



TOWN OF SENECA FALLS POLICE DEPARTMENT

GENERAL ORDER



GENERAL ORDER #: 435

RESCINDS: 07/01/13,10/01/18

SUBJECT: Juvenile Operations

NYS ACCREDITATION: 50.4, 50.8

EFFECTIVE DATE: 03/21/2019

BY ORDER OF: Stuart W. Peenstra, Chief of Police

- I. **PURPOSE:** The purpose of this order is to establish guidelines for the conduct of investigations of incidents involving juveniles; for participation in the preparation of court cases and for the development and perpetuation of programs intended to prevent delinquent and criminal behavior by juveniles.
- II. **POLICY:** It is the policy of the Town of Seneca Falls Police Department to prevent and control juvenile delinquency through the combined efforts of all personnel supported by an organizational component dedicated to this purpose.
- III. **DEFINITIONS:**
 - A. **INFANCY** - A defense described in the New York State Penal Law Section 30.00, which states that a person less than 17 years of age is not criminally responsible (e.g. cannot be prosecuted in criminal court) for his conduct, unless: 1. The person is 13, 14 or 15 and commits a designated felony (juvenile offender) or 2. The person is 16 years old and commits a felony (adolescent offender), a traffic infraction, a violation, or a Vehicle and Traffic Law misdemeanor. [Revised: 10/01/2018]
 - B. **JUVENILE OFFENDER** - A person who is 13, 14, or 15 years of age and who is criminally responsible for his conduct as it applies to certain designated felonies as defined in Section 10.00 Subsection (18) of the New York State Penal Law. Juvenile offenders are prosecuted in the Youth Part of the Superior Criminal Court by the District Attorney. [Revised: 10/01/2018]
 - C. **ADOLESCENT OFFENDER** – A person who is 16 years of age who commits an act that would constitute a felony as defined in section 10.00 subsection (5) of the New York State Penal Law. Adolescent offenders are prosecuted in the Youth Part of the Superior Criminal Court. [Added: 10/01/2018]
 - D. **YOUTH PART** – Created as part of the superior court that has exclusive jurisdiction over cases involving adolescent offenders and juvenile offenders. [Added: 10/01/2018]
 - E. **JUVENILE DELINQUENT** - A person 7 years of age and less than 16 years of age who commits an act that would constitute a crime not defined in III.B of this order, and/or a person 16 years of age who commits an act that would constitute a misdemeanor (except when the misdemeanor is a Vehicle and Traffic Law violation). Actions against juvenile delinquents are prosecuted in Family Court by the County Attorney. [Revised: 10/01/2018]
 - F. **PINS (PERSON IN NEED OF SUPERVISION)** - A person less than 18 years of age who is truant from school or incorrigible, or who is ungovernable or habitually disobedient and beyond the lawful control of a parent or other authority, or who is in possession of marihuana (as defined in Section 221.05 of the Penal Law) and is deemed to be in need of supervision or treatment as defined in Family Court Act Article 7.
 - G. **DESIGNATED FELONY** - An act committed by a person who is 13, 14, or 15 years of age, as -defined in the Family Court Act, Section 301.2 Subsection (8). A person who is 13, 14 or 15 years of age who commits a designated felony is deemed a juvenile offender and his/her case will be brought before the Youth Part of the Superior Criminal Court. See appendix A of this order for a comprehensive list of the designated felony New York State Penal Law statutes. [Revised: 10/01/2018]

- H. **INTAKE** - The process of commencing an action against a juvenile delinquent. This function is performed by the County Probation Department acting on a referral from a police agency, or, in some cases, at the request of a parent or guardian as the complainant. Intake may involve adjustment of the case by the County Probation Department or the case may be petitioned to Family Court.
- I. **DIVERSION** - Any lesser alternative afforded a juvenile which is substituted for one which might be imposed within the juvenile justice system.

IV. **General Guidelines:**

A. **RESPONSIBILITY FOR JUVENILE OPERATIONS**

1. Responsibility for the proper handling of criminal and non-criminal juvenile matters shall be willingly shared by all divisions and members of the department. All members shall participate in and support juvenile operations and are required to be familiar with procedures for handling juvenile problems and incidents.

