

JUVENILE PROCEDURES

NOTIFICATION OF JUVENILE ARREST

Purpose: The purpose of this policy is to insure the compliance of law enforcement officers of this agency in the proper notification to the school district in which a juvenile is enrolled, when the juvenile is arrested pursuant to Arkansas Code 9-27-309, as amended in Act 1268 of 2001.

Policy Statement: It is the policy of this agency that officers who arrest a juvenile and charge him under Arkansas Code 9-27-309 will comply as soon as practical and with all reasonable haste notify the superintendent of the school district in which the juvenile is currently enrolled.

Summary of Changes: New format

Definitions:

Adjudicated Delinquent: means that records of delinquency adjudications for which a juvenile could have been tried as an adult must be closed and confidential. (Arkansas Code 9-27-309).

Act 1268 of 2001: is an act to require notification to a school district when a juvenile is arrested or adjudicated delinquent for any offense that may affect the safety of the juvenile or others while at school.

Arkansas Code 9-27-309: is amended by adding, if a juvenile is arrested for unlawful possession of a firearm (**5-73-119**), an offense involving a deadly weapon under (**5-1-102**), or battery in the first degree under (**5-13-201**), the arresting officer shall as soon as practical and with all reasonable haste cause written notification of the arrest to be given to the school superintendent of the school in which the juvenile is currently enrolled.

Procedures

1 Responsibilities of the Arresting Officer

1. Pursuant to the arrest of a juvenile, under Arkansas Code 9-27-309, as amended in Act 1268. The arresting officer must fill out the Juvenile Arrest Notification Form (attached hereto), and fax it to the appropriate school district which the juvenile attends.
 - 1.1 If the officer is not sure whether the juvenile is enrolled in school or in which school district, a copy of the form should be faxed to the Little Rock, North Little Rock, and Pulaski County School Districts.
 - 1.2 If the juvenile attends a private school or a school outside of Pulaski County, the arresting officer will be responsible for obtaining a fax number for the appropriate school district and faxing the notification form to the school superintendent.
 - 1.3 The incident report number should be placed in the upper right hand corner of the notification form. The original form will be considered a supplement to the general report and should be routed through the proper channels with the general report.
 - 1.3.1 In the offense section of the notification form, simply check the correct offense block.
 - 1.3.2 The general report should contain all the necessary documentation in its narrative. Therefore, it is not normally necessary to fill out the narrative section of the Juvenile Arrest Notification Form.

2 Responsibilities of the Criminal Investigation Division

- 2.1 When a juvenile is transported to the Criminal Investigation Division pursuant to an arrest under Act 1268, in which he is to be charged as a juvenile or an adult, the following steps will be taken.
 - 2.1.1 A detective sergeant will determine if the case will be assigned to a detective. If the case is assigned, then a detective will be responsible for the following:
 - 2.1.1.1 Insuring that proper notification is made to the appropriate school district.
 - 2.1.1.2 Insuring that the juvenile is charged in the appropriate court.
 - 2.1.1.3 Preparing the case file which will be submitted to the appropriate deputy prosecuting attorney's office for review.

Mike Davis
Chief of Police