.
  - a. If a juvenile is identified as a suspect, all interviews must be conducted with a DJO and a parent/legal guardian or attorney present.
  - b. If a juvenile suspect does not want to be interviewed, the parent/legal guardian cannot compel the juvenile suspect to participate in the interview or provide a statement.
  - c. If the juvenile suspect wants to be interviewed, but the parent/legal guardian does not want the juvenile suspect to be interviewed, the interview will be stopped.
  - d. It is the department's responsibility to provide a translator for the juvenile suspect and parent/legal guardian, if required.
  - e. If there is any question regarding the mental status of a juvenile suspect or the parent/legal guardian, e.g. mentally handicapped, either the detective or DJO should contact the appropriate family court to determine if the interrogation should continue.
3. The following procedures are to be used when contacting a DJO during normal and after business hours.
  - a. Cass County Family Court
    - (1) All calls should go through the Family Court main business line at 816-380-8475.
    - (2) This number is answered 24 hours a day and the intake coordinator will assist with the availability of a DJO.

- b. Clay County Family Court
  - (1) During normal business hours members should contact the Clay County Family Court at 816-736-8400.
  - (2) After regular business hours, the main Clay County Family Court line is to be utilized to contact Juvenile Detention; who will contact the on-call DJO.
  
- c. Jackson County Family Court
  - (1) During normal business hours a DJO can be reached by calling the Screening Office at 816-435-4801.
  - (2) Jackson County Family Court (JCFC) does not have a DJO available during the hours of Watch I. If a DJO is required an officer or detective should contact the JCFC Control Room at 816-435-4700. This is to be used only when a felony is being investigated.
  
- d. Platte County Family Court
  - (1) Prior to 1700 hours, members should contact the Family Court main business line at 816-858-3420.
  - (2) After 1700 hours, members should contact the Platte County Sheriff's Office Communications at 816-858-3521.

## STATUS OFFENDERS

### A. Status Offenders

1. Status Offender is defined as, "those juveniles whose conduct would not be a crime if committed by an adult."
  - a. The child, while subject to compulsory school attendance, is repeatedly and without justification absent from school.
  - b. The child disobeys the reasonable and lawful directions of his or her parents or guardian and is beyond their control.
  - c. The child is habitually absent from his or her home without sufficient cause, justification, or parents/guardian permission.
  - d. The behavior or associations of the child are otherwise injurious to his or her welfare or the welfare of others. This category includes, for example, self-mutilation or suicidal behavior or associating with non-familial adult felons.
  - e. Other offenses applicable only to children, such as curfew violations.
2. **Status Offenders will not be transported to the Crimes Against Children Section.**
3. When an officer comes into contact with a reported status offender, the officer will determine if the juvenile's present behavior is within any of the above categories. If the officer determines the behavior is within any of the above categories, the officer will transport the juvenile to the appropriate facility. The parent/guardian must respond to the facility to sign them in.
4. In the absence of any **documented offense** or **injurious behavior** being displayed by the juvenile, officers will not transport the juvenile. Officers will inform parents/guardians of their responsibility to seek assistance from the family/juvenile court. Contact can be made with the Crimes Against Children Section to discuss the particular problem for referral information.

## B. Truancy

Juveniles between the ages of seven years old and fifteen years old must regularly attend a day school not less than the entire term of the school. Officers are authorized to apprehend a juvenile who is found to be truant from school. Officers should first return the subject to school since that is the intent and purpose of the law. The following procedures will be followed when taking a juvenile into custody for truancy:

1. No school will deny admittance to a student who meets age and residency requirements for admittance to school unless appropriate procedures for suspension or expulsion have been complied with and determination of guilt is made.
2. The officer will verify the student is, in fact, truant and not suspended or absent from school with parental consent. The officer will also verify the juvenile is not home-schooled. Juveniles who have a legitimate reason for being absent from school or who are verified as home school students who are out in public during what would be "normal" school days/hours, but who are attending to home-schooling functions, will be released.
3. For evidentiary purposes, verification of truancy will include; how truancy status was determined, who was contacted at the student's school, the number of days truant and, if possible, a reproduction of the student's absentee record. The principal, vice principal, or designee will be the complainant in these cases.
4. When the student is accepted by the appropriate school authorities or by their parent/guardian, the officer will complete the appropriate report.
5. When the appropriate school authorities refuse to accept the student back in school, the officer will contact the Crimes Against Children Section for further instructions.

