



FEBRUARY 2, 2021	5 - Field Investigations	1 of 9	5.12.01
INTERACTIONS WITH YOUTH			
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PURPOSE: To provide officers to respond to youth in a manner that promotes positive interaction and enhances the officers, youth, and public's safety while still holding youth accountable.

POLICY: It is the policy of the Division of Police to ensure that youth shall be afforded their constitutional and statutory rights when being questioned, searched, detained, or arrested. Youth shall be informed of their rights in an age-appropriate manner and treated with courtesy, professionalism, dignity, respect, and equality.

DEFINITIONS

Age-appropriate - a term used to reflect a general understanding of the social, emotional, physical, neurological, behavioral, and moral aspects of development in an individual under 18 years of age.

Bias-Free Policing - policing that is accomplished without the selective enforcement or non-enforcement of the law, including selecting or rejecting particular policing tactics or strategies, based on the youth's race, ethnicity, gender, or sexual orientation. (216) 623-6888.

Cuyahoga County Division of Children, Youth, and Family Services
 care and protection of children

SecureCustody - when a youth is held in a locked room, set of rooms, or a cell designated/set aside or used for the specific purpose of securely detaining persons who are in law enforcement custody.

Sight or sound contact- any physical, clear, visual, or verbal contact that is not brief or inadvertent.

Unruly Child - any child who does not submit to the reasonable control of the child's parents, teachers, guardian, or custodian, by reason of being wayward or habitually disobedient; Any child who is a habitual truant from school and who previously has not been adjudicated an unruly child for being a habitual truant; Any child who behaves in a manner as to injure or endanger the child's own health or morals or the health or morals of others; Any child who violates a law, other than division (C) of section 2907.39, division (A) of section 2151.87 of the Revised Code that is applicable only to a child. (ORC 2151.022)

Youth/Juvenile - an individual under the age of 18.

PROCEDURES:

I. General Guidelines

- A. Officers are encouraged to engage in positive interactions with youth while conducting non-enforcement activities.
- B. When interacting with youth, officers shall:
 - 1. Treat all youth with courtesy, professionalism, dignity, respect, and equality.
 - 2. Conduct law enforcement activities without discrimination based on a youth's demographic category per General Police Order 1.07.08 Bias-Free Policing. Examples of such interactions include, but are not limited to:
 - a. Approaching youth in a calm and respectful manner
 - b. Explaining the purpose of interaction in an age-appropriate manner
 - c. Not cursing at or using derogatory language to refer to youth
 - d. Not making fun of or engaging in demeaning or humiliation tactics
 - 3. Take into consideration the following factors, if known, including but not limited to the:
 - a. Nature of the complaint or contact.
 - b. Youth's age, intelligence, mental capacity, disability status, and physical condition.
 - c. Youth in crisis (e.g., emotional stability, under the influence of alcohol or drugs).

- d. Youth's prior contact/history with officers.
- e. Youth's likelihood to comply with parental control.
- f. Cooperation and attitude of all involved parties and the likelihood of the offense being repeated.
- g. The likelihood that the youth can be successfully redirected.

II. Investigatory Stops

A. In addition to the provisions set in GPO 2.02.02 Investigatory Stops, officers shall be aware of the potential behavioral response youth may employ, potentially impacting the direction of an investigative stop in unintended ways. These responses may include but are not limited to:

- 1. Fleeing
- 2. Verbal challenges
- 3. Freezing or unexpected non-responsiveness
- 4. Outright disregard for police directives
- 5. Presumption of mistreatments

B. Behavioral responses alone cannot provide the basis for probable cause.

III. Interviews and Interrogations

A. Administering Juvenile Miranda Warning and Waiver

- 1. Officers shall administer Miranda warnings in an age-appropriate manner per directives contained in GPO 2.02.01 Miranda Warnings and Waiver (6 (i)-60ID 125 1P 4 Me)4
- 5.

2. Be aware that juveniles' behavioral cues that may indicate deception may, in fact, be due to the juvenile's maturity level or other developmental factors (e.g., avoiding eye contact, fidgeting, agitation, and emotional volatility).

IV. Redirection and Referrals

- A. Where probable cause exists that a youth has engaged in unruly behavior (e.g., truancy, running away from home, violating curfew, underage use of alcohol) or has committed a nonviolent misdemeanor offense, officers may exercise reasonable discretion and choose alternatives to arrest, including but are not limited to the following:
 1. Warn and Release - Officers may warn and release the youth to his/her parent or another responsible adult.
 2. Referral for Rehabilitative Services - Officers may make a referral to a community social service or mental health agency, particularly when problems related to mental illness, including suicidal gestures and behaviors, drug use or other substance abuse, and/or personal or family crises, appear to be involved or serve as an influence on the youth's behavior.
 3. Referral to Local Agencies – Officers may make referrals to local agencies for positive youth development supports, including recreational, literacy, vocational, volunteer, mentoring, and/or other activities to positively engage youth and deter unruly and/or delinquent behaviors.
- B. Officers shall not arrest a juvenile under the age of 13 for a nonviolent offense (Refer to GPO 3.03.03 Juvenile Booking and Processing)

V. Arrest and Temporary Custody

- A. For juveniles taken into custody for violations of law, officers shall:
 1. Follow the procedures described in GPO 3.03.03, Juvenile Booking and Processing.
 2. Attempt to notify the juvenile's parent, legal guardian, or responsible adult regarding the circumstances of the arrest

2. Hold the juvenile in temporary Division of Police custody only as long as reasonably necessary for processing and transfer to the Juvenile Detention Center following the procedures described in GPO 3.03.01 Arrestee Restraint, Transport, and Supervision.
 3. Ensure that an officer has constant auditory access to and observes the juvenile every 30 minutes or less.
 4. Ensure arrested juveniles do not have sight or sound contact with arrested adults. If inadvertent contact does occur, reasonable efforts shall be taken to end the contact.
- C. When the CCJDC does not accept a juvenile, the officers shall:
1. Relinquish custody of the juvenile to an identified, responsible adult, parent, guardian, or relative.
 - a. When a responsible adult, parent, guardian, or relative cannot be located, the officer shall contact CCDCFS (696-KIDS).
- D. Arrests of Children with Disabilities
1. Under the Federal Individuals with Disabilities Education Improvement Act of 2004, when a school or other agency reports a crime committed by a child with a disability, and the child is subsequently arrested, the reporting administrator is required to ensure that copies of the child's special education and disciplinary records are given to the arresting officer for inclusion in the arrest packet.
 2. When a school or other agency reports a crime committed by a child with a disability, and the child is subsequently arrested, the arresting officers shall:
 - a. If not provided, request copies of the child's special education status and disciplinary records from the administrator at the school or agency, pursuant to O.A.C. 3301-51-04(R)(2).

2. If an officer believes a youth may be a suicide risk, the youth shall be kept under continuous, direct supervision in a location free of suicide hazards until contact with the CRT and evaluation, release or transfer is completed.
3. If a youth has attempted suicide, officers shall notify the youth's