POLICY/PURPOSE:
The Cedar Rapids Police Department is committed to the development, implementation, and maintenance of programs designed to prevent and control juvenile delinquency. The responsibility for participating in or supporting the department’s juvenile operations function is shared by all the department’s divisions and personnel. [44.1.1]

It shall be the Cedar Rapids Police Department’s policy to refer juveniles to both public and private social service agencies within the limits of the Code of Iowa, Chapter 232, in order to direct non-serious juvenile offenders and/or troubled juveniles away from the formal Juvenile Justice System. This will enable the department to utilize local resources in the solving of local community problems.

It shall be the Cedar Rapids Police Department’s policy to refer juveniles to court approved diversionary programs when applicable. The decision to refer a juvenile into a diversion program(s) will be based on established department guidelines taking into account the nature of the offense, the age and circumstances of the offender and the offender’s record. [1.1.3, 1.2.6] Where appropriate, simple counseling by the agency alone along with supervision by a parent or guardian may be sufficient.

JUVENILE OPERATIONS:
The Cedar Rapids Police Department has established a Youth Services section, which is responsible for a variety of functions related to juvenile crime. An Investigative Unit Commander, under the Criminal Investigation Division (CID) Commander, is in charge of Youth Services.

The functions of Youth Services include:
- Follow-up investigation of juvenile contacts.
- To work in conjunction with the Juvenile Court to design and implement programs intended to prevent and control delinquent behavior by juveniles.
- Coordinating and preparing cases for Juvenile Court.
- Diverting juvenile offenders from the Juvenile Justice System via diversionary programs. [1.1.3, 1.2.6]
- Maintaining a liaison with local schools, the School Resource Officers, and local youth agencies within the community. [44.2.4]
Review of Policies:
It will be the policy of Youth Services to annually review all of the policies and procedures that affect juvenile matters. The Investigative Unit Commander will consult with the Linn County Juvenile Court System on matters that pertain to juvenile issues and/or policy as appropriate. [44.1.2] In the event of any significant changes in State law, revisions to policy, or Juvenile Court procedures, the Subject Matter Expert (SME) will forward input and recommendations to the CID Commander for review and recommendations on the updating and revision of the departmental Directives Manual.

Evaluation of ongoing programs:
It is the responsibility of the department to annually review and provide written evaluation of all of the juvenile enforcement, recreational youth programs and prevention programs of the Cedar Rapids Police Department. [44.1.3] The review will include, but is not limited to the following:

- Whether or not existing programs should continue;
- Whether new programs should be added; and
- Whether existing programs need to be updated or changed due to changes in the Juvenile Justice Section of the Code of Iowa.
- Prior to any program changes or revisions, a written recommendation will be submitted to the Chief of Police. If practical, this should be done prior to the start of the school year.

Shared Responsibilities:
- All department members will follow the department policies and procedures concerning juvenile matters contained in this section of the Directives Manual.
- All police officers should maintain a working knowledge of Juvenile Justice, Chapter 232 of the Iowa Code, as it pertains to the handling of juveniles.
- A current list of social service agencies will be kept within Youth Services. The list will provide information for police officers in dealing with both criminal and non-criminal matters for the protection of the juvenile.
- The department participates in and organizes community recreational youth programs. The department takes an active leadership role in developing these community recreational programs for juveniles.
ARREST OF JUVENILES:
The following procedures are required for all arrests of delinquent juveniles:

- Determine whether the juvenile is alleged to have engaged in criminal or non-criminal behavior, i.e., a status offense. [44.2.2a]
- Determine whether the juvenile is alleged to have been harmed or to be in danger of harm. [44.2.2b]
- As soon as possible, make a reasonable attempt to notify the juvenile's parent/guardian. [44.2.2e]
- Without unnecessary delay, release the juvenile to a parent or guardian, or bring the juvenile to the station or juvenile intake facility as per the following section on Juvenile Arrest Disposition (unless the juvenile is in need of emergency medical treatment). [44.2.2d]
- If the juvenile is in our custody and needs medical attention, officers shall see that the parent or guardian responsible for the juvenile is notified of the circumstances of the case and the medical issue. Officers should have the parents meet with the officer and juvenile at a hospital. [44.2.2d]
- If the juvenile is intoxicated or has been using drugs, check with a commander on whether the juvenile should be taken to Mercy or St. Luke’s Hospital, Linn County Juvenile Detention Center (Detention Center), Foundation II, or released to a parent, guardian, or custodian.
- If the juvenile is not a resident of Cedar Rapids or staying with responsible friends in Cedar Rapids, and the juvenile is not taken to the Detention Center, then the juvenile will be brought to the Police Station, processed if necessary, and the appropriate person notified to come pick up the juvenile.
- Arrests of juveniles (age ten and older) for a delinquent act that would be a forcible felony if committed by an adult is public record, and can be released to the news media.
- Juveniles under arrest solely for status offenses will not be handcuffed or held in a locked room or cell, unless they become violent or are a threat to harm themselves or others.
- Do not handcuff juveniles for status offenses, unless any of the following exist:
  - Physically resist or threatens violence to the officer or to the public
  - Is known to have a history of physical violence
  - Has been taken into custody for an act of violence against a person
  - Presents a risk of injury to themselves or to another person in the reasonable judgment of an officer

**NOTE:** If in doubt, restrain if necessary and request guidance from a commander as soon as practical.
**POLICY TITLE:**  Juvenile Operations  
**STANDARD/REF #:**  1.1.3; 1.2.6; 44.1.1; 44.1.3; 44.2.1; 44.2.2; 44.2.3; 44.2.4; 71.1.1; 71.3.1a,b; 71.5.1a,c,d; 82.1.2  
**APPROVED BY:**  Wayne Jerman, Chief  
**REVIEWED DATE:**  1/17/2019  
**REQUIRED REVIEWERS:**  CID Captain, Patrol Captain, CID Lieutenant  
**REVISED DATE:**  1/17/2019

**FINGERPRINTS:** [71.3.1b]  
If a Peace Officer has reasonable grounds to believe that latent fingerprints found during the investigation of a commission of a public offense are those of a particular juvenile, fingerprints of that juvenile may be taken for immediate comparison with the latent fingerprints regardless of the age of the child or the nature of the offense for the proper disposition of fingerprints. Iowa Code 232.148(3) If the comparison is negative, the fingerprint card and the other copies of the fingerprints taken shall be immediately destroyed.

Juveniles charged with a public offense other than a simple misdemeanor will be fingerprinted and photographed under Iowa Code 232.148.

- Copies of fingerprints of a juvenile who has been arrested shall be forwarded to the Department of Public Safety for inclusion in the Automated Fingerprint Identification System (AFIS).

Fingerprinting will take place in the Identification/Fingerprinting Room. [71.1.1] The following are requirements for the fingerprinting of detainees only and are not required for voluntary fingerprinting of individuals not in custody.

**Weapons Control While Fingerprinting:** [71.5.1b]  
When fingerprinting, all who enter the Identification/Fingerprinting Room will secure any firearms in a weapon’s locker or by placing the firearms in a locked cabinet in their office.

**Constant Supervision:** [71.5.1a]  
Juveniles will be supervised at all times to insure the safety and security of the juvenile and to prevent escape.

Prior to entering the fingerprinting room, officers will:
- Activate the video/audible equipment.
- Activate body cameras, if equipped.

**Escape Prevention:** [71.5.1d]  
Two officers will be present during the fingerprinting of a juvenile in custody.
Duress Alarms: [71.5.1c]
The Identification/Fingerprinting Room is equipped with a duress alarm system activated by a visible, large, red button. When the alarm is activated, an audible alarm will sound within CID and at the following monitoring computer locations:
- The Command Desk
- All CID Commanders’ workstations
- The Front Desk
- The Administrative Operations Lieutenant’s Desk
- Joint Communications Agency (JCA)

It is the responsibility of these above locations to be logged into the duress alarm system to ensure proper monitoring of the system.

