

# POLICE DEPARTMENT HANOVER PARK, ILLINOIS



DIRECTIVE: 429-I

REFERENCE STANDARDS: 1.1.3 44.1.1 44.1.2 44.1.3 44.2.1 44.2.2  
44.2.3 44.2.4 44.2.5 72.5.3 82.1.2

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SUBJECT: Juvenile Operations

PURPOSE: To provide consistent methods of processing juveniles and removing minors from parental custody only when the minor's welfare or safety or the protection of the public cannot be adequately safeguarded without such removal.

POLICY: It shall be the policy of this Department to deal with juvenile offenders in the least coercive manner possible. All officers of this department will respect the juvenile's family autonomy and will use the most reasonable alternative consistent with preserving public safety, order, and individual liberty. All members, regardless of duty assignment, are charged with the responsibility of participating in and supporting the Department's juvenile operations function. Each officer shall be familiar with the unique requirements of juvenile matters and shall respond to those requirements by ensuring that the constitutional rights of the juvenile are protected, as provided by procedure or statute. (1.1.3) (44.1.1)

Police officers have, by law, certain duties and responsibilities pertaining to children under the age of eighteen. The police role in juvenile justice and delinquency prevention must be responsive to community needs. Officers must focus on both enforcement and prevention functions, realizing neither role at the expense of the other. Officers should first be concerned with rehabilitation and treatment of the juvenile and, when appropriate, refer the juvenile to the courts for sanctioning. The Police Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. (1.1.3) (44.1.1a)

## DEFINITIONS:

ABUSED MINOR - 705 ILCS 405/2-3(2) - Any minor under 18 years of age whose parent or immediate family member, or any person responsible for the minor's welfare, or any person who is in the same family or household as the minor, or any individual residing in the same home as the minor, or a paramour of the minor's parent:

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**POLICE OPERATIONS MANUAL**

**Dir. #: 429-I**

**Issued: 05/15/91**

**Eff: 09/05/2000**

**Rev: 3/20/2025**

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- commits or allows to be committed an act or acts of torture upon such minor; or
- Inflicts, causes to be inflicted, or allows to be inflicted upon such minor physical injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;
- Creates a substantial risk of physical injury to such minor by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;
- Commits or allows to be committed any sex offense against such minor, as such offenses are defined in the Criminal Code of 1961, as amended, and extending those definitions of sex offenses to include minors under 18 years of age;
- Inflicts excessive corporal punishment.

**ADDICTED MINOR - 705 ILCS 405/4** - Any minor who is an addict or an alcoholic as defined in the Illinois Alcoholism and Other Drug Dependency Act. (20 ILCS 305/1-101 et seq.)

**ADULT - 705 ILCS 504/1-3(2)** - A person 21 years of age or older.

**ARREST - 705 ILCS 5/5-401** - The act of taking a minor into custody whom an officer with probable cause believes to be a delinquent minor; or taking into custody a minor who has been adjudged a ward of the court and has escaped from any commitment order by the court under this act; or taking into custody a minor whom the officer reasonably believes has violated the conditions of probation or supervision ordered by the court.

**CHRONIC TRUANT OR HABITUAL TRUANT - 105 ILCS 5/26.2a** - Shall be defined as a child subject to compulsory school attendance and who is absent without valid cause from such attendance for 10% or more of the previous 180 regular attendance days.

**DECEPTION – 705 ILCS 405/5-401.6** – The knowing communication of false facts about evidence or unauthorized statements regarding leniency by a law enforcement officer or juvenile officer to a subject of custodial interrogation.

**DELINQUENT ACT** - Violation of any federal or state law or county or municipal ordinance by a juvenile as defined by state statute.

