



SOCIAL SCIENCE

Children and Adolescents



Children and Adolescents

~ CHAPTER 22 ~

Topics and concepts included in this chapter:

1. How a police officer can develop a rapport with children and adolescents.
2. The procedure when handling runaways and homeless youths.
3. The procedure when handling maltreated, abused and neglected children.
4. Types of unlawful conduct by juveniles and the proper police response.
5. Responsibilities of the NYPD School Safety Division.
6. Juvenile delinquent and the procedure used to take a juvenile delinquent into custody.
7. Juvenile offender and the procedure used to take a juvenile offender into custody.
8. Different types of gangs.
9. Department resources for young people.

Mandatory Patrol Guide Procedures

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- P.G. 215-10 Arrest of Juvenile Offender
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CHILDREN AND ADOLESCENT DEVELOPMENT FOR POLICE OFFICERS

Police work includes a myriad of responsibilities and tasks involving kids, ranging from finding lost children to apprehending juvenile offenders. It is essential that you learn to communicate with the young people you meet on patrol. There are two major reasons you must develop sufficient knowledge to talk to kids. First, your interactions with them may profoundly affect their lives. Second, your effectiveness as a police officer involved in maintaining order, enforcing the law, and protecting the public, partly depends on the quality of relationships you develop with children and adolescents.

This lesson examines what you need to know to deal effectively with young people. We begin with a discussion of those aspects of child development that influence how kids react to you and how you may respond to them. We go on to explore the types of children that police officers typically encounter on patrol. These include kids who are runaways, homeless, truant from school, involved with drugs or alcohol, engaged in delinquent acts, members of gangs, and children who are victims and/or witnesses to crimes. The laws and police procedures that relate to each category are included in relevant sections.

Children of every age are heavily influenced by the adult figures in their environment, particularly those in positions of authority. You can provide a positive role model for the kids in the neighborhood, depending on your behavior and the kind of relationships you develop. In some instances, you may be the only positive role model in the child's life. As a police officer you can influence whether the child finishes school, find productive work, or grows up to be a respectful and law abiding citizen. This point will become clear when you think about the adults who were both positive and negative influences on your life. Some of you may even have had encounters with police officers which influenced how you perceived them and why you decided to become one.

Young people often have unique access to information regarding crimes and other important activities that are going on in their neighborhood. Many of them will be willing to share what they know with police officers who have a reputation for being fair and helpful and with whom they've developed rapport. This is true for kids in school who are troubled by the illegal activities they observe around them. This is also the case for some youth who are involved in criminal activity but ambivalent about participation or who find particular actions morally problematic.

Your relationship with kids also has implications for your standing in the larger community. What youths tell their parents and friends about the police, influence whether they perceive you as part of an occupational army invading their neighborhood and harassing people, or an advocate working to reduce crime and keep their children safe and out of trouble.



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It's apparent that you are an important person to kids, and kids are important to you. Having a shield and gun will transform you into an authority figure, even if you're a rookie police officer. What isn't so obvious is how to deal effectively with a population of teenagers who are neither innocent nor compliant. Knowledge about what happens to youths, as they become adolescents, will help you understand and better deal with this sometimes difficult group.

When children leave their families and begin school, they are exposed to a group of peers who introduce new values and customs and to teachers who educate and evaluate them. The children then begin to acknowledge a different and more general adult authority and learn to assess behavior according to new standards.

The importance of peer groups to children's sense of self-esteem cannot be underestimated. Children often attribute their moments of greatest unhappiness to peers rather than to parents. The reactions of peer groups thus play an important role in what words and actions children define as good and bad, influencing their behavior. How kids act in relation to you as a police officer partly depends on the opinion of their peers. A youth whom you embarrass in front of their peers may become a lifelong enemy. Their friends will mark you as problem cop and spread the word of your reputation around the neighborhood. While one "mistake" will not automatically destroy your relationship with the neighborhood kids, it will make it more difficult to gain their trust.

The adolescent stage of development begins when a youth is about 12 years old, and continues until about 22. During this time, biological and hormonal changes dramatically affect children's moods and how they feel about themselves, their families, and the authority figures in the world around them. Some adolescents openly welcome the physical changes that accompany puberty. Others have conflicting feelings about whether or not they want to grow up. The increase in sexual desire that occurs during this time is sometimes accompanied by guilt, confusion, and a lot of misinformation.

Many adolescents experience changes in self-esteem. They may worry about their appearance (whether they are growing in height at the same pace as their peers) and popularity (whether or not they are in the "right" clique, or have boyfriends and girlfriends). During this time, even well-adjusted teenagers may be acutely vulnerable to criticism or hostility emanating from peers, parents, teachers, and other authority figures, including the police.

Some fluctuations in mood are made worse by feelings of temporary or longer-lasting depression. Kids who are depressed may lose their capacity to enjoy school, work and relationships. They may feel that the world is a bleak place and that they have no future. Depressed teenagers tend to be irritable, sullen, and angry, do poorly in school, and may engage in activities that provoke trouble (e.g., fighting).



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Depressed teenagers may tempt fate and put themselves in emotional and physical harm's way by engaging in high-risk behaviors. They may attempt to reduce anxiety and sadness by drinking excessively or taking mood altering drugs (e.g., ecstasy, cocaine, marijuana, amphetamines, valium, and barbiturates). Depressed teenagers may also be suicidal. They may kill themselves alone, or on rare occasions, as part of a couple.

Kids also take drugs for reasons other than depression, including involvement in a peer subculture which encourages their use; desire to experience new things; wish to act grown up; a need to express independence by negating parental rules; or a traumatic reaction to witnessing violence (e.g., shootings, stabbings, beatings etc.). In any case, regular or binge drinking and drug abuse can disrupt the course of normal adolescent development, compromising performance at school and relationships with parents, teachers, and other authority figures, including the police. The upheaval of adolescent development is often compounded for children who live in adverse social conditions and have to contend with poverty, inadequate housing, and disruptions in family care, poor schools, and crime-ridden neighborhoods.

Attention Deficit Hyperactivity Disorder (ADD or ADHD) is another condition that can affect the moods and behaviors of adolescents as well as younger children. Kids with ADD may be impulsive and hyperactive, and have difficulty being attentive. These symptoms can manifest themselves in behavior which appears rude or defiant (e.g., ignoring commands, inability to concentrate on a task, restlessness, inability to focus, fidgeting). Even with the help of medication, kids with ADD cannot completely control these responses, and as a result, they often have difficulty developing stable relationships with peers and adults. *This is important for police officers to keep in mind so they can avoid overreacting to unintended provocations on the part of children with ADD, whose condition you may not be able to easily recognize.*

Physical change in adolescents is accompanied by renewed attempts to assert an identity that is different from that of their parents. Sometimes adolescents show their independence in ways that involve disobedience to authority. As symbols of authority, police become the targets of the anger, resentment, and negative feelings the adolescent has towards parents and society. Kids who have a history of criminal victimization, arrest, or questioning by police tend to have more negative attitudes towards police.

Adolescents are full of contradictions. As part of their effort to develop their identity, they may act in negative ways towards people in authority. At the same time, they are engaged in a search for adult authority figures whom they can respect, admire and emulate. Those of you who are able to deal with antagonistic behaviors in a respectful and professional manner can become important role models for these kids.



