

POLICE DEPARTMENT HANOVER PARK, ILLINOIS



DIRECTIVE: 495-I

REFERENCE STANDARDS: 44.2.2c and e

SUBJECT: Juvenile Police Officer

PURPOSE: The Juvenile Police Officer provides an organizational tool to meet the specialized requirements of juveniles that come into contact with, or require the services of, the Police Department.

POLICY: It is the department's policy to properly adjudicate the youthful offenders into juvenile courts in both Cook and DuPage County. In order to do this the Juvenile Police Officer program has been instituted.

I. JUVENILE OFFICER DUTIES/RESPONSIBILITIES

- A. The juvenile police officer is responsible for ensuring the rights and welfare of minors while preserving law and order.
 - 1. The juvenile police officer will ensure the Juvenile Court Act is being adhered to when dealing with the following:
 - a. Delinquent Acts (criminal offenses);
 - b. Neglect/Abuse/Dependency cases;
 - c. Addicted Minors;
 - d. Minors Requiring Authoritative Intervention;
 - e. Missing/Recovered juveniles;
 - f. Orders of protection; restraining orders against a juvenile;
 - g. Truancy
 - h. Child exploitation/pornography/prostitution;
 - i. Child abduction; and
 - j. The Act as amended.
 - 2. A juvenile police officer will be assigned to all incidents involving minors, as required by the Juvenile Court Act.
 - 3. Under certain circumstances listed elsewhere in this directive, if a juvenile police officer is not on duty when an incident arises, one will be contacted.

B. Assignment

1. A juvenile police officer may be assigned to the case of a juvenile offender or victim by:
 - a. Direct apprehension of the juvenile;
 - b. Accepting custody of the juvenile from an arresting officer, investigator, parent or court; or the referral of the uniform patrol officer;
 - c. Assignment to a case;
 - d. A direct order of a supervisor; or
 - e. Through investigative follow-up of an alleged violation of the law.

C. Duties

1. When contacted by the custodial officer, the juvenile police officer will ensure the following actions have been taken:
 - a. The juvenile's parent/guardian has been contacted; (44.2.2e)
 - b. The parent/guardian has been advised of the custody status of the juvenile and where he/she is being held;
 - c. Notification is given to the DCFS hotline 1-800-252-2873 when required under the abused and neglected children reporting act.
2. Assist the arresting/custodial officer with proper juvenile handling procedures and ensure that the rights of the juvenile are not violated. (44.2.2c)
3. Thoroughly investigate cases assigned and ensure all cases are completed prior to court presentation or referral to a youth service provider agency (other than interim crisis intervention services).
4. The juvenile police officer may take one or more of the following actions of informal or formal station adjustments described below, after considering certain factors:
 - a. The seriousness of the alleged offense;
 - b. The prior history of delinquency of the minor;
 - c. The age of the minor;
 - d. The culpability of the minor in committing the alleged offense;
 - e. Whether the offense was committed in an aggressive or premeditated manner; or
 - f. Whether the minor used or possessed a deadly weapon when committing the alleged offense.

D. Station Adjustment:

1. Informal station adjustment:
 - a. Probable cause to believe that the minor has committed an offense has been established.
 - b. A minor shall receive no more than 3 informal station adjustments statewide for a misdemeanor offense within 3 years without prior approval from the State's Attorney's office.

- c. A minor shall receive no more than 3 informal station adjustments statewide for a felony offense within 3 years without prior approval from the State's Attorney's office.
- d. A minor shall receive a combined total of no more than 5 informal station adjustments statewide during his or her minority.
- e. The juvenile police officer may make reasonable conditions of an informal station adjustment which may include but are not limited to:
 - 1) Curfew.
 - 2) Conditions restricting entry into designated geographical areas.
 - 3) No contact with specified persons.
 - 4) School attendance.
 - 5) Performing up to 25 hours of community service hours.
 - 6) Community mediation.
 - 7) Restitution limited to 90 days.
- f. If the minor refuses or fails to abide by the conditions of an informal station adjustment, the juvenile police officer may impose a formal station adjustment or refer the matter to the State's Attorney's office.
- g. An informal station adjustment does not constitute an adjudication of delinquency or a criminal conviction. Through the submission of fingerprints, the Department of State Police shall maintain a record of informal station adjustments for offense that would be a felony if committed by an adult, and may maintain a record if the offense would be a misdemeanor.
- h. The written Informal Station Adjustment Agreement (Appendix B) may be completed and copies given to the juvenile and guardian(s).