Once activated, the alarm can only be silenced through the computer software.

Brevity: [71.3.1a]
The processing time of juveniles for fingerprinting and photographing at the CRPD should be brief. Officers’ supplements shall include the time the juvenile arrived at and left the station.

Bookeled in Absentia:
Warrant requests are not submitted in cases involving juveniles. Officers may book a juvenile in absentia if all of the following criteria are met:
- Probable cause exists to charge a juvenile with a criminal offense
- The juvenile has been positively identified, and
- Officers are unable to locate the juvenile

If a juvenile is booked in absentia, officers will note this in their supplement and by writing “Booked in Absentia” on The Youth Officers Investigative Report (blue sheet) (CRPD #241).

Interviews: [44.2.3]
The following guidelines for the interview of arrested juveniles are designed to assist officers without limiting their use of good judgment:
- When a child is in police custody for a delinquent act he may be interviewed by police. If an interview is necessary or desirable, the following steps should be followed:
Whenever possible, confer with the child's parents or guardian to provide the interviewer with an insight into the juvenile's background and family environment.

- Limit the duration of the interview to a reasonable period.
- No more than two (2) officers should be involved in the interview.

- juveniles under 18 years of age, in most cases, cannot waive their constitutional rights for custodial interrogations unless their rights are also waived by a parent, guardian, or custodian. An exception to this rule is a juvenile, ages 16 or 17, may waive their rights without a parent's consent if a good faith effort by law enforcement has been made to contact a parent and this effort has failed. [44.2.2c]

- Waiver of Rights by Juvenile Being Detained for Questioning Form (CRPD #261)
  - Consists of a section for the juvenile to sign to waive their rights and a section for the parent, guardian, or custodian to sign.
  - The proper procedure to be followed when advising a youthful offender of their rights will be to advise both the suspect and the parent, guardian, or custodian of the suspect's rights; allow them to have a private conference to discuss whether or not all parties desire to have their rights waived; and then to have them sign the Waiver of Rights by Juvenile Being Detained for Questioning (form CRPD 261).

- Parents of a juvenile age 16 or 17 may waive the juvenile’s rights over the telephone providing that the parent has been advised of the suspect’s rights and had the opportunity to confer with them. Juveniles under the age of 16 must have their parents written authorization before questioning begins.

**Juvenile Arrest Dispositions:**

When dealing with juvenile offenders, officers will use the least restrictive among all reasonable alternatives, consistent with preserving public safety, order, and individual liberty. Disposition decisions are based on several factors, including such variables as the severity of the delinquent act, the age and circumstances of the offense, the attitude and action of the parents, offender’s prior record, and the availability of diversion programs.[1.1.3, 1.2.6] The following disposition options are listed in order of severity, from least to most severe:

- Released without charge to parent. This action should only be used in very minor incidents or in cases where charges may not be substantiated. [44.2.1a]

- For traffic related charges
  - Release with warning [44.2.1a]
  - Release with citation [44.2.1b]
Released to parent pending referral to Juvenile Probation/Court for formal adjudication. [44.2.1c]

The following cases should be considered for referral by officers:
- The minor’s act would constitute a felony if he were an adult
- Act involves the use of a weapon or the threat of bodily harm
- Aggravated assault or battery
- Gang related offenses
- The minor is currently under court supervision or probation for another offense, or has a case already pending before the court
- Repeat offender with a prior referral

Detained at Juvenile Detention Center pending custody hearing by court.

If a juvenile is charged with a Forcible Felony, they may be automatically waived to adult court. A state complaint along with a Youth Officers Investigative Report (blue sheet) (CRPD #241) needs to be filled out and sent to the County Attorney’s Office.

Check to see if the juvenile has been previously waived to adult court. For more information on this procedure, see Once Waived, Always Waived section below.

For all other offenses other than a Forcible Felony, complete paperwork the normal juvenile paperwork. If a juvenile is within 30 days of being 18 years of age, complete both a Youth Officers Investigative Report (blue sheet) (CRPD #241) and a state complaint.