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Police officers' contacts with youths and adolescents frequently occur after they get involved in antisocial or delinquent behavior. While some adolescents commit serious crimes, others engage in minor offenses which would not be viewed as troublesome if they were committed by adults. How you use your discretion to handle these minor offenses has far reaching implications for youths' lives and whether or not they are labeled "bad."

It's important for patrol officers to be aware that the way they communicate with kids can affect whether or not situations become unruly. The officer who is familiar with the community and reacts to the kids as familiar individuals rather than as anonymous groups of "juvenile offenders" will usually be successful in averting trouble. It's essential to keep in mind that, as a result of your authority as a uniformed police officer, you will be the target of powerful emotions by some of the very children and adolescents you find most difficult to deal with. Understanding that the origins of such intense emotional responses are not personal, even if they feel that way, should help you administer your authority in ways which maximize compliance, and lessen the likelihood for unnecessary conflict.

COMMUNICATION SKILLS

1. Always be polite, courteous and professional when you deal with neighborhood youths. Acting tough does not engender respect. When you begin to talk with them, do not assume they have done something wrong.
2. Try not to take challenges to your authority personally or to react harshly when kids, who aren't breaking the law, are antagonistic or even teasing towards you.
3. Take care to avoid seeming punitive in the tone of your voice, the way you ask a question, or in the words you choose. You may provoke a dangerous confrontation by talking to juveniles in an overly harsh manner that evokes feelings of humiliation and undermines their developing sense of independence and autonomy.
4. Do not put a kid down in front of their peers. This will be experienced as a painful humiliation. Talk to the youth when they are alone or take them aside, if possible.
5. Avoid criticizing parents in front of children and adolescents, doing so will make them feel that they must defend their parents, making you look like the one who's bad or who's done something wrong.



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6. When trying to develop relationships with youths, including members of gangs and others who may be involved in criminal activity, try to talk to them apart from peers and siblings.
7. Observe the activity of youth groups before deciding who to approach first. Such observations will provide important information regarding who is who in the group. With gangs, for example, it's probably useful to approach the lower status members because they are more likely to have mixed feelings about their participation in gang activity.
8. Explain your reasoning when making requests of kids who don't know the law and may therefore perceive its enforcement as a form of harassment. Offering a brief explanation of your actions can derail a potentially explosive situation; explaining to the kids what, for example, "dis-con" is and why it is necessary for them not to block pedestrian traffic.
9. Use your discretion when dealing with youth who commit minor offenses. There are times, for example, when a simple admonishment or a trip to his parent or guardian's house will suffice to help the child get on the right path.
10. Do not take offense if youths are hostile to you in the presence of peers.
11. An irritable child may be depressed. Watch for high-risk behavior that indicates that child is suicidal. Take overt suicidal threats seriously.
12. Don't adopt overbearing attitudes when talking to youths and adolescents who are acutely sensitive to perceived attacks on their sense of self and desire to be treated like an adult.
13. Remember that an antagonistic attitude towards the police by some individuals results from their assumption that you are looking for trouble. When safe and appropriate, find ways to defuse concerns.
14. Be cognizant of your tone of voice and body language. They are acutely sensitive to contradictory messages. Don't be sarcastic.
15. Keep lines of communication open.
16. Appreciate and understand diversity among youth population, even within the same group.
17. Establish trust and relationship with youths.
18. Appreciate and learn about youth and adolescent culture.



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19. Be alert to personal biases in your feelings about kids.
20. Know the resources available to which you can properly refer youths, and when appropriate, provide mediation and counseling referrals for troubled youths.

POLICE AND THE RUNAWAY

The Patrol Guide defines a runaway as a child who runs away from home and is a New York State resident under the age of sixteen (16). Some out-of-state residents are also considered runaways, as per the Interstate Compact for Juveniles. Most runaways do not have the permission of their parents or legal guardians to leave home or to stay overnight at some place other than their home.

Children run away from home for a variety of reasons. Some kids leave home to avoid family conflict, divorce, alcoholism, parental drug abuse, neglect and maltreatment, including sexual or physical abuse. Some have psychological problems that are manifested by impulsive, disorganized or delinquent behavior. A history of suicide attempts is common among this group. Other youths who run away are too old for foster care and too young for adult shelters. Some leave to escape maltreatment at the hands of foster parents. A few run away, seeking adventure, and encounter trouble instead. Some youths have even run away to meet someone they met on the Internet.

An abused or neglected youth may be calling attention to their problem by running away, seeking someone who will understand their troubles. The officer who apprehends the runaway may be the first person the youth has had the opportunity to talk with about their problems.

If the officer is skeptical or feels that the child is exaggerating or lying, they may have to investigate further. The police officer should try to ascertain if the runaway is telling the truth. The officer must take full advantage of this opportunity to find out the reasons why the child has run away. This is important because the officer does not want to return a child to an abusive home.

The factors that lead to runaway behavior have long-term consequences. Those who run away are less likely to complete school and are more likely to be unemployed and to have interpersonal problems. The opportunity to talk to a police officer who can refer the youth to agencies that provide help and psychological treatment can positively influence the child's future. For the chronic runaway, leaving home may be a well thought out act. By leaving a situation of personal and family turmoil, they hope to change their relationship with parents, school or peers.

The Family Court Act states that a police officer "may return to their parents or other person legally responsible for their care any child under age 16 who has run away



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from home without just cause." The police officer should interview the runaway as to the reason for leaving home. If there is reason to believe that the child is *abused or neglected*, the officer should contact the Administration of Children Services (ACS). *The child will not be returned home until that agency investigates the situation.* In the meantime, the child will be placed in an appropriate facility. If the charge of neglect or abuse is unfounded, the child will be returned home. If there is some basis to the allegations, the Administration of Children Services or the Society for the Prevention of Cruelty to Children will bring the case into Family Court for a hearing, which may result in placement of the child and action against the parents.

Another reason that police officers should interview the runaway is to determine what the child has been doing since leaving home. The child may require medical treatment for drugs, sexually transmitted diseases (*STDs*), physical injuries, or sexual abuse. As the result of information received, arrests may be made of individuals who harbor a runaway under Section 260.10 of the NYS Penal Law (Endangering the Welfare of a Child) if the officer can show that they were aware that the child was a runaway.

Police officers should know that many runaways feel that they would *lose face* if they return home voluntarily and are often quite content to allow themselves to be discovered by a police officer. In some cases, they will do everything possible to ensure detection by the officer, short of announcing themselves as runaways.

APPLICABLE LAWS

In New York, runaways fall within the category of "**Persons In Need of Supervision**," commonly referred to as **P.I.N.S.**. Section 718 of the Family Court Act authorizes peace officers to return a runaway to their parent. It also allows them to detain a child who is not properly identified, and in the reasonable opinion of the officer, appears to have run away from home.