- B. The decision to refer** a juvenile to intake rests largely with the investigator who, by virtue of a thorough investigation, is in a position to determine what course of action will best serve justice. Some of the factors that may influence the decision for or against intake are:

1. The seriousness of the offense as judged by its nature, the use of a weapon, whether gang-related, premeditated, or whether the juvenile was under the influence of alcohol or drugs;
2. The juvenile's history of criminal activities and recent activities of similar conduct;
3. The juvenile's status with respect to official supervision; and,
4. The effectiveness of juvenile's participation in any previous rehabilitation programs, including his attitude toward parental supervision.

- C.** If, considering his/her age and conduct, the juvenile qualifies as a juvenile offender within the meaning of the term as described above, there shall be no discretion concerning disposition of his/her case and he/she shall be petitioned into Family Court, regardless of his history for compliance with supervision.

- D.** Members of the Seneca Falls Police Department who are dealing with juveniles shall take the least coercive action among reasonable alternatives consistent with preserving public safety, order and individual liberty. Specifically, in an effort to seek the least forceful disposition of a juvenile case, the juvenile shall be dealt with in one of the following ways:

1. Release with no further action, or
2. Conference involving the juvenile, his parents and the investigating officer, or
3. Voluntary and prolonged program of treatment involving the participation of one or more agencies providing social or supervisory services, or
4. Referral through petition into Family Court.

V. PROCEDURES:

A. INTERVIEWING JUVENILES [Revised: 10/01/2018]

1. The following procedures shall apply to interviewing juveniles (persons less than 17) who are not a suspect in a crime (e.g. victims and witnesses):
 - a. They may be interviewed and have their written statements recorded at any location (e.g. home, school if permitted by authorities, in the field, etc.).
 - b. Permission should be obtained from parents/guardians prior to the interview but they need not be present. Parents should not be contacted in advance of the interview if the parent/guardian is the suspect in a crime perpetrated against the child (e.g. abuse or neglect). Parental participation in an interview may be discouraged if said presence could interfere with a sensitive disclosure (e.g. sexual abuse). If a parent is present when a statement is taken, he/she should sign the statement as a witness.
 - c. Interviews shall be non-coercive in nature and limited to a reasonable period of time based upon circumstances.
 - d. Children 9 years of age and older may provide sworn testimony/statements. Children less than 9 years of age may or may not be capable of providing sworn testimony depending upon their ability to understand the nature of an oath (to be determined in Court). Great care must be taken in obtaining written statements from children under 9, and additional corroborating testimony or evidence may be required to obtain a conviction. Statements secured from children less than 9 must contain an affirmation indicating that the child knows the difference between the truth and a lie and understands the consequences for not telling the truth. Examples should be specifically enumerated in the child's statement.

B. CUSTODIAL QUESTIONING JUVENILES [Revised: 10/01/2018]

2. Custodial questioning (interrogations) of juveniles (persons less than 17 years of age) is governed by the Family Court Act which notes that the presence or absence of the child's parents, his age, and the period of time for questioning will all be considered relevant in determining whether such interrogation was suitable. The following procedures shall govern the questioning of juveniles by officers of the police department: **(50.4.A, B)**
 - a. Questioning may occur only in court approved, designated facility (e.g. approved juvenile interview rooms located at SFPD headquarters, rooms 130, 131 and 119) or, with the parent's consent, in the juvenile's own residence. If the alleged offense is a felony, questioning should take place at headquarters. **(50.4.A, B)**
 - b. Every reasonable effort must be made to notify the juvenile's parent or guardian that the juvenile is in custody and of his location and documented.
 - c. Questioning must await the arrival of the juvenile's parent or guardian, unless such person has elected not to be present and/or has given expressed permission to proceed in his absence. Juvenile Miranda warnings shall be read to the parent/guardian over the phone in the presence of the juvenile to be questioned. This shall be denoted on the Juvenile Miranda form. This information must be documented in the officer's report. If all reasonable efforts to locate a parent/guardian have failed, consult with the School Resource Officer for assistance prior to questioning the juvenile.