**DELINQUENT MINOR - 705 ILCS 405/5-120** - Any minor who prior to his or her 17<sup>th</sup> birthday has violated or attempted to violate, regardless of where the act occurred, any federal or state law, county or municipal ordinance

**DEPENDENT MINOR - 705 ILCS 405/2-4** - Any minor who is under the age of 18 years and:

- Is without parent, guardian or legal custodian:
- Is without proper care because of the physical or mental disability of his/her parent, guardian, or custodian; or

- Is without proper medical or other remedial care recognized under State law or other care necessary for his/her well being through no fault, neglect or lack of concern by his/her parents, guardian or custodian, provided that no order may be made terminating parental rights, nor may a minor be removed from the custody of his or her parents for longer than 6 months, pursuant to an adjudication as a dependent minor under this subsection (c) unless it is found to be in his or her best interest by the court or the case automatically closes as provided under Section 2-31 of this Act (705 ILCS 5/2-31); or
- Has a parent, guardian, or legal custodian who with good cause, wishes to be relieved of all residual parental rights and responsibilities, guardianship or custody, and who desires the appointment of a guardian of the person with power to consent to the adoption of the minor under Illinois law.

**DETENTION - 705 ILCS 405/5-105 (5)** - Is the temporary care of a minor who is alleged to be or has been adjudicated delinquent and who requires secure custody for the minor's own protection or the community's protection in a facility designed to physically restrict the minor's movements, pending disposition by the court or execution of an order of the court for placement or commitment. Design features that physically restrict movement include, but are not limited to, locked rooms and the secure handcuffing of a minor to a rail or other station object.

**DIVERSION - 705 ILCS 405/5-105 (6)** - The referral of a juvenile, without court intervention, into a program that provides services designed to educate the juvenile and develop a productive and responsible approach to living in the community.

**EMANCIPATED MINOR - 705 ILCS 405/1-3 (7)** - Emancipated minor means any minor 16 years of age or over who has been completely or partially emancipated under the "Emancipation of Mature Minors Act", enacted by the Eighty-First General Assembly, or under this act.

**EXCLUDED JURISDICTION - 705 ILCS 405/5-130** - The definition of delinquent minor under Section 5-120 of this article shall not apply to any minor who at the time of an offense was at least 16 years of age and who is charged with first degree murder, aggravated criminal sexual assault, and aggravated battery with a firearm where the minor personally discharged a firearm. These charges and all other charges arising out of the same incident shall be prosecuted under the criminal laws of this state.

**HABITUAL JUVENILE OFFENDER - 705 ILCS 405/5-815** - Any minor adjudicated twice, a delinquent minor for an offense which, had he been prosecuted as an adult, would have been felonies under the laws of this state, and who is thereafter adjudicated a delinquent minor for a third time shall be adjudged an habitual juvenile offender.

**JUVENILE POLICE OFFICER - 705 ILCS 405/1-3 (17) and 705 ILCS 405/5-105 (9)** - A sworn police officer who has completed a Basic Recruit Training Course, has been assigned to the position of juvenile police officer by his or her chief law enforcement officer and has completed the necessary juvenile officers training as prescribed by the Illinois Law Enforcement Training Standards Board, or in the case of a State police officer, juvenile officer training approved by the Director of State Police.

LIMITED CUSTODY - 705 ILCS 405/3-4 - A type of temporary custody wherein a law enforcement officer takes a minor into custody for not more than six hours if the minor is believed to be absent from home without parental consent or beyond control of his/her parents and in danger. A juvenile in limited custody may not be held in secure custody.

MINOR - 705 ILCS 405/1-3 (10) and 705 ILCS 405/5-105 (10) - A person under the age of 21 years subject to this Act.

MINOR REQUIRING AUTHORITATIVE INTERVENTION - 705 ILCS 405/3-3 - Any minor under 18 years of age taken into limited custody, who:

- Is absent from home without the consent of the minor's parent, guardian or custodian, or
- Is beyond the control of his or her parent, guardian or custodian and in circumstances which constitute a substantial or immediate danger to the minor's physical safety; and
- Refuses to return home and whose parents cannot agree to an alternative placement AFTER crisis intervention services have been tried.