At present, there is a conflict in the law in the areas of parental responsibility for their children. On the one hand, the law states that upon reaching their 16th birthday, the child is mature enough to be on their own, and the parent cannot do anything to detain the child. On the other hand, the parent is responsible for the child's health and welfare until the child is 18 years old, as defined in the "neglected child statute" of the Family Court Act, Section 1012 (f). This means that New York Family Court processes runaways from New York only up to 15 years of age. However, the age jurisdiction in most states is 18 rather than 15 years old for juveniles. Runaways from other states, who are picked up in New York, will therefore be processed in Family Court, pursuant to the Inter-State Compact (Unconsolidated Laws, 1801, *et seq.*).

In 1978, the New York State legislature amended the Social Service Law and the Executive Law by enacting the Runaway and Homeless Youth Act. This act was



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designed to establish procedures and services to help protect runaway and otherwise homeless youth. This important act provides for temporary shelter, care and counseling services for runaway and homeless youth under the age of eighteen.

Runaway Children

(P.G. 215-05)

Upon determining that a child has run away from home, the uniformed member of the service must:

1. Take the child into custody and remove them to the stationhouse.
2. Prepare an **Aided Report** (a copy gets sent to the Missing Persons Squad) and notify the precinct youth officer.
3. Prepare a **Juvenile Report System Worksheet (PD377-159A)**.
4. Prepare a **Complaint Report Worksheet**, ensuring “Juvenile Report” box is checked off.
5. At the direction of the desk officer, the police officer should do the following:
 - a. Interview the child.
 - b. Notify the Missing Person’s Squad in **ALL** cases.
 - c. Contact the parent or a legal guardian to pick up child within a reasonable amount of time.
 - d. Arrange for shelter if unable to release child to parent/guardian in a reasonable amount of time (see P.G. 215-06).
 - e. Arrange for shelter if the child will be endangered if returned to home.
 - f. A female UMOS, if available, or other UMOS should escort child to shelter if ACS if unable to provide transportation.
 - g. Comply with P.G. 216-03, “Unidentified Persons,” if child is removed to shelter and parents/persons legally responsible for care are not notified.



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OUT-OF-TOWN RUNAWAYS

Under the *Home Free Program* provided by the Greyhound Bus Company, any child is delivered home free of charge. The officer must first confirm that the youth is in fact a runaway, by conducting a National Crime Information Center (NCIC) computer check, and must have the youth's consent to be sent home. If the officer delivers the child to Administration for Children's Services, transportation home will be arranged by them after contacting guardian or parent.

Out-of-town runaways may also be brought to Horizon Juvenile Center in cases where the officer cannot arrange the child to be taken to Administration for Children's Services.

The police officer should know that the Detective Bureau maintains a Missing Person's Squad, which consists of police officers and detectives who are specially trained in this area. They are available to assist the patrol officer who may not have the time or expertise to handle runaways in the most effective manner. The unit is familiar with the areas where runaways usually congregate.

HOMELESS YOUTH

A homeless youth is defined as a youth who has no place of shelter and is in need of services, shelter, supervision, and care. Studies suggest that the main cause of youth homelessness is family dysfunction in the form of caregiver neglect, physical or sexual abuse, family substance abuse and family violence. Other youths have been *thrown out* by their families, often after a history of conflict with the family and problems in the school and the community. Still, others have been abandoned by parents and other relatives who can no longer afford to care for them.

Although runaways and homeless youths share many problems, homeless youths face additional obstacles, including health care problems and the absence of care, in addition to being more vulnerable to being victimized or trafficked. Homeless youth are at increased risk of acquiring sexually transmitted diseases, such as Acquired Immune Deficiency Syndrome (AIDS). They also are less likely to receive treatment for alcohol or drug abuse problems and are much less likely to be reunited with their families.

Children or Minors Requiring Shelter

(P.G. 215-06)

Uniformed members of the service who determine that a child or minor less than eighteen (18) years of age requires shelter shall bring the child or minor to the command and comply with the following:



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1. Notify the precinct youth officer.
2. Comply with P.G. 215-03, *Emergency Removals or Investigation and Reporting of Abused, Neglected or Maltreated Children*; if reasonable suspicion exists that a child requiring shelter has been abused, neglected, or abandoned.
3. Make an immediate notification to the School Safety Division, Operation Center when a Department of Education employee, acting in their official capacity transfers custody of a child to Department personnel for the sole purpose of having the Administration for Children's Services provide shelter.

The following information will be entered into the member's **Activity Log** and an **Aided Report** :

- Date, time and location where child was found/removed;
- Physical description including clothing, name, age, address, school, grade, emotional and physical condition;
- Name, address and phone number of person who found child, if applicable;
- Name and address of parents/persons legally responsible for child, if known;
- Name, title, school and phone number of Department of Education employee transferring custody of a child, if applicable;
- Date, time, name and title of School Safety Division, Operation Center member notified, if applicable;
- The particular circumstances causing the need to provide care/shelter.

The desk officer will be responsible for conferring with the Administration for Children's Services to arrange for transportation.

In cases where ACS notifies the Department that they have removed a child without police assistance – in the absence of the parent, or person legally responsible for care – *the parent or person legally responsible for care will not be informed of the child's location* but will be directed to contact the caseworker.



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MALTREATED, ABUSED, NEGLECTED CHILD

The Family Court Act and Social Services Law have set forth classifications for children of abuse. These classifications are encompassed in the acronym, **M.A.N.** which stands for Maltreated, Abused and Neglected. Police officers and other mandated reporters are required to know what makes a child a “MAN” child, so that they can recognize the signs and take appropriate actions. Below are the definitions for a “MAN” child. The required age is under eighteen (18) years old, unlike that of a juvenile, who by definition, is under sixteen (16) years old. Assault and related charges may also be applicable in the cases below.

Maltreated Child (Social Services Law, Section 412):

A child under eighteen (18) years of age who is:

1. Defined as neglected by the Family Court Act; **or**
2. Who has had serious physical injury inflicted upon him/her by other than accidental means; **or**
3. Who is in residential care and whose custodian impairs, or places in imminent danger of becoming impaired, the child’s physical, mental, or emotional condition.

Abused Child (Family Court Act, Section 1012, subd. e):

A child less than eighteen (18) years old whose parent or person legally responsible for their care either:

1. Inflicts or allows to be inflicted upon such child, physical injury, by other than accidental means, which causes or creates a substantial risk of death, disfigurement, impairment of physical or emotional health, or the loss or impairment of any bodily organ; **or**
2. Creates or allows to be created a substantial risk of physical injury, with the results as listed in subdivision a; **or**
3. Commits or allows to be committed a sex offense against a child.

Neglected Child (Family Court Act, Section 1012, subd. f):

A child less than eighteen (18) years old whose physical, mental, or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of his parent or other person legally responsible for his care to either:



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1. Supply adequate food, clothing, shelter, education, medical, dental, or optometric (eye), or surgical care; **or**
2. Provide proper supervision or guardianship by inflicting or allowing being inflicted harm, including excessive corporal punishment, misusing drugs, or misusing alcohol to the extent that s/he loses self-control of his/her actions, or any other acts of a similarly serious nature; or abandons the child.

SIGNS OF ABUSE

Whether responding to jobs involving children or just observing children during your tour, it is your responsibility to look for signs of abuse and neglect, and to report suspicious findings. When you respond to a family dispute, ask to see the children and look at their appearance. Discreetly look for bruises, signs of malnourishment, dirtiness, or any other signs of neglect.