- d. An officer shall be in attendance with the juvenile whenever the room is in use as a questioning facility. When possible, a female officer or other qualified female person shall be in attendance if the juvenile is female.
- e. Prior to questioning, both the juvenile and the parent/guardian must be advised:
 - i. Of the child's right to remain silent.
 - ii. That the statements made by the child may be used in a court of law.
 - iii. Of the child's right to have an attorney present.
 - iv. Of the child's right to have an attorney provided without charge if he is indigent.
- f. Both the juvenile and his or her parent/guardian must understand and waive the rights above for questioning to continue.
- g. Whether or not the juvenile agrees to proceed without an attorney being present, he should be read and requested to sign a waiver to this effect and the parent or guardian should be requested to sign as a witness to this as well. The form for notification of rights of a minor should be used for this purpose wherever possible.
- h. The juvenile and his or her parent or guardian shall be informed of the responsibilities and procedures of the department and the justice system regarding the matter at hand.
- i. Questioning shall be limited to a reasonable period of time and at no time shall there be more than two officers present during the interrogation or interview.
- j. Officers questioning juveniles less than 9 years of age shall be guided by Section IV.D.1(d) of this order regarding the giving of sworn testimony.
- k. A custodial interrogation must be recorded if a 16-year-old, regardless of classification, commits a class A-1 felony (except as defined in the Penal Law Section 220), felony offenses defined in section 130.95 and 130.96 of the penal law, or a felony offense defined in article 125 or 130 of such law that is defined as a class B violent felony offense in section 70.02 of the Penal Law.

C. JUVENILE ARRESTS/PROCESSING [Revised: 10/01/2018]

- 1. The Family Court Act sets out the authority for a police officer's arrest of a juvenile without a warrant, which authority is derived from Article 140 of the Criminal Procedure Law as it applies to the arrest of any person for a crime. The same rules affecting the seizing of evidence and the securing of admissions following the arrest of an adult are applicable to the arrest of a juvenile, including the additional requirement that the juvenile and his or her parent or legal guardian be notified of his constitutional rights. The following procedures shall apply to the arrest of a juvenile:
 - a. The officer affecting an arrest must make immediate notification to the juvenile's parent or guardian, or, if unavailable, to the person with whom he or she resides, that the juvenile has been arrested.
 - b. Juvenile prisoners shall be kept separate from adult prisoners at all stages of processing including transport.
 - c. After making every reasonable effort to give such notice, the officer shall take one or more of the following actions:

- i. If the juvenile is to be questioned, bring him to an approved, designated facility (court approved juvenile interview room) or alternatively, and with the parent's consent, to the juvenile's own residence. Questioning the juvenile for a reasonable length of time in accordance with the procedures established in section IV.E.(1) of this order.
- ii. If the juvenile has allegedly committed a designated felony act, as defined in the Penal Law Section 30.00, Subsection (2), the Seneca County District Attorney's Office must be notified of the arrest prior to transport. The officer making the arrest shall follow procedures for juvenile arraignment as outlined in IV.F.1.f of this order. If the Accessible Magistrate orders the juvenile to be detained, the officer will transport the juvenile to a Detention Facility, otherwise the juvenile shall be released to a parent or guardian.
- iii. If the juvenile arrested is an Adolescent Offender, the following procedures shall be utilized:
 - a) If the Adolescent Offender commits a Class E felony, the juvenile shall be issued a criminal appearance ticket and released to a parent or guardian. If circumstances surrounding the incident dictate the juvenile should be detained, the juvenile may be arraigned as outlined in IV.F.1.f of this order. The court appearance date and time must be set for the following business day.
 - b) The officer shall use a criminal court appearance ticket addressed to the Supreme Court Youth Part Court, 48 William Street Waterloo, NY 13165
 - c) The officer shall indicate the date and time of the appearance in Youth Part for the 2nd or 4th Tuesday of the month at 1400 hours.
 - d) If the Adolescent Offender commits a D felony or greater, the arresting officer shall follow procedures for juvenile arraignment as outlined in IV.F.1.f. If the Accessible Magistrate orders the juvenile to be detained, the juvenile will be transported to a Detention Facility, otherwise the juvenile shall be released to a parent or guardian.
- iv. If the juvenile is accused of committing a crime that does not qualify the juvenile as a Juvenile Offender or an Adolescent Offender, the juvenile must be released on a Family Court Appearance Ticket. If the juvenile is 16 years of age and commits a vehicle and traffic infraction, a vehicle and traffic misdemeanor or a violation level offense, the officer shall issue the appropriate paperwork for the local court of jurisdiction and release the juvenile to a parent or guardian. In these circumstances' detention is generally prohibited. When the court is not in session, the child must be released on a Family Court Appearance Ticket or other appropriate paperwork unless special circumstances exist that would justify detention. The on-call Investigator should be contacted before taking the latter action since temporary detention is allowable only when there is substantial risk that the juvenile will not appear in court or a substantial risk that the juvenile will commit another crime or cause harm to a person.
- v. If a juvenile is accused of committing a crime that classifies him as a juvenile offender or if a juvenile is remanded to a detention facility, the on-call Investigator should be contacted immediately.
- vi. If a juvenile is classified as a JO or an AO and their charges also include misdemeanors, violations, vehicle and traffic infractions, local law violations and/or vehicle and traffic misdemeanors the entire case will be forwarded to the Youth Part of the Superior Criminal Court. If a person 16 years of age is arrested for a misdemeanor along with a local criminal court violation, the entire case will be forwarded to Family Court utilizing an FCAT. If a person 16 years of age is arrested for a penal law misdemeanor along with vehicle and

traffic infractions and/or vehicle and traffic misdemeanors the case must be forwarded to both the Family Court and to the local criminal court with jurisdiction.

vii. At the time of, or prior to the arrest of a juvenile, the investigating officer should make every effort to secure any and all evidence pertaining to the case, as Family Court cannot issue search warrants.

D. Authorization for the fingerprinting and photographing of persons who are alleged to be juvenile delinquents and limitations on their collection, dissemination and retention are set out under Section 306.1 of the Family Court Act. Officers shall be responsible for insuring compliance (ages 11 to 12 for A or B felony - 13 to 16, any felony, 16 any felony and printable traffic misdemeanors). Other forms of identification pertaining to juveniles may be secured by court order or with the consent of the juvenile and his parent or guardian. In addition, a juvenile may be fingerprinted and photographed when the officer: **(50.4.D), (50.8)**

1. Is unable to ascertain the juvenile's identity, or
2. Reasonably suspects that the identification given by the juvenile is not accurate.

E. Custody, as it applies to juvenile matters is twofold. One is in the conventional sense of being an arrest that restricts the liberty of the arrestee; the other encompasses the concept of protective custody for juveniles who have been harmed or are in danger of harm.

1. Section 305.2 of the Family Court Act sets out the authority for a police officer's arrest of a juvenile without a warrant, which authority is derived from Article 140 of the Criminal Procedure Law as it applies to the arrest of any person for a crime. The same rules affecting the seizing of evidence and the securing of admissions following the arrest of an adult are applicable to the arrest of a juvenile under this section, including the requirement that the juvenile be notified of his constitutional rights.
2. The officer effecting such an arrest is required to make immediate notification to the juvenile's parent or guardian, or if unavailable, to the person with whom he resides, that the juvenile has been taken into custody. After making every reasonable effort to give such notice, the officer shall take one or more of the following actions:
 - a. If the child has allegedly committed a designated felony as defined in FCA 301.2(8), and the family court is in session, the officer shall forthwith take the child directly to such family court, unless the officer takes the child to a facility for questioning (see paragraph V. below), or, upon the consent of a parent or other person legally responsible for the care of the child, to the child's residence and there conduct questioning for a reasonable period of time. The decision to proceed directly to family court or to a place for questioning should be made after consultation with an investigator.