NEGLECTED MINOR - 705 ILCS 405/2-3(1) - Those who are neglected include any minor under 18 years of age whose parent or other person responsible for the minor's welfare does not provide the proper or necessary support, education as required by law, or medical or other remedial care recognized under State law as necessary for a minor's well being, including adequate food, clothing and shelter, or who is abandoned by his/her parents or other person responsible for the minor's welfare; or whose environment is injurious to his or her welfare; any newborn infant whose blood or urine contains any amount of a controlled substance; or any minor under the age of 14 years whose parents or other person responsible for the minor's welfare leave the minor without supervision for an unreasonable period of time without regard for the mental or physical health, safety, or welfare of the minor.

NON-SECURE CUSTODY - 705 ILCS 05/5-105 (11) - Confinement where the minor is not physically restricted by being placed in a locked cell or room, by being handcuffed to a rail or other stationary object, or by other means. Non-secure custody may include, but is not limited to, electronic monitoring, foster home placement, home confinement, group home placement, or physical restriction of movement or activity solely through facility of staff. Non-secure custody of juveniles in police custody requires five standards to be met under the Federal Juvenile Justice and Delinquency Prevention Act.

- Any area where the juvenile is held must be an unlocked multipurpose area, such as a lobby, office, interrogation or report writing room.
- In no event can the area be designed or intended to be used for residential purposes.
- The juvenile cannot be physically secured to a cuffing rail or other stationary object. (Juveniles may be cuffed to themselves or to a non-stationary object.)
- The use of the area(s) is limited to providing non-secure custody only long enough for the purposes of identification, investigation, processing, release to parents or arranging transfer to an appropriate juvenile facility or court.

- The juvenile must be under continuous supervision until release.

**PARENTAL RESPONSIBILITY - 705 ILCS 405/5-110** - This new Article recognized the critical role families play in the rehabilitation of delinquent juveniles. Parents, guardians and legal custodians shall participate in the assessment and treatment of juveniles by assisting the juvenile to recognize and accept responsibility for his or her delinquent behavior. The Court may order the parents, guardian or legal custodian to take certain actions or to refrain from certain actions to serve public safety, to develop competency of the minor, and to promote accountability by the minor for his or her actions.

**TRUANT** - Any minor absent from school without permission.

**SHOCAP - 705 ILCS 405/5-145** - The Serious Habitual Offender Comprehensive Action Program, a multi-disciplinary interagency case management and information sharing system that enables the juvenile justice system, schools, and social service agencies to make more informed decisions regarding a small number of juveniles who repeatedly commit serious delinquent acts.

**STATION ADJUSTMENT - 705 ILCS 405/1-3 (15) and 705 ILCS 405/5-105 (16)** - The informal or formal handling of a minor by a juvenile police officer as a diversionary intervention procedure.

**STATUS OFFENSE -705 ILCS 405/5-401(3)** - Any violation of any federal or state law or local ordinance by a minor that would not be an offense if the juvenile were an adult. Examples include violation of curfew, truancy, runaways, or underage drinking, etc. Except for minors accused of violation of any order of the court, status offenders cannot be held securely in a detention home or county jail or municipal lock-up.

**VIOLENT JUVENILE OFFENDER - 705 ILCS 405/5-820** - A minor having been previously adjudicated a delinquent minor for an offense which, had he or she been prosecuted as an adult, would have been a Class 2 or greater felony involving the use of threat of physical force or violence against an individual or a Class 2 or greater felony for which an element of the offense is possession or use of a firearm, and who is thereafter adjudicated a delinquent minor for a second time for any of these offense shall be adjudicated a violent juvenile offender.

**SCHOOL GROUNDS - 105 ILCS 5/22-85** - The real property comprising an active and operational elementary or secondary school during the regular hours in which school is in session and when students are present.

## I. ADMINISTRATIVE REVIEW

- A. The Investigation Supervisor shall annually review all procedures relating to the handling of juveniles and programs that impact juveniles, and complete a written evaluation which shall be approved by the Chief of Police. The initial review shall be accomplished in collaboration with designated juvenile officers. (44.1.3)

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- B. Subsequent revision of juvenile policy or procedure shall be reviewed by the Deputy Chief of Operations with final proposals submitted to the Chief of Police for approval.