2. Formal Station Adjustment (Appendix A)

WARNING: Admission of guilt must be obtained before any discussion with minor, parents, guardians, or legal custodian of the formal station adjustment.

- a. A formal station adjustment is a procedure where a juvenile police officer determines that there is probable cause to believe the minor has committed an offense and an admission by the minor of involvement in the offense.
- b. The minor and parent, guardian, or legal custodian must agree in writing to the formal station adjustment and must be advised of the consequences of violation of any term of the agreement.
- c. The minor and parent, guardian or legal custodian shall be provided a copy of the signed agreement of the formal station adjustment. The agreement shall include:
 - 1) The offense that formed the basis of the formal station adjustment.
 - 2) An acknowledgement that the terms of the formal station adjustment and the consequences for violation have been explained.
 - a) An acknowledgement that the formal station adjustments record may be expunged under 705 ILCS 405/1-9 and 705 ILCS 405/5-915 of the Juvenile Court Act.

- b) An acknowledgement that the minor understands that his or her admission of involvement in the offense may be admitted into evidence in future court hearings.
- c) A statement that all parties understand the terms and conditions of formal station adjustment and agree to the formal station adjustment process.
- d. Conditions of the formal station adjustment may include, but are not to be limited to:
 - 1) The time shall not exceed 120 days.
 - 2) The minor shall not violate any laws.
 - 3) The juvenile police officer may require the minor to comply with additional conditions for the formal station adjustment that may include but are not limited to:
 - a) Attending school.
 - b) Abiding by a set curfew.
 - c) Payment of restitution.
 - d) Refraining from possessing a firearm or other weapon.
 - e) Reporting to a police officer at designated times and places, including reporting and verification that the minor is at home at designated hours.
 - f) Performing up to 25 hours of community service work.
 - g) Refraining from entering designated geographical areas.
 - h) Participating in community mediation.
 - i) Refraining from contact with specified persons.
 - 4) A formal station adjustment does not constitute an adjudication of delinquency or a criminal conviction. A record shall be maintained with the Department of State Police for formal station adjustments.
 - 5) A minor or the minor's parent, guardian, or legal custodian, or both the minor and the minor's parent, guardian, or legal custodian, may refuse a formal station adjustment and have the matter referred for court action or other appropriate action.
 - 6) A minor or the minor's parent, guardian, or legal custodian, or both the minor and the minor's parent, guardian, or legal custodian, may within 30 days of the commencement of the formal station adjustment revoke their consent and have the matter referred for court action or other appropriate action. This revocation must be in writing and personally served upon the juvenile police officer or his or her supervisor.
 - 7) The admission of the minor as to involvement in the offense shall be admissible at further court hearings as long as the statement would be admissible under the rules of evidence.
 - 8) If the minor violates any term or condition of the formal station adjustment the juvenile police officer shall provide written notice of violation to the minor and the minor's parent, guardian, or legal custodian. After consultation with the minor and the minor's parent, guardian, or legal custodian, the juvenile police officer may take any of the following steps upon violation:

- a) Warn the minor of consequences of continued violations and continue the formal station adjustment.
 - b) Extend the period of the formal station adjustment up to a total of 180 days.
 - c) Extend the hours of community service work up to a total of 40 hours.
 - d) Terminate the formal station adjustment unsatisfactorily and take no other action.
 - e) Terminate the formal station adjustment unsatisfactorily and refer the matter to the juvenile court.
- 9) A minor shall receive no more than 2 formal station adjustments statewide for a felony offense without the State's Attorney's approval within a 3 year period.
 - 10) A minor shall receive no more than 3 formal station adjustments statewide for a misdemeanor offense without the State's Attorney's approval within a 3 year period.
 - 11) The total for formal station adjustments statewide within the period of minority may not exceed 4 without the State's Attorney's approval.
 - 12) If the minor is arrested in a jurisdiction where the minor does not reside, the formal station adjustment may be transferred to the jurisdiction where the minor does reside upon written agreement of the jurisdiction to monitor the formal station adjustment.
 - 13) The juvenile police officer making a station adjustment shall assure that the information about any offense that would constitute a felony if committed by an adult and may assure that information about a misdemeanor is transmitted to the Department of State Police.
 - 14) The total number of station adjustments, both formal and informal, shall not exceed 9 without the State's Attorney's approval for any minor arrested anywhere in the State.