If the family court is not in session, that is, outside of regular court hours or a family court judge is not available, and questioning is or is not conducted, the officer must release the child upon issuance of an appearance ticket to the child and to the person into whose custody the child is released; or, if circumstances warrant, the officer may take the child to a detention facility. Again, before acting on any of these alternatives, an on-call investigator should be contacted. Under no circumstances will a juvenile be detained in an adult detention facility.

- b. If the child is accused of committing a crime that is not a designated felony, and the family court is in session, the child must be released with an appearance ticket (see paragraph J. above), or taken forthwith to the court. Note that in these circumstances, detention is precluded. When the court is not in session, the child must be released and an appearance ticket issued unless special circumstances exist that would justify detention. An on-call investigator should be contacted before taking the latter action since temporary detention is allowable only when there is substantial risk that the juvenile will not appear in court or a substantial risk that the juvenile will commit another crime.
3. A juvenile may also be taken into custody upon the authority of a family court warrant signed by a family court judge commanding his appearance in court. Such a warrant may be issued for a juvenile offender, a juvenile delinquent, or for a PINS. It may be based on the juvenile's failure to appear for a court date or a probation meeting. The options set out under paragraph 2 above are applicable to a warrant arrest, except for subparagraph a. (release with an appearance ticket).

F. Noncustodial interview of a person under the age of 16, who is a victim or a potential witness, may occur and statements may be taken under "reasonable circumstances." Reasonable circumstances depend upon age, emotional state, mental acuity, and time of day and the anticipated duration of the interview. Experience has shown that, whenever possible, the interview should be conducted with the consent of the parent or guardian.

G. Custodial interrogation of a juvenile is covered under Section 305.2 of the Family Court Act which notes that the presence or absence of the child's parents, his age, and the period of time for questioning will all be considered relevant in determining whether such interrogation was suitable. The following procedures will govern such activity by members of the SFPD:

1. Questioning may occur only in an approved, designated facility or alternatively, and with the parent's consent, in the juvenile's own residence.
2. Every reasonable effort must be made to notify the juvenile's parent or guardian that the juvenile is in custody and of his location.
3. Questioning must await the arrival of the juvenile's parent or guardian, unless such person has elected not to be present and/or has given express permission to proceed in his absence. In the event that a parent or guardian cannot be located, permission for the questioning should be sought from another close family member who is at least 18 years of age. For serious crimes, consideration should be given to requesting the assistance of a police officer from another jurisdiction in an attempt to locate a parent or guardian who is temporarily outside of Seneca Falls.
4. Both the juvenile and the parent or guardian must be 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; and,
 - d. Of the child's right to have an attorney provided for him without charge if he is indigent.
5. If the juvenile agrees to proceed without an attorney being present, the SFPD member will read the appropriate Miranda (for juveniles) Notification and Waiver to the juvenile and parent or legal guardian and record in the spaces provided, the responses given by both the juvenile and parent or legal guardian to the questions asked by the SFPD member. The SFPD member after recording these responses will request the juvenile and parent or legal guardian to sign and date the Miranda (for juveniles) Notification and Waiver Form. The SFPD member will attest to the Miranda (for juveniles) Notification and Waiver by signature, date and time. The parent or guardian should be requested to sign as a witness.
 6. The juvenile shall be informed of the responsibilities and procedures of the SFPD and of the juvenile justice system in the matter at hand.
 7. Questioning shall be limited to a reasonable period of time and at no time shall there be more than two investigators present during the interrogation.

H. Taking a juvenile into protective custody is also authorized when there is justification for such action; however, persons so apprehended shall be placed in the least restrictive environment, which insures safety and supervision. The parental home, a non-secure detention facility, or release into the care of the Department of Social Services are alternatives in this regard. Juveniles subject to being taken into custody for their own protection include:

1. An abandoned, abused or neglected child;
2. One who is suffering from illness or injury, or who is under the influence of alcohol or drugs;
3. One who is in immediate danger from his surroundings;
4. A runaway (less than 18 years old) reported by a person of legal responsibility; or who, to an officer, reasonably appears to be a runaway (see FCA §718).
 - a. If there is probable cause to believe the child is a runaway the officer must reach a reasonable conclusion as to whether the child has run away with just cause due to a possible abuse or neglect situation. In that case, the officer should contact the child abuse hotline and the local child protective facility and request assistance in arranging for care.
 - b. If the officer concludes that the child has run away without just cause, the officer must either return the runaway to a parent or other person legally responsible for the child's care OR seek to have the child placed at a local child care facility through the Family Court if during regular court hours.
 - c. Detention of a runaway is, in effect, an arrest and the officer can use whatever reasonable force is necessary to make the arrest, prevent escape or to defend oneself or a third party from what the officer reasonably believes to be the use or imminent use of physical force.

The reasonableness of the force used is judged from the perspective of the reasonable officer considering factors such as severity of the matter or crime at issue, whether the person poses an immediate threat to the safety of self, another or officer, or whether the person is actively resisting arrest or attempting to evade arrest by flight.

d. Officers must discharge the responsibilities mandated by the FCA §718. Upon reaching a reasonable conclusion that a person is a runaway, the first preference is that the officer return the person home. However, if that cannot be reasonably and safely accomplished and the officer acts in such a manner to reasonably safeguard the person's well-being and prevent further runaway behavior, then the officer should seek to have the person detained.

5. Any other situation in which custody is in keeping with the paramount issue of the juvenile's safety.

I. Diversion, as it applies to handling a juvenile offender, means any lesser alternative, which is substituted for one, which might be imposed within the juvenile justice system. The rationale for its use is to impose a more moderate punishment (or treatment) in an effort to encourage the offender to accept rehabilitation and to alter his behavior to that which is acceptable in the community. The decision to divert a juvenile offender from the system shall be taken only after consideration of the following factors:

1. The nature of the alleged offense;
2. The age and family circumstances of the accused;
3. Prior record of the accused;
4. The availability of community-based rehabilitation programs;
5. Attitude of the accused and the likelihood of his acceptance of rehabilitation efforts;
6. Input from the appropriate social agency, if necessary; and,
7. Input of victim/complainant. If a recommendation for diversion is received from a victim or complainant, such recommendation shall be documented in the disposition of the case.

J. Apart from diverting a juvenile to a social service agency, or petitioning him into Family Court, law enforcement agencies have a wide range of alternative remedies that they, themselves, may employ. "Station house" warnings, informal referrals, counseling referrals, consulting with and arranging for appropriate corrective action by parents, and dropping the charges altogether are examples of such alternative actions.

The following procedures shall be considered as possible courses of action when a juvenile is to be released, but some adjustment is indicated:

1. When a juvenile is deemed not to be a continual threat to himself or others, he may be released to a parent, legal custodian, or a responsible adult relative provided the person receiving the juvenile has indicated a willingness and capacity to exercise reasonable care and control over the juvenile to prevent his immediate resumption of the conduct which brought him to the attention of the SFPD.

2. The investigator may make an informal referral to the probation department, suggesting some follow-up corrective action. In some cases, a juvenile offender, as part of his diversion, may be placed on "informal probation" by the County Probation Department. This entails signing an agreement to certain conditions such as observing a curfew, associating with undesirables, frequenting a specified location, etc.
3. The officer may refer the juvenile and his parent to the Center for Dispute Settlement in an effort to resolve a behavior problem voluntarily as a condition for adjustment.
4. Youth Court is another alternative action that may be taken concerning delinquent youths. Peers determine the conditions of action against the youth, such as community service, curfew, etc. Both youth and parents sign an agreement to abide by the decision and the sentence imposed by the Youth Court.
5. If, in the opinion of the officer, there is little assurance that the juvenile will receive the necessary care and control; or, that there appears to be a substantial risk that he will continue in a criminal activity; or, that he may become a runaway, the officer should consider placement in a Youth Care Facility, Detention Center, or any other placement that may be appropriate. Secure detention is used only for a juvenile accused of a misdemeanor or felony.
6. Under no circumstances will a juvenile be released if there is probable cause to believe that he/she has committed those crimes specified in Article 30 of the New York State Penal Law (Defense of Infancy). This situation requires that the juvenile be detained in the appropriate facility.