## II. HANDLING OF JUVENILES (44.2.1)

- A. When dealing with a juvenile offender, personnel should use the least coercive among reasonable alternatives. Officers should consider the following guidelines in making a choice for diversion:
  - 1. Nature of the offense – the Character of an incident or condition surrounding the juvenile’s involvement.
  - 2. Age of the juvenile – involvement may have been precipitated by an older juvenile influence or other factors.
  - 3. Attitude (or mental position) of the juvenile with regard to a fact, state or situation.
  - 4. Officer’s access to a parent or guardian.
  - 5. Knowledge of previous records/delinquency may be indicative of the juvenile’s attitude and affect the officer's choice of alternative placements and decisions.
  - 6. Gang affiliation and activity may affect the decisions regarding a juvenile.
  - 7. Complainant/victim’s comments may be taken into account, especially where repetitive incidents are reported for the first time.
  - 8. Direction received by juvenile authorities.
  - 9. Previous record of participation or refusal to participate in diversion programs or juvenile services.
- B. The officer may use the following procedures in handling and resolving the immediate juvenile situation:
  - 1. Warn and inform the juvenile of their wrongful action. (44.2.1a)
  - 2. Release the juvenile with no further action. (44.2.1a)

3. Complete the necessary documentation on location and release to a parent or guardian at the scene. (44.2.1a)
4. Issue an LO Citation in lieu of taking them into custody if appropriate, and make a reasonable attempt to notify a parent or guardian of the incident. (44.2.1b)
5. Refer the juvenile to another agency or service for potential diversion alternatives, and make a reasonable attempt to notify a parent or guardian of the incident. (44.2.1c)
6. If arrested, charged or a referral will be made, the minor must be printed. (44.2.1d)
7. Transport the juvenile to the Police Department for completion of reports and release to a parent or guardian with later referral to Juvenile Court or transfer to the appropriate juvenile detention center after reviewing the incident with the appropriate State's Attorney office. (44.2.1d) (44.2.2d)

### III. ARREST PROCEDURES (44.2.2c)

- A. Whenever a Hanover Park Police Officer arrests a juvenile and takes the youth into custody for a delinquent act, the following duties with respect to the interim status of the juvenile shall be accomplished:
  1. Make an immediate attempt to notify the youth's parent or guardian. If unable to contact the parent, the time of the attempt should be documented within the report form. (44.2.2e) If contact is made, document the nature and time the contact was made.
  2. If a juvenile police officer is not on duty, the arresting officer shall review the facts of the case with the on-duty supervisor to determine the necessity of notifying a juvenile police officer. If a juvenile police officer is on duty and available, contact the juvenile police officer and review the facts of the particular case. (See 495-I for Juvenile Police Officer duties/responsibilities).
  3. Inform the juvenile of Miranda warnings prior to custodial interrogation and obtain a written Miranda waiver.
    - a. Beginning January 1, 2017, officers must use the new Miranda Rights form for juveniles. The rights must be read to the juvenile using the exact language as written on the form. (Appendix B)
  4. Processing of juvenile shall include (82.1.2b):
    - a. Field Based Reporting (FBR)
    - b. Fingerprints and photograph must be taken for all minors of the age of 10 and over who have been arrested for any felony, misdemeanor, or violation of Chapter 4 Section 11-204.1, or 11-501 of the Illinois Vehicle Code. (20 ILCS 2630/5).

5. Provide meals if necessary while in custody.
  6. Release youth to parent or guardian for future follow-up by a juvenile police officer, unless directed to detain.
- B. When the delinquent act is serious, the juvenile police officer will determine if the subject should be taken into custody or if a petition to the court should be filed at a later date.
1. Criteria for taking a juvenile into custody shall depend on whether the detention of the juvenile is a matter of urgent and immediate necessity for the protection of the minor, of the person or property of another, or because the detained minor is likely to flee court jurisdiction. (44.2.2b)
  2. The parent or guardian's right to the custody of their child shall not prevail when a juvenile police officer or the court determines that it is contrary to the child's best interest.