II. ADMINISTRATION

- A. The Juvenile Police Officer assigned to investigations shall be responsible for the following functions:
 - 1. Maintain all department records pertaining to juvenile offenders and offenses committed by juveniles. All juvenile records will be maintained as per Illinois state law.
 - 2. Assist in the collection of intelligence information regarding violent/habitual juvenile offenders.
 - 3. Maintain intelligence on youth problems within the scope and jurisdiction of the Hanover Park Police Department.

4. Will maintain an on-going liaison with law enforcement and other service agencies including, but not limited to:
 - a. Illinois Department of Children and Family Service – Child Protection Division;
 - b. State’s Attorney’s Offices;
 - c. Public Defender’s Office;
 - d. Court appointed special advocate/guardian ad litem;
 - e. Juvenile Court;
 - f. Juvenile detention facilities;
 - g. Social Service agencies;
 - h. Parole and probation officers;
 - i. Youth Service provider agencies (i.e. crisis intervention agencies, youth service bureau, runaway shelter, etc.);
 - j. Area law enforcement juvenile officers; and
 - k. Local public and parochial school administrators.
 5. Be responsible for the investigation of criminal cases involving juveniles as assigned by the Investigative Unit Supervisor.
 6. Promote a concern and understanding of youth problems within the Police Department and community.
 7. Represent the Police Department as needed in juvenile officer and youth offender associations and programs throughout both Cook and DuPage Counties.
 8. Prepare and deliver speeches to community groups and organizations on juvenile related matters or other topics as assigned by the Investigative Supervisor.
 9. Meet with local school officials, principals, teachers, and counselors to discuss and coordinate youth offender matters.
- B. The Juvenile Police Officer assigned to the Investigative Bureau may override the disposition entered by the patrol juvenile police officer after review with the Investigative Supervisor.

CASE#
IN THE INTEREST OF

HANOVER PARK POLICE DEPARTMENT
MUNICIPAL BUILDING-2121 W. LAKE ST. Hanover Park IL, 60103
630-372-4400 Fax 630-372-4420

FORMAL STATION ADJUSTMENT AGREEMENT

In accordance with the Illinois Juvenile Court Act, 705 ILCS 405//5-301

The minor with his/her parent(s)/guardian(s) agree to being placed on a formal station adjustment. That there is probable cause to believe the minor has committed the following offense(s) and makes an admission of there involvement in the offense(s) of:

That the minor, Statute(s):

The following regulations apply to your period of station adjustment: You are required to obey the listed rules. Violations may result in termination of your supervision and your case being sent to the State's Attorney's Office with a recommendation for filing a petition in juvenile court.

1. Obey all local, state, and federal laws.
2. Obey all rules of your home.
3. No truancy or unauthorized absences from school and obey all school rules. You must also remain in good standing in your class work and maintain passing grades in all classes. (GPA not less than C Average.) A copy of your next report card or grade report reflecting this GPA must be sent to the Juvenile Officer at the above address.
4. Obey all local and state curfews, including a more restrictive curfew set by your parent(s).
(Weekdays P.M. Weekends P.M.)
5. Perform 0 hours of Community Service as agreed by the parent(s) and Juvenile Officer.
6. The minor and parent(s) must cooperate with any referral by the Juvenile Officer for social Services as follows.
7. The station adjustment period begins on and will end . The Station Adjustment period may be extended if the minor violates any rules or shows no improvement.
8. Additional conditions: (Restitution, Essays, No Contact Agreements, etc.)

The Above rules are in effect immediately upon signing this agreement. Your parent(s) are required to report any violations to:

Juvenile Officer: **Signature:**_____ **Date:** 12/9/2009

I voluntarily agree to comply with this agreement. I understand that I have the right to a trial in court before a judge as specified in the Illinois juvenile court act and to be represented by an attorney. I realize that by accepting Station Adjustment Supervision I am temporarily waving these rights.

Juvenile's Signature:_____ ***Date:*** 12/9/2009

I consent to my child's participation I the Station Adjustment Supervision Program. I understand he/she is temporarily waiving his/her rights to trial and representation by an attorney and concur with his/ her decision.

Parent/guardian Signature:_____ ***Date:*** 12/9/2009

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IN THE INTEREST OF

HANOVER PARK POLICE DEPARTMENT
MUNICIPAL BUILDING-2121 W. LAKE ST. Hanover Park IL, 60103
630-372-4401 Fax 630-372-4420

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10. Obey all rules of your home.
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