Forcible felonies and some weapons, drugs, and gang offenses committed by juveniles who are 16 or 17 years of age, are generally waived from the Jurisdiction of the Juvenile Court to Adult Court. For a complete list of offenses, see Iowa State Code.

Juvenile Shoplifters (Theft 5th):
- If a juvenile is charged with Theft 5th for shoplifting and is going to be released to a parent, guardian, or custodian, it is not necessary to bring them to the station, or to set up an appointment with Youth Services. The officer will complete the juvenile complaint form Youth Officers Investigative Report (blue sheet) (CRPD #241) and all other paperwork as normal.
- Officers will check to see if the juvenile has a theft record. If the juvenile does have a theft record, the officer will advise the person the juvenile is released to that Juvenile Probation will contact them by letter for an appointment. The officer will also notate the prior record in their supplement.
If the juvenile does not have a record, the officer can decide to warn the juvenile or to refer the juvenile to Juvenile Probation. Detailed information of how the case was handled should be included in the report.

Officers' Responsibilities Concerning Delinquency Referrals to Juvenile Court:
The following procedures should be followed by the officer when referring a child to court without detaining the youth: [44.2.1c]

- Notify the Screening Department of the Linn County Juvenile Court of the referral by checking the appropriate box on the Youth Officers Investigative Report Form (blue sheet) (CRPD #241)
- Notify the child's parent or guardian of the referral to Juvenile Court
- Forward copies of all police reports to the Linn County Juvenile Court

If the juvenile is to be taken to the Linn County Juvenile Detention Center, call (319) 892-5735 to determine if they can accept the juvenile. If Juvenile Detention is full and you feel it is necessary for the subject to be held, inform Juvenile Detention of this and they may be able to make arrangements with a Judge to transfer one who is currently being held, creating a vacancy.

- Transport the juvenile to the Linn County Juvenile Detention Center as soon as possible after completing all the necessary steps. [44.2.2d]
- Complete the Detention Center Referral Information Form in duplicate. Copies of this form are available at the Linn County Juvenile Detention Center. One copy is to stay with the Detention Center facility, and the other copy should be turned in with the arrest paperwork.
- Transporting officers will stay at the Detention Center until the intake procedure is completed, or until released by Detention Center staff.
- The arresting jurisdiction is responsible for transportation to the Detention Center.
- Only juveniles between 12 and 17 years of age can be held at the Detention Center; however, those younger than 12 may be accepted on a case-by-case basis.
- Other criteria for declining admission to the Detention Center are as follows:
  - The facility has reached its capacity.
  - The juvenile is in need of medical and/or psychiatric treatment.
  - The juvenile is displaying, or is likely to display, behavior that is so violent or disruptive that they cannot be controlled in the Detention Center.

- Foundation II, Inc. Youth Shelter located at 3015 12th Avenue S.W. may be used as an alternative placement facility when a non-violent youth does not meet the criteria for detention, or the Detention Center is full.
No juvenile can be held at the Detention Center more than 24 hours without a court order. If the officer(s) feels that an extended detention is necessary, they must request additional time through the Probation Office by leaving a supplementary report that will be forwarded to the Probation Office.

Serving Warrants on Juveniles:
Juveniles who are charged with traffic offenses or simple misdemeanor offenses not defined as delinquent acts under the Juvenile Code cannot be held at a juvenile detention facility on warrants for Failure to Appear.

- Warrants related to these charges should be served only during court hours. The juvenile is then brought directly before the court for their appearance. A clearance on the warrant charge should be filled out.
- For warrants served during non-court hours, officers will allow the juvenile to sign a Consent to Delay Form (CRPD #371) and release the juvenile after service of the warrant. A Youth Officers Investigative Report (blue sheet) (CRPD #241) and clearance should be filled out for the arrest.

Traffic Offenses for Juveniles:
Refer to Juvenile Driving Suspensions located in the Traffic Enforcement and Citations Directive.

Operating While Intoxicated (OWI) and .02 “Zero Tolerance” Violations for Juveniles
Refer to OWI Processing of Juveniles located in the OWI, Adult and Juvenile Directive.