#### IV. TEMPORARY CUSTODY (44.2.2c)

- A. A Hanover Park Police Officer may, without a warrant, take into protective or limited custody any minor who the officer reasonably believes is:
1. A delinquent minor who has violated or attempted to violate any federal or state law or municipal ordinance, regardless of where the act occurred (705 ILCS 405/5-3).
  2. An adjudicated ward of the Juvenile Court who has escaped from any court-ordered commitment (705 ILCS 405/2-5).
  3. A minor requiring authoritative intervention (M.R.A.I. 705 ILCS 405/3-4).
  4. A neglected or abused minor (705 ILCS 405/3-4 or 705 ILCS 405/2-3).
  5. A dependent minor (705 ILCS 405/3-4 and 705 ILCS 405/2-4).

#### V. CUSTODIAL INTERROGATION AND NON-CUSTODIAL INTERVIEWS (44.2.2c) (44.2.3)

- A. Interviews of juveniles should be done with consideration of the juvenile's age, mental state, or other factors or influences experienced by the juvenile. During interviews or interrogations, as in all procedures, police officers must be sensitive to and respect the constitutional rights of the juvenile. Officers must avoid practices that could be described as inherently coercive in the sense that a person may cooperate or confess to

unlawful conduct as a result of induced fear. The following procedures shall be adhered to:

1. BEFORE questioning of a minor who is in custody or who is in anyway deprived of his/her freedom of movement and action, the minor must be expressly warned of his/her Constitutional Rights. (44.2.2c)
  - a. Miranda Warnings must be given orally by the officer and NOT merely read by the minor to be questioned.
  - b. Ensure the minor understands his/her rights as explained and request him/her to sign the waiver.
  - c. If the minor refuses to sign the waiver, so indicate on the report.
  - d. If the minor indicates he/she does not wish to answer questions or wants an attorney, the interview will be terminated.
  - e. A parent or guardian may be present during the questioning of a minor, if requested by a parent or guardian.
    - (1) The minor must be afforded the opportunity to confer with an “interested adult” prior to and during custodial interview if requested by the minor.
    - (2) Case law makes reference to a juvenile police officer’s presence in order to assure the juvenile’s rights are not violated.
  - f. Interview Procedure
    - (1) A juvenile police officer shall be present during the questioning of juvenile offenders as well as when written statements are taken.
    - (2) Reasonable breaks must be given to the minor during questioning.
2. *Beginning January 1, 2017 a minor who was under 15 years of age at the time of the commission of an act that if committed by an adult that would be in violation of Section 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.3, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012 must be represented by counsel throughout the entire custodial interrogation of the minor. This includes the following offenses:*
  - a. First Degree Murder (9-1)
  - b. Intentional Homicide of an Unborn Child (9-1.2)
  - c. Second Degree murder (9-2)
  - d. Voluntary Manslaughter of Unborn Child (9-2.1)
  - e. Involuntary Manslaughter/Reckless Homicide (9-3)
  - f. Involuntary Manslaughter/Reckless Homicide of an Unborn Child (9-3.2)
  - g. Drug-Induced Homicide (9-3/3)
  - h. Criminal Sexual Assault (11-1.20 or 12-13)
  - i. Aggravated Criminal Sexual Assault (11-1.30 or 12-14)
  - j. Predatory Criminal Sexual Assault of a Child (11-1.40 or 12-14.1)
  - k. Criminal Sexual Abuse (11-1.50 or 12-15)
  - l. Aggravated Criminal Sexual Abuse (11-1.60 or 12-16)
3. A juvenile police officer, if available, shall confer with the youth’s parent or guardian, who shall have been contacted immediately (see 705 ILCS 405/2-6). The

nature and time of the conference shall be documented. If no contact is made with the parent, the officer should document the attempt.