## C. Entertainment Districts and Curfews

1. The City of Kansas City identified five (5) areas deemed as "Entertainment Districts." The Entertainment Districts are as follows: the Country Club Plaza, Westport Shopping District, Zona Rosa Shopping District, Central Business District of downtown Kansas City, and 18th & Vine District. Section 50-238 of City Ordinances has been enacted with extended curfews for persons under the age of 18 in these districts.
2. The Friday proceeding Memorial Day to the last weekend of September will have extended city wide curfew hours with more stringent hours in the Entertainment Districts.

- a. City Wide Curfew
    - (1) 2200 to 0600 hours for persons 15 and under.
    - (2) 2300 to 0600 hours for persons 16 and 17.
  - b. Entertainment District curfew for persons under the age of 18 is 2100 to 0600 hours.
- D. The curfews for any person under the age of 18, from the last weekend of September to the Friday proceeding Memorial Day, will be:
- 1. 2300 to 0600 hours Sunday through Thursday.
  - 2. 0000 to 0600 hours on Friday and Saturday.
- E. Person Detained for Curfew Violation
- 1. On Friday and Saturday from Memorial Day weekend until the last weekend of September, a location may be designated to detain curfew status offenders. Department members should use discretion when deciding to transport the status offender to this destination.
  - 2. When a status offender is transported to the designated location, the detaining officer will obtain the Case Report Number (CRN).
  - 3. The detaining officer will contact the status offender's parent/guardian to respond to retrieve the status offender and complete a Summons using the correct terminology.
  - 4. When a status offender is transported to the designated location, it will be the responsibility of the department member assigned to the designated location to contact the parent/guardian and complete a Summons.
  - 5. In the event a responsible adult, other than the parent/guardian, arrives to retrieve the status offender a warrant application will be completed for the parent/guardian.
  - 6. The detaining officer will complete the appropriate report in the Automated Reporting System (ARS).
  - 7. When a status offender is transported to the designated location, it will be the responsibility of the department member assigned to the designated location to complete the appropriate report in the ARS.

F. Summary of Federal Guidelines for the detainment of Juvenile Status Offenders:

1. Do not use a holding cell.
2. Do not cuff to a stationary object; may cuff to a non-stationary object (chair, table, themselves).
3. Do not lock in a room.
4. Do not allow sight or sound contact with adult arrests (keep in mind a 17 year old sibling being arrested for a criminal offense is considered an adult).
5. Keep a custody log, including but not limited to, the member's name and serial number and detailing the time the juvenile was checked, provided food or water or allowed to use a restroom.
6. Check frequently - recommend constant monitoring.

G. Certified Juvenile

1. Once certified, the juvenile will be handled and incarcerated as an adult for any future felony or misdemeanor arrests.
2. When an officer initiates a computer check, the dispatcher will notify the officer if the juvenile is a "**CERTIFIED JUVENILE.**"

**TRAFFIC VIOLATORS**

A. Juveniles Age Fifteen and One-Half Years or Older

When a juvenile who is at least 15 ½ years old is alleged to have violated a municipal traffic ordinance or a non-felony state traffic regulation will be treated in court as an adult traffic violator. (See written directives entitled "Arrest Guidelines" and "Intoxicated Driving Arrests.")

1. Traffic tickets issued to juveniles will be set on the officer's regular court date.
2. Juveniles will be released on a signature bond.
  - a. Juveniles are not to be detained in a jail or other adult detention facility, where they will have any contact with adult prisoners. This provision includes total "sight and sound" separation.
  - b. At no time will the juvenile traffic violator be held in excess of six hours.

B. For juveniles under age fifteen and one-half years old, contact the Crimes Against Children Section for proper handling.

C. Juveniles with outstanding traffic warrants, which require the posting of bond, will not be transported to any juvenile detention center. Contact the Crimes Against Children Section for proper handling.

D. For procedures regarding juveniles driving under the influence, see the current written directive entitled, "Intoxicated Driving Arrests."

**CAPIAS WARRANTS**

- A. Legal limitations and restrictions on apprehensions of juvenile capias warrant subjects are comparable to adult arrest warrants. Refer to the written directive entitled, "Detaining and Questioning Persons; Arrest; Search and Seizure."
- B. The apprehending officer will document the apprehension on the Daily Activity Report.
- C. Juveniles apprehended on the authority of a capias warrant will be transported as follows:
  - 1. Jackson County - Jackson County Family Court (JJC). Notify JJC before transporting.
  - 2. Clay and Platte County - Contact Crimes Against Children Section prior to transporting.
  - 3. Cass County - South Patrol Division. The apprehending officer will immediately contact the Cass County Juvenile Justice Center to determine the location of the original capias warrant and obtain instructions for the completion of the return portion of the warrant. The apprehending officer will also be advised of the appropriate detention facility where the juvenile will be taken.