If you have probable cause that an offense has been committed against a child, call the patrol supervisor and make the arrest. If you have any suspicion at all that a child is suffering from any form of abuse, prepare the **Report of Suspected Child Abuse or Maltreatment (PD377-154)** form. Of all the preventive measures we take to recognize and deter crimes against children, this is perhaps the most important measure there is.

Remember that you are there to protect the child (the victim) and the rights of all involved parties, including the “alleged suspect.” Child abuse is highly emotional for the child, the non-abusing parent(s), the “alleged” abuser(s) and for you, as the police officer.

Emergency Removal or Investigation and Reporting of Abused, Neglected, or Maltreated Children (P.G. 215-03)

When responding to family disputes or any other jobs that involve children, a police officer must make a reasonable determination as to whether the child has been maltreated, abused, or neglected. ***If a police officer has reasonable suspicion that a child is a maltreated, abused or neglected child, a “Report of Suspected Child Abuse or Maltreatment” must be prepared and the State Central Registry must be notified. This form must be prepared whether the State Registry accepts notification of the facts or not. Failure to prepare this form is a class “A” misdemeanor.***

In order to ensure that child victims are protected, a number of laws have developed. Certain occupations (mandated reporters) are legally required to report



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child abuse to the New York State Child Abuse and Maltreatment Register (The Central Registry). These include teachers, doctors, director of a children's overnight camp, summer day camp, traveling summer day camp and police officers. *Failure to report child abuse by those designated as mandated reporters is a class "A" misdemeanor.* The failure to report child abuse would also make them liable for damages in civil court (Social Services Law §420).

When imminent danger to a child's life or health exists, a police officer *must* request that the patrol supervisor respond to the scene. A police officer may only remove a child from a home with the consent of a parent or other person legally responsible for their care. If the parent does not consent to having the child removed, the patrol supervisor has the responsibility and authority to remove the child without the parent's consent. In cases where probable cause exists that a crime has been committed, the perpetrator will be arrested. Unless medical attention is required, the child will be brought to the stationhouse and the Administration for Children's Services will be notified. They will send a representative to the stationhouse, who will transport the child to a shelter.

At times there may be complaints of child abuse that allege that there are drugs, guns, or violent incidents in a household. If these allegations are received by caseworkers from the Administration for Children's Services, they will present themselves to the desk officer in the precinct of occurrence and request a police escort to the location of the alleged incident.

SEXUAL OFFENSES INVOLVING CHILDREN

Uniformed members are required to notify the Special Victims Division:

- When there is any allegation that a child less than eleven (11) years of age is the victim of abuse inflicted by a parent or a person legally responsible for the child's care, or;
- All sex crimes or attempts against any person of any age.

In certain cases, an "Instant Response Team," which consists of Administration for Children's Services caseworkers, members from the Special Victims Division or Precinct Detective Squad and/or patrol personnel will respond and conduct joint investigations. It should be noted that members of the service may release all pertinent information and copies of documents (Complaint Reports, Property Clerk Invoices, Aided Reports, etc.) regarding cases of child abuse to ACS case workers upon request except for sealed records and the identity of adult victims of sex crimes. Whenever a child is removed from a household by police personnel, or an arrest is made in connection with the abuse or neglect of a child, the Administration for Children's



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Services Instant Response Team Coordinator must be notified (1-877-CALLIRT/ 1-877-225-5478).

UNLAWFUL CONDUCT BY JUVENILES

Enforcement responsibilities as they pertain to youths and adolescents fall into three categories:

1. Juvenile Misconduct
2. Juvenile Delinquent
3. Juvenile Offender

We will describe and illustrate each category and discuss the various procedural responses.

Juvenile Misconduct

Patrol officers encounter many situations involving juvenile misconduct, which require the use of discretion. Juvenile misconduct includes, but is not limited to: P.I.N.S., truants, alcoholics and runaways.

PERSONS IN NEED OF SUPERVISION (P.I.N.S.)

As a police officer, you will frequently encounter distraught parents who are worried about the behavior of their children. Their complaints run the gamut from frequent truancy to petty stealing around the house, talking back to the parents, staying out late with undesirable friends, refusal to listen to parent and generally being uncontrollable. The child has done nothing for which they should be arrested and the parents are at their wit's end. In these situations, the Family Court has jurisdiction.

A Person In Need of Supervision (P.I.N.S.) is a person less than 18 years of age who:

1. Does not attend school in accordance with part one of Article 65 of the Education Law; **or**
2. Is incorrigible, ungovernable, or habitually disobedient and beyond the lawful control of parent or other lawful authority; **or**
3. Violates the provisions of section 221.05 of the Penal Law (Unlawful Possession of Marihuana - Violation).

Note: Unlike the definition of juvenile delinquent, the definition of a person in need of supervision contains no minimum age.



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The statute lists three separate grounds on which a juvenile may be designated a person in need of supervision. Each is considered separately below.

- a. **Lack of compliance with the Educational Law** - In order to comply with Part One of Article 65 of the Education Law, a person 6 to 16 years of age, is required to attend school regularly for the entire time school is in session and be orderly while so attending. Thus, there are two possible ways under the Education Law on which to have a petition: (1) truancy, and (2) disruptiveness in class. A single absence from school would not be grounds for a proceeding since the Education Law only requires a minor to "attend regularly," whereas the petition must allege that the respondent is "a habitual truant"; i.e., one who goes to school rarely, if at all.
- b. **Beyond Control** - The second ground for filing a P.I.N.S. petition is that the juvenile is "incorrigible, ungovernable or habitually disobedient and beyond the lawful control of parent or other lawful authority." The phrase "incorrigible, ungovernable or habitually disobedient" has been upheld as not being unconstitutionally vague; however, the courts have never specifically defined these terms.

Example: A certain child was consistently running away from home to live at a relative's house. In this case, although the child may technically fall within the definition of a person in need of supervision, the court may refuse to designate the child as a P.I.N.S. based upon all the facts and circumstances. The juvenile, in this case, may have good reason to refuse to live at home and reside instead with a relative.

- c. **Marihuana Possession** - The third ground on which a P.I.N.S. petition may be based is *Unlawful Possession of Marihuana – Violation* (P.L. 221.05). This ground was added by a 1977 amendment. The amendment enables the Family Court to exercise its jurisdiction over a juvenile who engages in forbidden conduct, and is necessary since such conduct is a violation and therefore could not otherwise be the basis of a juvenile delinquency petition.

PROCEDURE FOR P.I.N.S.

1. Prepare a **Complaint Report Worksheet (PD313-152A)** and **Juvenile Report System Worksheet (PD377-159A)**.
2. Refer the parent to Family Court to seek a P.I.N.S. petition.

Note: The P.I.N.S. petition, in addition to the underlying acts, must also allege that the child requires supervision or treatment as required by the



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Family Court Act. A petition lacking such allegation and proof is defective, and the court will not hear the case.

In order for a police officer to arrest a child based upon the P.I.N.S. designation, there must be a court order from Family Court designating the child as a P.I.N.S.