4. Limit the duration of the questioning and the number of officers engaged in questioning the juvenile.
    - a. Duration of questioning shall not exceed two continuous hours without opportunities of rest.
    - b. A maximum of three officers will be present for any questioning of a juvenile being questioned.
  5. Beginning January 1, 2017 an oral, written, or sign language statement of a minor, who at the time of the commission of the offense was under the age of 18 years, made as a result of a custodial interrogation conducted at a police station or other place of detention, for an act that if committed by an adult would be a misdemeanor offense under Article 11 of the Criminal Code of 2012 or any felony offense must be electronically recorded, per 705 ILCS 405/5-401.5.
  6. Beginning January 1, 2022, an oral, written, or sign language states of a minor, who at the time of the commission of the offense was under the age of 18 years, made as a result of a custodial interrogation conducted at a police station, or other place of detention shall be presumed to be inadmissible as evidence against the minor making the confession in a criminal proceeding or a juvenile court proceeding for an act that if committed by an adult would be a misdemeanor offense under Article 11 of the Criminal Code of 2012 or a felony offense under the Criminal Code of 2012 if, during the custodial interrogation, a law enforcement officer or juvenile officer, knowingly engages in deception.
- B. Pursuant to 105 ILCS 5/22-85, before detaining and questioning a student on school grounds who is under 18 years of age and who is suspected of committing a criminal act an officer must do all of the following:
1. Ensure that notification or attempted notification of the student's parent or guardian is made.
  2. Document the time and manner in which the notification or attempted notification under paragraph (1) occurred.
  3. Make reasonable efforts to ensure that the student's parent or guardian is present during the questioning or, if the parent or guardian is not present, ensure that school personnel, including, but not limited to, a school social worker, a school psychologist, a school nurse, a school guidance counselor, or any other mental health professional, are present during the questioning.
  4. If practicable, make reasonable efforts to ensure that a law enforcement officer trained in promoting safe interactions and communications with youth is present

during the questioning. An officer who received training in youth investigations approved or certified by his or her law enforcement agency or under Section 10.22 of the Police Training Act or a juvenile police officer, as defined under Section 1-3 of the Juvenile Court Act of 1987, satisfies the requirement under this paragraph.

5. This Section does not limit the authority of a law enforcement officer to make an arrest on school grounds. This Section does not apply to circumstances that would cause a reasonable person to believe that urgent and immediate action is necessary to do any of the following:
  - a. Prevent bodily harm or injury to the student or any other person.
  - b. Apprehend an armed or fleeing suspect.
  - c. Prevent the destruction of evidence.
  - d. Address an emergency or other dangerous situation.

## VI. PARENTAL RESPONSIBILITY

- A. Parents of delinquent juveniles will be put on notice that their child has committed a delinquent act (Sec 18-29 of the Hanover Park Municipal Code).
- B. Guidelines for establishing parental responsibility:
  1. Unemancipated minor residing with his parents, and
  2. Charged after committing a delinquent act, or
  3. Admits guilt to a police officer after committing a delinquent act.
- C. Procedure
  1. When 1 and 2 or 3 above occur, the parent/legal guardian will be sent a written notice either by certified/registered mail with a return receipt request, or by personal service when released from custody.
  2. Another delinquent act by the minor within (1) one year of receiving, a first notice shall constitute a violation on the part of the parent/legal guardian.
  3. Notices will be sent and maintained by the Juvenile Section of the Investigations Bureau.
- D. Enforcement
  1. All Part I & II offenses of the Illinois Compiled Statutes, as defined by the Uniform Crime Reporting Act of the State of Illinois.