**MISSOURI DIVISION OF YOUTH SERVICES**

- A. When an officer receives a request from the Missouri Department of Social Services, Division of Youth Services for the apprehension of a juvenile, the officer has the authority and responsibility to take the juvenile into custody.
1. Juveniles detained in Jackson County for the Division of Youth Services will be administratively processed through the Crimes Against Children Section.
  2. Juveniles detained in Clay and Platte Counties will be transported to North Patrol Division or Shoal Creek Patrol Division, where the Crimes Against Children Section will be contacted by phone.
  3. Juveniles detained in Cass County will be transported to South Patrol Division where the Crimes Against Children Section will be contacted by phone.
- B. All members will cooperate with Missouri Division of Youth Services personnel in apprehending and detaining juveniles under their care and guidance. Information concerning detainment of a juvenile for the Division of Youth Services will be included in the report.

**NOTE:** For purposes of apprehending and detaining juveniles, Missouri Division of Youth Services is synonymous with the Missouri Department of Corrections on the adult side.

## MISSING/RUNAWAY JUVENILES

### A. Missing/Runaway Juveniles

1. Missing/Runaway juvenile record keeping is performed by the Crimes Against Children Section. A missing/runaway juvenile is a status offense, not a criminal offense.
2. Citizens will be advised that a missing/runaway juvenile, from the local metropolitan area, located by law enforcement **will not** be transported to a juvenile detention facility, instead, they will be returned to the parent/guardian's custody.
  - a. Department members should keep in mind that a missing/runaway juvenile is not a criminal offense so jurisdictional boundaries do not apply.
  - b. Field supervisors may determine when a missing/runaway juvenile should be transported to a local metropolitan area in Kansas to be returned to the custody of the parent/guardian.
3. Juveniles who are located by law enforcement that are reported as missing/runaway persons from out of state will be detained, for clarification refer to section A of this Annex. Per the Interstate Compact pertaining to juveniles, the officer will call the local family court where the juvenile was located and arrangements for securely detaining the juvenile will be made.
4. All calls from parents/guardians who advise their child is missing or has run away will be transferred to the Communications Unit call takers. Two officers and a sergeant will be dispatched immediately. Officers will do the following:
  - a. The field supervisor may request an Amber Alert as outlined in the current written directive entitled, "Amber Alert."
  - b. Officers will make every attempt to locate the missing child.
  - c. Officers will complete the necessary report in RMS.

- d. Officers will contact Crimes Against Children as soon as possible. To adhere to Federal Guidelines Crimes Against Children must be notified within two hours.
  - e. Crimes Against Children will work with Data Entry to immediately enter the missing/runaway pick-up in REGIS, based on the information obtained from the officers on scene.
  - f. When foul play is suspected officers will contact Crimes Against Children for assistance and/or immediate response.
  - g. Officers will ensure that the parent/guardian is given contact information for Crimes Against Children for follow up if the child cannot be located in a timely manner.
  - h. When a parent/guardian is unavailable to meet with officers, the parent/guardian will be referred to Crimes Against Children and a report will be taken over the phone.
5. Crimes Against Children will print out and maintain a file on the missing/runaway juvenile. Follow up will be conducted as appropriate by Crimes Against Children personnel.
6. When a missing/runaway juvenile return is reported, officers will be dispatched to ensure the child's safety. Officers will attempt to ascertain where the juvenile has been and complete a supplemental report indicating the child has been located. Officers will ensure the child is returned to their parent/guardian, unless allegations of child abuse are made.
- a. When allegations of child abuse are present, officer will contact Crimes Against Children for direction.
  - b. If no allegations of abuse are present, officer should contact Crimes Against Children. The REGIS entry will be removed and the missing/runaway juvenile file will be closed.
7. When a parent/guardian reports that their child has been kidnapped, whether by a stranger or family member, officers and a sergeant will be dispatched immediately to the scene. Upon investigation, if an officer determines a kidnapping has occurred, the officer should contact Crimes Against Children for direction and/or a response.