K. JUVENILE RECORDS [Revised: 10/01/2018]

2. The department is required by law to keep records and results of juvenile cases in strict confidence. The following procedures shall govern the collection, dissemination and retention of juvenile records and access to information regarding juveniles:
 - a. Records relating to the arrest and disposition of juveniles shall be maintained in the Juvenile filing cabinet in SFPD ROOM 112 – Supply/File Room, separate and apart from the arrests of adults and adult identification records which are maintained in the Records **Section.(50.4.C)**
 - b. All records relating to the arrest, disposition and identification of juveniles shall be withheld from public inspection. Courts may order such records open to the juvenile or person responsible for his/her care or to a judge if the juvenile is subsequently convicted of a crime.
 - c. Law enforcement access to juvenile records shall be strictly controlled by CID members and Data Entry Clerks. **(50.4.D)**
 - d. Upon receipt of a court order to seal a juvenile arrest record, the Data Entry Clerk shall expunge the record without delay in accordance with department procedures and applicable laws.
 - e. Juvenile arrest, disposition and identification records shall be maintained and retained in accordance with the FCA, NYS Records Retention & Disposition Schedule MU-1, and all other applicable laws.
 - f. Due to the confidential and sensitive nature of juvenile cases, all members shall be alert to any request made for information pertaining to a juvenile or his case and must be certain that the person requesting the information has a legal right to receive it. Any doubt shall be resolved by referring the matter to CID.

L. COMMUNITY RELATIONS/SCHOOL LIAISON PROGRAM [Revised: 10/01/2018]

3. The department shall maintain a school liaison program administered through the School Resource Officers (SRO). The SRO shall visit the Seneca Falls School in connection with regular inquiries and in response to requests from school officials. These requests may include programs especially designed for students in all grades. The objectives of the program include:
 - a. Acting as a resource with respect to delinquency prevention.
 - b. Providing guidance on ethical issues in a classroom setting.
 - c. Providing individual counseling to students.
 - d. Explaining the role of the law enforcement agency in society.
 - e. Fostering a relationship of mutual trust and respect with all students and school personnel.
4. The department shall regularly conduct community relations and educational programs relating to the problems and needs of youth. Examples of such programs include bicycle and pedestrian safety, child safety and abduction prevention, Civil Rights and New York State Laws, and drug abuse resistance education.
5. Recreational youth programs are generally conducted under the auspices of the various municipalities within the Seneca County. However, upon request the department shall participate by providing safety instruction to those engaged in certain recreational and educational activities. Examples of participation include bicycle rodeos, and appearances at public recreational events where the department exhibits equipment, gives demonstrations and disseminates public information on various topics.

M. Social service and similar agencies which provide services to youths in and around Seneca Falls/Seneca County are listed below and shall be updated at least annually. These may be of value when considering diversion as an alternative to referring a person into the juvenile justice system.

1. Employment -

- a. New York State Job Services
- b. Seneca County Workforce Development
- c. Job Connection- Youth Bureau

2. Drug or Alcohol Concerns -

- a. Alcoholism Clinic Services
- b. Youth Counseling Services
- c. Al- Ateen and Al- Anon
- d. Finger Lakes Alcohol Counseling & Referral
- e. Addictions Recovery Center Clifton Springs Hospital

- f. Dick Van Dyke Clinic
- g. Council on Alcoholism & Other Chemical Dependencies of the Finger Lakes.

3. Physical/ Emotional Health

- a. Seneca County Department of Human Services
- b. Seneca County Runaway Homeless Youth Program
- c. Community Counseling Program
- d. Seneca County Health Dept.
- e. Happiness House (Handicap Children)
- f. Family Counseling Service of the Finger Lakes
- g. Seneca County ARC
- h. Finger Lakes Family Care
- i. Women, Infants, and Children (WIC)