ISSUANCE OF SUMMONSES TO ADOLESCENTS

For specified offenses, a uniformed member of the service is authorized to issue a summons/notice of violation instead of arresting the violator when the violator is 16 years old or more, except when the violator is unable to care for self due to illness, injury, intoxication, or any other circumstance which would preclude the issuance of a summons/notice of violation.

Parental Notification for Criminal Court Summonses Issued to Individuals Under Eighteen (18) Years (P.G. 209-33)

When issuing a Criminal Court summons (“C” summons) to an individual age 16 or 17 uniformed members of the service:

1. Attempt to notify the parent/guardian.
2. Do not detain the individual solely for the purpose of making the notification. Once the summons has been properly served, allow the violator to leave.
3. Indicate the name, address and telephone number of the parent/guardian on a *photocopy* of the summons, and indicate if the notification was actually made. **DO NOT WRITE ON THE ACTUAL SUMMONS.**
4. Deliver the photocopy of the summons to the precinct youth officer and process the original in the usual manner.

TRUANCY – GENERAL

Truancy is an early indicator of delinquency and may be symptomatic of family problems. A police officer should take the appropriate action whenever they observe a youth who is: on the transit system for extended periods of time or simply out of school when it is normally in session.

Truancy sometimes is an outward sign of other problems like P.I.N.S., abuse, neglect, or maltreatment. A youth might have some type of learning disability, or a psychological or social problem which leads to them avoiding school. ***It is critical that you interview the youth in a non-threatening manner.*** Ask the youth to tell you why



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they are not in school so that you can find out whether the child is avoiding an abusive situation and make the appropriate referrals.

Truants

(P.G. 215-07)

Truant – A minor not in compliance with the attendance requirement of the New York City Department of Education Regulations of the Chancellor as follows:

1. Each minor from six (6) to seventeen (17) years of age in New York City is required to attend school on a full time basis.
2. Children in New York City who turn six (6) years of age before December 31st of the school year, are required to attend school at the beginning of that school year.
3. Students who turn seventeen (17) years of age on or after July 1st must complete the school year in which they turn seventeen (17) years of age.
4. Exceptions to the age requirements for attendance are as follows:
 - Minors who have graduated from high school.
 - Students who have earned a high school equivalency diploma.
 - Students sixteen or seventeen years of age who have been issued a full time employment certificate.

Example: Joe and Bob are seniors in high school. Both are seen in the park during school hours. Joe reached his 17th birthday August 15th, while Bob reached his 17th birthday on June 20th. Joe would be considered a truant, but Bob would not.

A police officer will take custody of and deliver minor to principal or designee of school attended, if known. If it cannot be determined or is impractical to deliver the truant to that school, the minor will be taken to the truancy intake site. Make entry in **Activity Log** including the youth's name, location where truant was found and school/truancy intake site truant was delivered to. Have principal or representative sign **Activity Log** entry and **Youth Referral (PD377-153)** as receipt for the child. If principal or representative refuse to sign **Activity Log** and/or **Youth Referral** as receipt for minor, document such refusal in **Activity Log**. The officer should then complete the **Youth Referral** and deliver it to the desk officer, precinct of occurrence before end of tour. The officer should include business name, park name or other information regarding where/how truant was taken into custody in the "Details" caption of the **Youth Referral**.



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A **Juvenile Report System Worksheet** is not prepared in the case of a juvenile who is **only** a truant and has not committed a crime.

Truants may be frisked to ensure the uniformed member's safety. An electronic metal detector may be used for this purpose, if available. Should uniformed members have an articulable reason to believe their safety is in danger, truants may be handcuffed.

SCHOOL SAFETY DIVISION

The School Safety Initiative was implemented in 1969 by authorization of the then Board of Education. During 1973-75, the program was expanded to include approximately 1200 School Safety officers that were deployed at all high school locations. By 1978, School Safety officers received the designation of "Special Patrolman" and their deployment was again further expanded to include coverage at intermediate as well as elementary schools. The School Safety function was transferred to the NYPD in December 1998.

PURPOSE AND FUNCTION

The School Safety Division (SSD) is an important asset to fulfilling the Department's mission. The School Safety Division's chief purpose is to create a safe learning environment for children attending New York City's public schools. The School Safety Division is responsible for maintaining accurate and timely statistical information on school incidents, helping to resolve issues of safety that may arise between students and teachers, coordinating school related safety efforts with the Office of Chief of Patrol, establish and maintain relationships with outside agencies that help keep schools safe, and maintain contact with precinct school safety liaisons.

INVESTIGATION REGARDING A SCHOOL RELATED CRIME

The principal/designee must allow a uniformed member of the service in the rank of police officer or above, to interview school staff or other non-student witness/victims. However, these individuals may not be compelled to submit to questioning. If the parent/guardian cannot be reached, the principal/designee must permit the questioning if exigent circumstances exist. The principal/designee may be present during the questioning, but may not compel the student to submit to questioning.



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Handcuffing/Restraining Students Within School Facilities for Arrest or as an Emotionally Disturbed Person and Use of Alternative Restraints/ Velcro Cuffs

(P.G. 215-13)

Whenever effecting an arrest of a student inside a school facility located within New York City, the uniformed member of the service will:

1. Notify, confer, and coordinate actions with School Safety Division personnel and the principal/designee, prior to taking police action, or when responding to a student experiencing emotional issues in a public school facility, unless exigent circumstances exist.
2. Inform school personnel of the decision to effect an arrest and the basis of that decision.
3. Remove student, if possible, to a semi-private location (e.g., principal's office, school security office).
4. Inform student of authority and cause, unless physical resistance, flight or other factors render such procedure impractical.
5. Use appropriate level of restraint when applicable (e.g., constructive restraint, alternative restraint/ Velcro cuffs, or metal handcuffs). Restrain student with hands behind back, using appropriate restraints.
6. Request precinct school safety sergeant, or if unavailable, patrol supervisor to respond to the scene, whether being taken into custody for an arrest or being safeguarded as an emotionally disturbed person.

The safety of all persons involved is the predominant factor in determining if a child should be restrained, and if restrained, which method is utilized. It is incumbent upon the member of the service (i.e., precinct school safety sergeant/patrol supervisor and/or designated school safety personnel) to use a reasonable belief standard in determining the level of restraint. Factors which may be considered in making this determination include:

1. Age of the student (generally a student who is less than twelve (12) years of age; however, students under the age of sixteen (16) may be eligible for alternative restraint, dependent upon circumstances).
2. Physical stature of the student.
3. Type of offense.



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4. Special education status.
5. The reputation of the student with school authorities (including whether the student has a history of emotional or behavioral difficulties)
6. The student's demeanor and compliance with instructions given.
7. Whether the student is demonstrating behavior that may cause imminent harm to him or herself or others.
8. Whether there is possible risk of escape.
9. Medical, mental, physical and/or emotional condition/limitation of the student, if known.

While restraining devices generally are not required when taking elementary school aged children into custody, if it has been determined by on-scene personnel that the use of a restraining device would be appropriate, the use of a nylon/Velcro device may be considered, in lieu of handcuffs. It should be noted that handcuffs may be utilized if the precinct school safety sergeant/patrol supervisor or school safety personnel deemed necessary for safety reasons. Handcuffs should only be used on children after other alternative methods of restraint are considered to be inadequate given the circumstances. A student who is sixteen (16) years of age or older is not eligible for constructive or alternative methods of restraint.

