

# MITCHELL POLICE DEPARTMENT

## CHAPTER 17

### JUVENILE OPERATIONS

**PURPOSE:** The Davison County States Attorney's Office is the central gathering point of all juvenile offenders that live in Davison County. In most cases juvenile violations are referred back to the county of residence and all law enforcement agencies with the county send the juvenile violations to the Davison County States Attorney's Office. This insures that a juvenile offender will not get a number of violations with all agencies and have that agency believe they are dealing with a first time offender, which may overlook a pattern of violations that go untreated.

- 17.1** It shall be the Policy of the Mitchell Police Division that juvenile offenders to include delinquent and (CHINS) Child in Need of Supervision cases be cleared by arrest and sent to the States Attorney's Office.
- 17.2** This should not be construed to mean that Mitchell Police Division Officers cannot use discretion and not arrest on minor isolated infractions of the law. Prior to making this decision not to arrest the officer should:
- a. Check with the Mitchell Police Division files to see other contacts that have occurred with the juvenile.
  - b. Check the Court Services probation list.
  - c. Check the D.O.C (Department of Corrections) list.
- 17.3** If the subject is on either the list of Court Services or the D.O.C., a report will be written and the subject will be listed as an arrestee, and the appropriate representative from that agency will be contacted at the time of our involvement.
- 17.4** If a juvenile has committed a violation that SDCL states should be handled as an adult violation, the officer should then handle the juvenile as they would an adult offender.

- 17.5** If a juvenile commits a violation that SDCL states should be handled as adult violation, and that violation is a Class 1 Misdemeanor the following procedure should be followed:
1. The subject should be taken to the Davison County Jail.
  2. The Davison County Jail personnel will conduct the booking procedure.
  3. It will be MPD responsibility to call the juvenile's parent, guardian, or responsible party to come to the Davison County Jail to pick up the juvenile.
- 17.6** If a child is under the supervision of Court Services or D.O.C. it will be the responsibility of that agency to determine the disposition of the juvenile offender. If they state the juvenile offender can go home a parent should be called to come and get their child. If the accuracy determines that the child should be detained the offender will be transported to the appropriate holding facility.
- 17.7** If the juvenile offender has committed a serious crime or is a CHINS that refuses to cooperate with parents and/or law enforcement the officer should call an intake officer for the 1st Judicial Circuit to request that the juvenile be detained.
- 17.8** When a juvenile is being taken into protective custody for any reason, (e.g., victim of abuse or neglect) an intake officer for the 1st Judicial Circuit will be called to request placement by Department of Social Services.
- 17.9** When a juvenile is taken into protective custody for the purpose of a mental evaluation a representative from the mental health profession will be called and the subject will be held until an evaluation is completed and the mental health profession representative states the subject can be released.
- 17.10** When a juvenile is a suspect in a crime and is questioned by Police, the officer will make every attempt to get permission to question the juvenile from their parent or legal guardian. The Mitchell Police Division questioning of a minor form will be completed. The Miranda warning will be issued in a custodial situation.
- 17.11** Runaways: Before a State Case is made for a runaway report the parents will sign the runaway portion of the NIBRs report authorizing the Mitchell Police Division to release the runaways name and personal history. The parents will also promise return transportation for the runaway.