2. Village of Hanover Park Municipal Code – Chapter 10, Sec. 10-34, Chapter 58, Sec. 58-746 and Chapter 66.

## VII. IDENTIFICATION AND PROCESSING (82.1.2b,c)

- A. In processing arrested juveniles, procedural rights assured to the minor shall be the same rights as adults, unless specifically precluded by laws which enhance the protection of such minors.
  1. A Juvenile Police Officer, specifically assigned by the Investigations Supervisor, shall oversee the collection, dissemination, and retention of juvenile records.
  2. When a juvenile is arrested for a delinquent act, fingerprints and photographs shall be obtained as part of routine processing.
  3. Juvenile fingerprints and photographs shall be distinguished by appropriate markings and shall be maintained in a juvenile file segregated from adult arrest records. All juvenile records shall be for restricted use only and shall be retained by the Hanover Park Police Department only, in accordance with 705 ILCS 405/1-7.
  4. Fingerprint and photograph files of juveniles may be inspected by law enforcement officers in conjunction with the discharge of their official duties upon request and approval of a juvenile officer.
  5. Other forms of identification from juvenile offenders may be obtained upon verbal or written consent of the offending youth and/or the youth's parent or guardian, or upon the issuance and receipt of valid Juvenile Court order.

## VIII. DETENTION (72.5.3)

- A. Juveniles may not be held for more than six hours when detained for a status or MRAI (705 ILCS 405/3-4) offense. When detained for a delinquent offense the following applies:
  1. 6 - hours for youths under 12 years of age (705 ILCS 405/5-410 (2a));
  2. 12 - Hours for youths 12-17 years of age (705 ILCS 405/5-410 (2a) (c); and
  3. 24 - hours for juveniles for crimes of violence. (705 ILCS 405/5-410 (2a) (c)
- B. Transportation time is not included in the detention limitations for juveniles

- C. Should the need arise to detain a juvenile in a secured environment, a member of the police department will be assigned to monitor that juvenile continuously until the juvenile has been released or relocated to a juvenile detention facility.
- D. If an interview room, office, or other room is used for holding a juvenile in custody, the room shall remain unlocked while the juvenile is inside.
- E. Interviews of juveniles, who are considered high risk prisoners under the provisions of DIR 575-S XXV may be conducted in the processing room, provided the juvenile is continuously monitored by a member of the police department and no adult detainees are in the processing room while the juvenile is inside.
- F. It is the responsibility of the investigating officer to make the proper entry in the juvenile monitoring log whenever a juvenile is detained. (Appendix A)
- G. For the purposes of this procedure, detained shall mean any juvenile that is held in a secure interview room.
- H. The juvenile monitoring log is kept in the Radio/Records Room and will be returned to the Investigative Supervisor at the end of each month for reporting purposes.

IX. INCORRIGIBLE JUVENILES (44.2.2a)

- A. "Incorrigible": means a juvenile is beyond parental control. Incorrigible juveniles are classified as "Status Offenders" which are those juveniles whose conduct would not be a crime if committed by an adult.
  - 1. Officers who come in contact with a reported incorrigible juvenile will:
    - a. Determine if the juvenile has committed a status offense and properly document that information.
    - b. Determine if the juvenile has displayed behavior that is injurious to themselves or others.
  - 2. In the absence of documented or observed injurious behavior displayed by the juvenile, officers will inform parents or guardians of their responsibility to seek assistance from available social service agencies.
  - 3. When there is an offense, normal juvenile processing procedures will be followed.

X. JUVENILE ARREST RECORD INQUIRY

- A. There are restrictions concerning what TYPE of records may be viewed and under what circumstances an inquiry into a juvenile record may be made. (705 ILCS 405/1-8).

1. Viewable Records
  - a. Any arrests dealing with delinquent acts may be viewed.
  - b. Traffic and ordinance violations
2. Permissible Circumstances for Inquiry
  - a. By law, you may only view a juvenile's record if such information is essential to executing an arrest or search warrant or other compulsory process or to conduct an ongoing investigation. Or relating to a minor who had been adjudicated delinquent and there has been a previous finding that the act which constitutes the previous offense was committed in furtherance of criminal activity by a criminal street gang.