Whether probable cause to arrest exists will be determined by the Police Department. While the desires of school personnel (principals, teachers, etc.) may be considered by the uniformed member of the service in determining whether an arrest is warranted, the views of school personnel are **NOT** controlling. In the event a conflict arises between a uniformed member of the service who wishes to effect an arrest of a student and school personnel, the uniformed member of the service will request the response of the precinct school safety sergeant, or if unavailable, patrol supervisor.

Under no circumstances will school personnel be permitted to interfere with an arrest the precinct school safety sergeant, or if unavailable, patrol supervisor has deemed warranted.

JUVENILE DELINQUENCY

On-Line Juvenile Report System

(P.G. 215-08)

The On-Line Juvenile Report System consists of a **Complaint Report Worksheet (PD313-152A)** and the **Juvenile Report System Worksheet (PD377-159A)**. The On-Line Juvenile Report System permits members of the service to



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process “Juvenile Report System Worksheets” in conjunction with the existing Omniform System.

In order to properly record and investigate certain complaints concerning juveniles at least seven (7) years of age, but less than sixteen (16) years of age, uniformed members of the service will prepare a **Complaint Report Worksheet** (“Juvenile Report” caption checked off) and a **Juvenile Report System Worksheet** in the following instances:

- A. An act that would constitute a crime if committed by an adult except for those acts listed in step “4” of P.G. 207-01, “Complaint Report System”;
- B. Petty violations by juveniles;
- C. Persons in need of supervision (P.I.N.S.);
- D. Intoxicated juveniles;
- E. Juveniles under sixteen (16) years of age found in a house of prostitution;
- F. Stranded juvenile;
- G. Runaway juvenile;
- H. Juvenile unlawfully present in a licensed premise;
- I. Juvenile apparently under the influence of a dangerous drug, e.g., heroin, cocaine, morphine, opium, marihuana, amphetamines, barbiturates, hallucinogens;
- J. Traffic infractions – Bicycles: persons over seven (7) but less than sixteen (16) years of age;
- K. Missing person, at least seven (7) years of age but less than sixteen (16) years of age.

When a juvenile at least seven (7) years of age but less than sixteen (16) years of age commits an illegal act, or engages in, or is found under circumstances that may endanger the health or safety of the juvenile; the UMOS will do the following:

1. Investigate circumstances involving juvenile(s).
2. Prepare **Complaint Report Worksheet (PD313-152A)** to document incident involving juvenile(s).



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- a. Ensure caption “Juvenile Report” is checked off.
3. Prepare a separate **Juvenile Report System Worksheet** for each juvenile involved in incident.
 - a. Verify pedigree, address and parent/guardian information.
4. Notify Juvenile Crime Desk, (646) 610-JUVI or (646) 610-5884, if juvenile has been removed from the field and brought to a Department facility.
 - a. Inform Juvenile Crime Desk analyst of incident involving the juvenile and be guided by their recommendations.
5. Deliver completed **Complaint Report Worksheet** and **Juvenile Report System Worksheet** to the desk officer.

Note: A **Juvenile Report System Worksheet** is not prepared if the juvenile is arrested.

Offenses Committed By a Child Under 16 Years of Age (Other Than a Juvenile Offender) (P.G. 215-09)

Juvenile Delinquent: A person at least seven (7) but less than sixteen (16) years of age who commits an act, which if committed by an adult, would constitute a crime.

A police officer **must** effect the arrest of a juvenile if the child commits:

1. Any felony
2. Unlawful assembly – misdemeanor
3. A “photographable misdemeanor” (see PG 208-07 “Photographable Offenses”)

Parent or guardian **must** be notified of the custody and location where a juvenile is being detained. Detain juvenile in location designated for juvenile detention and interrogation, if court is not in session. If court is in session, determine if the juvenile should be delivered direct to court or processed for personal recognizance. Have a female police officer or other qualified female present, if the juvenile is a female.



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ARREST PROCESSING PROCEDURES FOR A JUVENILE DELINQUENT:

1. Detain juvenile in location designated for interrogation.
2. Have a female police officer or other qualified female present, if juvenile is a female.
3. Notify the Juvenile Crime Desk.
4. Prepare **On Line Booking System Arrest Worksheet (PD244-159)**.
5. Prepare **Complaint Report Worksheet (PD313-152A)**, if applicable.
6. Ensure that juvenile delinquents 11 and 12 years old who commit a class "A" or "B" felony and juvenile delinquents 13 years or older who commit any felony are fingerprinted and palmed in conformance with P.G. 208-11, "*Livescan Fingerprinting and Palmprinting.*"
7. Prepare **Juvenile Arrest Investigation / Probation Intake Report Worksheet (PD277-151)**.
 - a. Attach hard copy of FINEST System warrant investigation / juvenile recidivist check to court copy of **Juvenile Arrest Investigation/Probation Intake Report**.
8. Deliver all completed arrest documents to desk officer.

JUVENILE CRIME DESK

The Juvenile Crime Desk has experienced analysts available to assist and advise field personnel by providing arrest processing support. The operational function is to provide assistance and guidance to uniform members of the service who arrest/detain a juvenile. The Juvenile Crime Desk is a state of the art facility that is capable of providing immediate access to a wide variety of juvenile delinquent and juvenile offender information resources.

When a juvenile is detained by a uniformed member of service and removed to a police facility, the arresting officer is mandated to first call the Juvenile Crime Desk at 646-610-5884 prior to processing the juvenile. The arresting officer must provide the analyst with the juvenile's complete name, date of birth, home address, and the top charge.



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Arresting officers **must** call the Juvenile Crime Desk before beginning the arrest process to ensure that any intelligence regarding the juvenile is obtained before the decision, whether to release the juvenile to a parent/guardian/adult relative, is made.

QUESTIONING JUVENILES IN CUSTODY

The courts and the legislature have attempted to provide every protection to persons under the age of 16 when they are subject to custodial interrogation.

In accordance with the **Family Court Act**, a police officer must:

1. Immediately notify the parent or guardian legally responsible for the care of the juvenile that they have been taken into custody.
2. Not question the child unless the child and the parent or guardian have been advised:
 - a. Of the child's right to remain silent;
 - b. That the statements made by the child may be used in a court of law;
 - c. Of the child's right to have an attorney present at such questioning;
 - d. Of the child's right to have an attorney provided for him without charge if he cannot afford one.
3. When questioning a juvenile, Miranda Warnings should be read to the juvenile while the parent/guardian is present. The juvenile may be questioned if they waive the Miranda rights in the presence of the parent/guardian. The parent/guardian does not have to separately waive the Miranda rights; they only need to be advised of such rights. However, if the parent/guardian objects to the questioning or requests an attorney for the juvenile, no questioning should occur, even if the juvenile is willing to answer questions.
4. The child can only be questioned for a reasonable period of time. Each case will be different, but factors such as: the age of the child, the seriousness of the crime, the presence of the parents, etc., will help you decide what is reasonable.
5. The questioning must take place in a facility designated by the Chief Administrative Judge. Most precincts have a room that has been approved as appropriate for questioning juveniles. Any statements or admissions obtained as a result of questioning in other than an approved location will be inadmissible in court. A juvenile offender (prosecutable in Supreme Court) should also be questioned in these designated locations in order to protect statements that are made should the case eventually be transferred to Family Court.