Status Offenses: [44.2.2a]
A status offense is one that would not be an offense if committed by an adult (curfew violation, tobacco).

- Juveniles under arrest solely for status offenses will not be handcuffed or held in a locked room or cell, unless they become violent or are a threat to harm themselves or others.
- When a juvenile commits a status offense, they will be handled the same as an adult; that is, a complaint form is filed against them so they will appear before a magistrate. They will then be allowed to sign a Delay of Arraignment, which will usually be a citation or a Consent to Delay Form (CRPD #371). An attempt should be made by the officers to have the parent, guardian, or custodian also sign the Delay of Arraignment.
- In reference to curfew violations, the officer will be able to use their own discretion as to filing a complaint form or give a verbal warning to the offender.
  - When issuing a complaint form, the officer should attempt to have the juvenile and their parent, guardian, or custodian also sign the Delay of Arraignment. In the absence of a parent, guardian or custodian, the juvenile can be released on their own signature. The Delay of Arraignment must accompany the complaint form to court.
Possession Under the Legal Age (PULA) (alcohol):

- If warning and not charging for PULA, complete the Juvenile PULA Form (CRPD #731), check “No Charge”.
- If charging for PULA, obtain a case number, complete the Juvenile PULA Offenses Form (CRPD #731), and check “Charge”. Also complete the narrative section of the form with specifics such as type, brand, and amount of alcohol, along with how it was in their possession.
  - These forms shall be forwarded to Juvenile Court. A Juvenile Court Officer will make any school notifications.
  - Be certain to obtain a PBT reading if possible.
- If there are additional charges along with PULA, complete the regular paperwork for a juvenile with a Youth Officers Investigative Report (blue sheet) (CRPD #241) for the PULA charge.
- Officers shall make a reasonable attempt to notify the juvenile’s custodial parent or legal guardian of the possession, whether or not the juvenile is arrested or a citation is issued as stated in Iowa Code 123.47B (1).
- If charged with Consumption in Public Places and or Open Container, complete a Youth Officers Investigative Report (blue sheet) (CRPD #241) and supplement.

Possession Under the Legal Age (PULA) (cigarettes and tobacco):

- If PULA (cigarettes and tobacco) is the only charge, a citation will be used as a complaint.
  - State Charge code 453A.2  Data Code 525A, B, or C
  - The citation should contain prosecutor details. If additional space is required, a supplement should be made with no case number.
- Unless there are additional charges or circumstance dictate otherwise, juveniles will be released after signing the citation.

Other City (non-traffic) Charges:

- Charges such as Skateboarding, Sledding on Streets, etc… the juvenile may be cited on a City of Cedar Rapids Complaint, allowed to sign, and released.
  - If possible, notify the juvenile’s parents, guardian or custodian of the situation.
Once Waived, Always Waived:
Iowa Code 232.45A requires that once a juvenile (aged 16 or older) has been waived to adult court for any offense, all subsequent arrests will be filed directly through the adult court.

- Juveniles which meet the new waiver requirement will have an alert notification listed in ILEADS. The following steps in ILEADS will be completed with arrest of all juveniles, aged 16 or older, in order to determine if the juvenile should be charged as an adult.

  - Click the attachment icon to display all attachments associated with the name record. A window will open listing all the attachments associated with the name record.
  - In the description column, click the attachment titled “JUVENILE WAIVER TO ADULT COURT”.
  - Click the binoculars icon to open the attachment.
  - The attachment of the waiver will open as a PDF file.
  - Print the waiver and include it with the incident/arrest report.
  - An adult complaint will be filed out in lieu of a Youth Officers Investigative Report (blue sheet) (CRPD #241)

Limited Custody of Minors – Not an Arrest:
Refer to Iowa Code 232.19 – Taking a Child into Custody