4. Miscellaneous -

- a. Any public school for education, employment and personal counseling
- b. AIDS Information 1-800-342-AIDS
- c. Alcoholism Information 1-800-Alcohol
- d. Child Abuse 1-800-342-3720
(for police officers, as mandated reporters) 1-800-635-1522
- e. Growing Up Healthy Hotline (teen pregnancy) - 1-800-522-5006
- f. Lifeline - suicide information (585) 275-5151
1-800-333-0542
- g. National Helplines, cocaine and other drug info 1-800-Cocaine
- h. Rape Crisis Hotlines (Ontario Co) 1-800-247-7273
1-800-527-1757
- i. Rape Crisis (585) 546-2595
- j. Runaway Hotline 1-800-231-6946
- k. VD Hotline 1-800-227-8922

5. Law Related Agencies

- a. Seneca County Probation Dept.
- b. PINS Program
- c. Family Court
- d. Pre- Trial Diversion
- e. Legal Assistance
- f. Seneca County Attorney
- g. Seneca County District Attorney
- h. Statewide Youth Advocacy
- i. Child Advocacy Center of the Finger Lakes
- j. Safe Harbors of the Finger Lakes

6. Recreation -

- a. Seneca Falls Community Center
- b. Seneca County Swim Program

7. Special Programs

- a. Cooperative Extension (4- H)
- b. Boy Scouts
- c. Girl Scouts
- d. Seneca County Children's Committee Referrals/ Financial Assistance
- e. Seneca County Child Care Center
- f. Community Action Program (CAP)
- g. House of Concern
- h. Community Christmas Project
- i. Mentoring Program (Big Brother/ Sister)- Youth Bureau

N. Raise the Age N.Y. – On April 10th, 2017, Governor Andrew Cuomo signed into law a new legislation which changed the presumptive age of criminal responsibility within New York State, this legislation has been named: "Raise the Age N.Y."

1. Raise the Age creates a new class of offender designated as an Adolescent Offender or "AO". Effective 10/01/2018, the "AO" classification encompasses Any individual in New York State at age 16 who has committed a felony level Crime. Effective 10/01/2019, the same "A.O." classification includes individuals Age 17.
2. Effective 10/01/2018, any individual at age 16 who has committed a misdemeanor will be handled procedurally the same as for a Juvenile Delinquent. Effective 10/01/2019, this same procedure will apply for persons age 17. In these cases an Appearance Ticket will be issued to the Adolescent and a Parent/Guardian to appear at the Seneca County Probation Department within 10 business days of the time of issuance.
3. When an Adolescent Offender is charged with a felony the following checklist will be adhered to:
 - a. Contact the District Attorney and discuss appropriateness of a misdemeanor charge in place of a felony to expedite process to Family Court.
 - b. If a felony charge is recommended issue an Appearance Ticket to Adolescent and Parent/Guardian for an appearance at Supreme Court Youth Part Court at an available date designated by said Court.
 - c. If a misdemeanor charge is recommended, issue an Appearance Ticket to the Adolescent and Parent/Guardian for an appearance date at the Seneca County Probation Department within 10 business days of the time of issuance.
4. If an arraignment is deemed necessary the following checklist will be adhered to:
 - a. Contact Probation to check the availability of a bed (if detention is sought).
 - b. Check availability of Electronic Home Monitoring.
 - c. Contact Seneca County Community Health to provide referral information for outreach services. (Both for AO and family members if needed).
 - d. Contact designated AO arraigning court to determine time and location of arraignment.
 - e. Confirm with Parent/Guardian the time and place of arraignment. Ensure reasonable efforts have been made for Parent/Guardian to attend arraignment.
 - f. Confirm arraignment time and place with the Probation Department.
5. Diversion for 16- and 17-year old people affected by Raise the Age will be considered and handled in the same manner as Juveniles before Raise the Age of this policy.
6. All reports and files involving 16 and 17 year olds affected by Raise the Age will be Stored with the Juvenile case files in a secure location.

7. Fingerprinting, Interview, Interrogation and Custody of Adolescent Offenders will be handled in the same manner as Juveniles before Raise the Age.
8. In general, Adolescent Offenders and 16 and 17 year olds affected by the Raise The Age legislation will be treated analogous to a Juvenile before the legislation.