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QUESTIONING OF JUVENILES WITHOUT PARENT/GUARDIAN PRESENT

Normally, the questioning of a child without their parent/guardian present should not be done. However, if circumstances make questioning essential, first ensure that every reasonable effort has been made to notify the parent or guardian. Review the following factors:

1. Determine the necessity for questions at this time;
2. The age of the juvenile;
3. The apparent intelligence of the juvenile;
4. The ability of the juvenile to understand the Miranda Warnings.

If a decision is made (based on the above factors) to question a juvenile, the following procedure will be followed:

- The juvenile will only be questioned at a designated location.
- A good faith attempt must be made to have a competent adult, other than law enforcement personnel, present during any questioning; i.e., a relative, clergyman, teacher, etc.
- The juvenile and competent adult must be advised of their rights as previously stated.
- Special care must be taken to insure that juveniles understand their rights and the effect of a waiver of those rights.

In any situation where a juvenile is questioned in the absence of his parent or other person legally responsible for his care, the officer must be prepared to establish beyond a reasonable doubt that the statement or admissions were voluntarily and intelligently made, and that prompt valid attempts to reach the child's parents were made.

When giving the Miranda Warnings, you must indicate in your Activity Log that the juvenile was given their rights in the presence of a parent or guardian or, if the parent/guardian cannot be contacted, the efforts made to reach the parent or guardian must be fully outlined. In addition, the actual responses to the questions are to be indicated.



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Personal Recognizance Juvenile Delinquent

(P.G. 215-12)

A child at least seven (7) but less than sixteen (16) years of age who has been arrested as a juvenile delinquent may be released to the custody of parent, guardian, lawful custodian, or reasonable adult relative for appearance at Family Court at a later date under certain circumstances. The desk officer will determine if the child is to be released on an **Appearance Ticket – Family Court (PD277-130)** to the custody of their parent/guardian or remanded.

Juveniles Will **Not** Be Released On Personal Recognizance If:

- A) Applicant is not capable of providing adequate supervision;
- B) Juvenile is wanted on a warrant or is juvenile recidivist;
- C) Health or morals of juvenile would be endangered if released;
- D) Juvenile is not likely to appear on return date;
- E) Juvenile's release would be a danger to the community;
- F) Classified as a "juvenile offender";
- G) Juvenile is classified as a "designate felon" and Family Court is in session;
- H) Juvenile is arrest for a felony and conferral with the Juvenile Crime Desk indicates that the juvenile is awaiting trial on a violent felony;
- I) An act committed by a juvenile against a member of their family/household (as per P.G. 208-36) is a felony assault, or any sex offense, or other circumstances exist where the release of juvenile would be dangerous to a member of the same family/ household.

Arrest of Juvenile Offender

(P.G. 215-10)

Juvenile offender is defined as a child less than sixteen (16) years old, taken into custody, and charged with a felony as indicated:

- a. 13, 14, 15 yr. old - Murder 2^o (subs. 1 and 2)
- b. 14, 15 yr. old - Murder 2^o (sub. 3)
- c. 14, 15 yr. old - charged with: (acronym: "**M.A.R.K. C.C. A.B.R.A.M.S.**")



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- M** = Murder 2° (see above) and attempted murder 2°, subs. 1 or 2
A = Assault 1° sub. 1 or 2
R = Rape 1° subs. 1 or 2
K = Kidnapping 1° & attempted kidnapping 1°
- C** = Criminal sexual act 1° subs. 1 or 2
C = Crim. poss. of a weapon: CPW 2°, where such machine gun or firearm is possessed on school grounds
- A** = Arson 1° or 2°
B = Burglary 1° and 2° sub. 1
R = Robbery 1° and 2° sub. 2
A = Aggravated sexual abuse 1°
M = Manslaughter 1°
S = Sexually motivated felony

WHEN A JUVENILE IS ARRESTED AND CHARGED AS A JUVENILE OFFENDER:

1. Juvenile offenders are tried as adults;
2. Juvenile offenders are not eligible for Personal Recognizance;
3. Criminal court has jurisdiction;
4. Juvenile offenders are charged with actual penal offense committed;
5. An official Department photograph will be taken for anyone charged with a felony, including juvenile offenders and for any of the misdemeanors listed in P.G. 208-07, "*Photographable Offenses*";
6. Juvenile offenders are transported separately from adults;
7. The arresting officer will confer with the Borough Court Section supervisor to determine if arraignment can be completed prior to removing a juvenile offender to the Borough Court facility. The desk officer will arrange for transport if they cannot be received at Central Booking, and will have to be lodged at another location. If the juvenile offender is already at Central Booking, the Central Booking supervisor will arrange lodging to an alternative location if they cannot receive the juvenile;
8. Arresting officers will remove juvenile offenders to Central Booking, not Horizon Juvenile Center (juveniles will be lodged separately from adult prisoners at



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Central Booking). A juvenile offender who is awaiting arraignment in Criminal Court will not be detained overnight at a juvenile detention center. These perpetrators are charged as adults, and although they will not be lodged with adults, they will not be held with juvenile delinquents;

9. If the Assistant District Attorney declines to prosecute a juvenile offender, comply with PG 210-16, *“Release of Prisoner from the Complaint Room.”* If classification is dropped to juvenile delinquency, the arresting officer will change the OLBS with the booking officer, if it has not been forwarded, or they will prepare an Arrest Report Supplement if the OLBS has already been forwarded.

Fingerprintable and Palmprintable offenses

(P.G. 208-08)

- a. Juvenile **11 or 12** years of age and charged with a class **A or B felony**
- b. Juvenile **13, 14 or 15** years of age and charged with **ANY felony**
- c. Juvenile charged as a **juvenile offender**

Photographing Juveniles Charged as Juvenile Delinquents or Juvenile Offenders (P.G. 215-24)

1. Photographs will be taken of juveniles charged with juvenile delinquency as follows:
 - a. Juvenile **11 or 12** years of age and charged with a class **A or B felony**;
 - b. Juvenile **13, 14 or 15** years of age and charged with **ANY felony**.
2. Photographs will be taken of all juveniles charged as **juvenile offenders**.

Note: The official arrest photograph for juveniles charged as juvenile delinquents will be the photograph taken at the command of arrest utilizing the Digital Camera Capture Station System.

The official arrest photograph for juveniles charged as juvenile offenders will be the photograph taken at the Borough Court Section booking facility.

Photograph juveniles utilizing the Digital Camera Capture Station System as follows:

1. Properly place juvenile in front of the “Gray Colored Photograph Background Board.”



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2. Take one full frontal photograph of the juvenile and crop the image to obtain a centered, straight-on, in-focus photograph of the juvenile.
 - a. If the juvenile wears prescription eyeglasses, take one photograph with eyeglasses and one without eyeglasses.
3. Take one side-view photograph of the right side of the face of the juvenile.
 - a. Turn the juvenile to the left so the right side of the face is photographed.
 - b. If the juvenile wears prescription eyeglasses, take one photograph with eyeglasses and one without eyeglasses.

