

HONOLULU POLICE DEPARTMENT

POLICY LAW ENFORCEMENT OPERATIONS

June 12, 2015

Policy Number 4.35

JUVENILE STATUS OFFENSE ARRESTS

POLICY

Departmental procedures for juveniles differ in certain aspects from those for adults. Therefore, officers making juvenile status offense arrests shall be guided by this policy.

PROCEDURE

I. DEFINITIONS

Beyond parental control: Any juvenile who is beyond the control of the juvenile's parent or other custodian.

Curfew: Any juvenile less than 16 years of age who (1) goes or remains on any public street, highway, public place, or private place held open to the public after 2200 hours and before 0400 hours and (2) is unaccompanied by a parent, guardian, or an adult person authorized by a parent or guardian to accompany the juvenile.

Injurious behavior: Any juvenile whose behavior is injurious to the juvenile's own self or others' welfare.

Runaway: Any juvenile who voluntarily leaves home or the custody of his or her parent/guardian without permission.

Status offense: An act committed by a juvenile that, if committed by an adult, would not constitute a crime. Examples include, but are not limited to: runaway, truancy, curfew (only juveniles under 16 years old), beyond parental control, and injurious behavior.

Truancy: Any juvenile who is registered in school but is found not attending school during normal school hours and is without a valid school pass. Refer to Policy 4.34, TRUANCY, for enforcement guidelines.

II. PROCEDURES

A. Communications Division

With regard to status offenders, only reported runaways are listed in the outstanding Juvenile Justice Information System (JJIS) file.

1. Juveniles reported as runaways shall be entered into the outstanding JJIS file.
2. An outstanding juvenile runaway shall be removed from the JJIS file when the assigned officer informs Communications Division personnel that:
 - a. The juvenile is under arrest for the runaway offense; or
 - b. The runaway case is closed as records only.

B. Patrol Divisions

1. Initial reports

- a. Generally, initial reports are submitted only after a juvenile has been arrested for a status offense.
- b. However, when a juvenile is reported as a runaway, a runaway report shall be initiated. The officer shall also follow established procedures for completing the Incident Report, HPD-192 form.

2. Arrest requirements

- a. After arresting a juvenile for a status offense, officers shall contact a field supervisor for a case disposition. Field supervisors shall be guided by Policy 4.33, HANDLING JUVENILES, for dispositions.

- b. A computer inquiry shall be made for any outstanding warrants and Letters of Apprehension. Juveniles with confirmed Letters of Apprehension shall be transported to the designated detention facility after obtaining their Juvenile Packet from the respective district's receiving desk.
 - c. Each status arrest shall have a Juvenile Arrest Report (JAR), HPD-191 form.
 - d. Officers directed by a field supervisor to refer parents/guardians and juveniles to Family Court shall:
 - (1) Note "referred to Family Court" as the disposition on the JAR, HPD-191 form, and the Incident Report, HPD-192 form; and
 - (2) Inform parents/guardians that they will be contacted via written notification by the Family Court.
 - e. If a juvenile is an outstanding runaway and is arrested for any other offense, the juvenile shall also be booked for the runaway offense.
 - f. The officer shall request a juvenile number (e.g., J#-) through the Communications Division and place the juvenile number in the appropriate blocks of the JAR, HPD-191 form; and the Incident Report, HPD-192 form.
 - g. The completed JAR, HPD 191 form, and a copy of the officer's full report shall be forwarded to the Records and Identification Division.
3. Military installations
- a. Military-base police reports involving status offenses shall be investigated in accordance with this directive.

- b. Officers responding to runaway cases on military installations shall immediately notify the base police.

C. Central Receiving Division/District Receiving Desk

The lieutenant or designee shall prepare a Juvenile Packet for the juvenile with confirmed Letters of Apprehension. Each packet shall consist of the following:

1. The completed JAR, HPD-191 form;
2. Copies of the initial police report and any follow-up reports;
3. The following JJIS printouts: 1) Offense History Information Summary, 2) Apprehension Summary, 3) Program Information Summary, and 4) Demographic Add/Update;
4. A completed State of Hawaii, Detention and Shelter Criteria Form; and
5. A copy of the juvenile detainee's property receipt, if applicable.

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III. CONFIDENTIALITY

Under Section 571-84(e) of the Hawaii Revised Statutes (HRS), all police records relating to proceedings authorized under Section 571-11, HRS, are confidential.


LOUIS M. KEALOHA
Chief of Police

Attachment

Post on bulletin
board for one week

Policy first issued
March 29, 2002

REFERENCES

Confidentiality of Records

Section 571-84(e), Records, Hawaii Revised Statutes (HRS).

Curfew

Section 577-16, Curfew; children in public streets, prohibited when; penalty, HRS.

Education Neglect

Section 571-11(2)(A), Jurisdiction; children, HRS.

Section 302A-1132, Attendance compulsory; exceptions, HRS. This requires persons from the ages of 6 years through less than 18 years to attend school.

Status Offense

Section 571-2, Definitions, HRS. Status offenses generally apply only to persons under the age of 18 years; the exception is curfew, which applies to persons under the age of 16 years.