B. Identifying Juvenile and Adult Records (82.1.2a)

1. A Hanover Park juvenile arrest record is entered into the Criminal Apprehension Booking System (CABS) by utilizing the juvenile record notation. An adult arrest record is entered into CABS without the juvenile record notation.
2. All case reports of criminal activity involving a juvenile shall be designated in Field Based Reporting (FBR) by checking the "JUVENILE" check box. Records staff will ensure reports with this check box are put on the confidential section of the Daily Bulletin.
3. Since arrest and applicable case report records are entered into CABS and Field Based Reporting (FBR) utilizing different notations, the state law requiring separate storage of adult and juvenile records is met.

C. CABS and Field Based Reporting (FBR) Inquiry Access – Any authorized person having inquiry capability into CABS or Field Based Reporting (FBR) will be able to view adult and/or juvenile records provided the inquiry notes which type of record is requested.

XI. TEMPORARY PROTECTIVE CUSTODY (44.2.2b)

- A. Officers encountering child abuse and child neglect while in their professional or official capacities must immediately report their suspicions to the Illinois Department of Children and Family Services (DCFS), telephone number 1-800-25ABUSE (1-800-252-2287).
- B. Officers may take temporary protective custody of the child without the consent of the child's parents or guardian under the following circumstances:
  1. If the officer believes the child's life or health is in imminent danger while staying in his place of residence or in the care of his guardian;
  2. If the guardian is unavailable or has been asked and does not consent to the child's removal from his custody;

3. If there is no time to apply for a court order under the Juvenile Court Act for temporary custody of the child.
- C. Officers taking temporary protective custody shall immediately make every reasonable effort to notify the child's guardian. He must also immediately notify DCFS which will initiate proceedings for continued temporary custody.

XII. DELINQUENCY CONTROL AND PREVENTION PROGRAMS (1.1.3) (44.1.1)

- A. In an attempt to discourage deviant behavior before it occurs, the Hanover Park Police Department shall encourage:
1. The Juvenile Police Officer assigned to investigations shall maintain a list of referrals to family counseling services in the area;
  2. Referrals to other crisis intervention agencies in the Hanover, Schaumburg, Bloomingdale, and Wayne Township areas;
  3. Utilization of the School Assembly Team in schools situated within Hanover Park;
  4. Use of the patrol officers to foster positive community attitudes from youthful citizens;
  5. Cooperation with the school districts liaison personnel for the numerous schools situated within the boundaries of Hanover Park. (44.2.4)
  6. The Hanover Park Station Adjustment program.
  7. The Hanover Park Safe Home Program for Gang Intervention.
  8. The review and comments from other elements of the juvenile justice system or subject matter experts regarding the department's policies/procedures relating to juveniles. (44.1.2)

XIII. COMMUNITY YOUTH PROGRAMS (44.1.1) (44.2.5)

- A. Officers may periodically receive assignments of a proactive, tactical or supportive nature in connection to youth programs.
- B. Police presence is encouraged at youth community events. Officers should take this opportunity to promote good police community relations.



# Hanover Park Police Department Juvenile Monitoring Log



Month: \_\_\_\_\_

#	Case Number	Initials of Juv.	Date of Birth	Age	Sex	R A C E	UCR Code	Offense	Transported to PD		Location	Time Checked	Time Checked	Time Checked	Released		Person/ Facility Released To
									Date	Time					Date	Time	
1					<input type="checkbox"/> M <input type="checkbox"/> F												
2					<input type="checkbox"/> M <input type="checkbox"/> F												
3					<input type="checkbox"/> M <input type="checkbox"/> F												
4					<input type="checkbox"/> M <input type="checkbox"/> F												
5					<input type="checkbox"/> M <input type="checkbox"/> F												
6					<input type="checkbox"/> M <input type="checkbox"/> F												
7					<input type="checkbox"/> M <input type="checkbox"/> F												
8					<input type="checkbox"/> M <input type="checkbox"/> F												
9					<input type="checkbox"/> M <input type="checkbox"/> F												
10					<input type="checkbox"/> M <input type="checkbox"/> F												
11					<input type="checkbox"/> M <input type="checkbox"/> F												
12					<input type="checkbox"/> M <input type="checkbox"/> F												