Under no circumstances should intimate areas of the body (e.g., breast, lower waist area, buttocks, etc.) be exposed or photographed.

4. Ensure the following when taking photographs:
 - a. No other person is in the photograph;
 - b. Juvenile's face is expressionless;
 - c. Juvenile is not photographed while laughing, smiling, biting their lips or pursing their lips;
 - d. Juvenile has their eyes open;
 - e. Juvenile is standing straight;
 - f. Sunglasses and hats are removed;
 - g. Hair is not covering the face;
 - h. If the juvenile is wearing a turtle-neck sweater, hooded sweatshirt, or a garment with a large collar, the garment will be folded down to allow as much of the juvenile's neck to be seen as possible.

GANGS

GANG – Any ongoing organization, association, or group of three or more persons, whether formal or informal, whose purpose in part is to engage in criminal activity and which uses violence or intimidation to further its criminal objectives; having a common



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name or common identifying sign or symbol, and whose members individually or collectively engage in, a pattern of criminal gang activity.

DRUG GANG - A gang as defined above that exists primarily for the purpose of distributing illegal narcotics and/or marijuana.

CRIMINAL STREET GANG – An ongoing organization, or group of three or more persons, whether formal or informal, that engages in criminal conduct as one of its primary purposes or activities.

GANG RELATED INCIDENT - Any incident of unlawful conduct by a gang member or suspected gang member.

GANG MOTIVATED INCIDENT - Any gang related incident that is done primarily to benefit or further the interests of the gang, or as part of an initiation, membership rite, or act of allegiance to or support for a gang, or as result of a conflict or fight between gang members of the same or different gangs.

GANG RELATED INTELLIGENCE - Information about a gang, suspected gang, an individual gang, or suspected gang member. This includes information about gang meetings, recruiting attempts by gangs, plans by gang members to organize or take part in protests, marches, and other public events, self-styled “community” events organized by a gang, as well as any information useful developing profiles and intelligence about gang activities.

Gangs can be found in almost every neighborhood throughout New York City. Most gangs originally form in an effort to preserve the identity of their culture or cause. At some point, as the desire for profit and power grows, gangs may begin to recruit from among their friends and acquaintances who are members of different racial, ethnic or cultural group.

Gangs are attractive to some neighborhood youth for a variety of psychological and sociological reasons. Sometimes youths who come from poor families are attracted to the power and comparative wealth which gang members display. Others who come from poorly functioning families may find in gangs a substitute family to guide and reward their behavior.

Much of the criminal activity perpetrated by juveniles and young adults can be attributed to the growing number of gangs in our neighborhoods. Gangs are involved in narcotics, extortion, robberies, and homicides.

It is important that police officers familiarize themselves with the signs of gang activity. Gang graffiti, for example, contain coded messages which are used to communicate information such as the gang’s territory (turf) and the identity of its



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members. Bandanas and flags placed on various parts of the body may also be used to communicate important information.

TYPES OF GANGS

CRIMINAL GANG

- Group or criminal enterprise having a formal structure;
- Identifiable leadership/membership;
- Activities focus on for-profit crimes.

STREET GANG

- A group of people that form an allegiance of some duration;
- Concerns with "turf";
- Special dress or "colors";
- Interest in violence for status or reputation;
- Engages in criminal activity;
- Can create fear/intimidation in the community.

YOUTH GANG

- Generally comprised of adolescents;
- Identifiable group who have engaged in unlawful or anti-social activity, verifiable by police records or reliable sources.

SITUATION/EVENT GROUP

- This is not necessarily a gang; nonetheless a group of people who come together, and spontaneously engage in criminal conduct (i.e., homicide, rape, robbery, and violent assaultive behavior), defined by a specific event, time, or occurrence.

DEPARTMENT RESOURCES FOR YOUNG PEOPLE

The Community Affairs Bureau's **Youth Services Section** aims to reduce youth violence, prevent drug use, promote child safety, and improve relationships between police and young people, with a special emphasis on youth most at risk. This mission is accomplished through the development and administration of a number of innovative programs including:



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POLICE ATHLETIC LEAGUE (P.A.L.)

The Police Athletic League is the largest independent youth organization in New York City. The New York City Police Department and PAL work in partnership to provide communities with needed summer and after school recreational and educational activities for their kids.

LAW ENFORCEMENT EXPLORERS

Law Enforcement Explorers is a program designed to educate young men and women, ages 14-20, about law enforcement. A uniformed member of the service in each precinct, Police Service Area and Transit District acts as the on-site Post Advisor for the Explorer Program. The program focuses on six areas: career, service, leadership, social, fitness and outdoors. The Explorers Program encourages young people to pursue a law enforcement career. There are currently close to 4,000 Explorer posts at the NYPD.

SUMMER YOUTH POLICE ACADEMY

The New York City Police Department seeks to provide innovative and effective programs for the City's young people. The Community Affairs Bureau's, Youth Police Academy is such a program. It is designed to establish positive relationships between the Police Department and the City's youth. The goals of the Academy are:

- To enhance responsible citizenship.
- To provide positive interaction with police officers and to educate young people about the challenges and responsibility of police work.
- To encourage young people to take part in other youth programs offered by the Police Department such as: the Law Enforcement Explorers, Police Cadet Corps and the Police Athletic League.

New York City residents, attending school, between the ages of ten (10) and sixteen (16) are eligible to attend. The Youth Police Academy will provide those participating in the program with lunch and uniform shirts. The Youth Police Academy is a six (6) week program that will hold sessions five (5) days a week. The Academy will open at 8:30 am in the morning and dismissal will be 2:00 pm in the afternoon. Students will attend classroom sessions with lectures, role-plays and topical demonstrations by police officers in the areas of law, behavioral science, drug prevention and gang resistance. Field trips to a Police Department facility or a City park are also part of the curriculum. Transportation to and from the field trips will be provided. Each site is accessible by public transportation.



SOCIAL SCIENCE

Children and Adolescents



POLICE – YOUTH DIALOGUE

The Police-Youth Dialogue is a workshop that offers "at-risk" high school students with "no-risk" opportunities for interaction and dialogue with NYPD officers. The workshop aims to build mutual trust and understanding and open the lines of communication between police officers and young people in New York City high schools.

GANG RESISTANCE EDUCATION AND TRAINING (GREAT)

G.R.E.A.T. is an eight-week classroom program for seventh and eighth grade students with a curriculum aimed at achieving two main goals; to educate young people about the consequences of gang involvement and to reduce gang activity. Specially trained G.R.E.A.T. police officers teach lessons that include facts and fiction about gangs and violence, refusal skills practice, anger management tips, and conflict resolution techniques. Each school year we expect to reach over 40,000 young people.

SUMMER YOUTH EMPLOYMENT PROGRAM

The Summer Youth Employment Program is a partnership program with the NYPD, the Department of Employment, and the Department of Education offering City youth paid summer work placements throughout the Police Department.

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