- A police officer is authorized to take a child into limited custody without court order.
  - The child is in a circumstance or condition that presents an imminent danger to the child’s life or health.
  - A child is absent from home without the consent of parent, custodian, or guardian.
    - Officers should keep in mind the age of the child, and the circumstances of the situation. The temporary custody of a runaway is only to reunite the minor with their parent, guardian, or custodian.
      - Runaways who cannot be reunited with their parent, guardian, or custodian within a reasonable length of time will be sent to Foundation II if a room is available. This applies to runaways from other jurisdictions as well as runaways from Cedar Rapids.
    - A clearance report should be completed for located runaways.
  - A child who is beyond the control of their parent, in circumstances, which constitute a substantial or immediate danger to the child’s physical safety.
• No child in limited custody shall be placed in a jail, lock-up, detention center, or secure correctional facility.
• The taking of a child into limited custody does not constitute an arrest.
• Disposition options for juveniles taken into limited custody:
  o Return to parent once it has been determined the home environment will not be injurious to the child's safety.
  o Referral to a residential placement social service agency. The department maintains copies of publications, which list several agencies that provide this type of social service.
  o Referral to the Department of Human Services in cases of abuse or neglect.

**Juvenile Section Records:**
The Records Division, under the direction of the Records Supervisors shall be responsible for collection and dissemination of all juvenile files and records. [82.1.2c]

- CID will be responsible for maintaining a filing system whereby arrest reports, photos, fingerprints, and all other documents pertaining to the case at hand will be stored under an assigned youth identification file. [82.1.2b]
- All juvenile records are kept and maintained in the centralized record management system and distinguished by date of birth. [82.1.2a]

The Investigative Unit Commander under the direction of the CID Commander is responsible for the collection, dissemination, and the processing of all juvenile files/records concerning report review procedures.

The CID Commander and the Investigative Unit Commander shall be responsible for complying with the terms of any court ordered to have the record sealed or expunged, as set forth in the Code of Iowa. If there is no request to have the record sealed or expunged the record will be maintained in the juvenile file even after the subject reaches the legal age of adjudication. [82.1.2d,e]

**Participation in Community Programs:**

**Police/School Liaison Program:** [44.2.4]

The department, through the combined efforts of the Youth Services section and school resources, will fulfill the following responsibilities within the school environment:

- Act as a resource for delinquency prevention by establishing a rapport with students and staff through visits to local schools.
• Upon request, provide guidance on ethical issues and the role of law enforcement in society in a classroom setting. This may be accomplished through classroom presentations addressing issues such as drug use, peer pressure, etc.

• Upon request, provide counseling service to students on an individual basis. Troubled students may be referred to the respective social services agencies for assistance and counseling.

• A School Resource Officer (SRO) will be stationed in participating schools in the Cedar Rapids City Limits. The School Resource Officers will work in the schools establishing rapport with students and school staff in an effort to enhance police/school/community relationships.

**DISORDERLY CONDUCT DIVERSIONARY PROGRAM PAPER ASSIGNMENT PROTOCOL:** [1.1.3]

The Disorderly Conduct paper assignment applies to first time offenders.

• The offender can have no previous record of any report where they are the suspect in any type of investigation.

It is the reporting officer’s decision whether offenders are allowed to participate in the diversion program.

• If the encounter is a pushing, shoving, or screaming match it would fit the parameters of the writing assignment.

• If in the officer’s estimation, the incident was “over the top” then the offender can be immediately referred to Juvenile Court for the Disorderly Conduct charge.

When an “assignment” is made, the officer will complete the normal paperwork to include a blue sheet.

• On the blue sheet, the officer will notate “writing assignment” in the lower half of the page instead of “to report” or “to detention.”
  
  o The officer will give the offender the writing assignment paper on the Disorderly Conduct Diversionary Program Form (CRPD #240) and designate a date of completion to be two weeks (from the time of the incident /referral) for the assignment to be finished and tracked by the assigning officer.

The assigning officer will track and manage the diversionary program assignments for individual candidates. Failure to complete the assignment will result in the Disorderly Charges being referred to Juvenile Probation. The case progression will be tracked through normal ILEADS case management methods. Completed writing assignments will be placed in the applicable case file with other applicable case paperwork.