

# POCOLA POLICE DEPARTMENT

## POLICIES AND PROCEDURES

SUBJECT	JUVENILE RECORDS		
NUMBER:	9.100	EFFECTIVE DATE:	12/14/15
SCHEDULED REVIEW DATE:	06/14/16	ISSUE DATE:	12/14/15
DATE REVIEWED:		REVISION DATE:	
APPROVED BY:	Chief Steve Howard		

### I. Purpose and Scope

- A. The purpose of this policy is to establish guidelines for the Pocola Police Department's management of juvenile records. This policy shall apply to all members of the Pocola Police Department.

### II. Policy

- A. It shall be the policy of the Pocola Police Department to ensure the confidentiality of juvenile records by restricting the availability and access of those juvenile records maintained by the Department to those authorized to receive those records.

### III. Procedure

- A. Access to any type of juvenile records by members of the Pocola Police Department shall be limited to those members having lawful and legitimate need for the information.
1. All physical files pertaining to juveniles, including fingerprint cards, photographs, and other forms of juvenile identification will be maintained in a secure location, in a locked filing cabinet, separate and apart from adult records.
  2. The Pocola Police Department's Offender Database Information System (ODIS) has the ability to designate and lock juvenile records. All juveniles records maintained in ICIS shall be distinguished by utilizing the juvenile checkbox on the record, which locks the record, and only allows access to the record to authorized persons.

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- B. All Pocola Police Department files and records, pertaining to juveniles, are closed and are not to be made available for public release, except for those files and records relating to incidents in which a child charged with a criminal offense is charged as an adult.
1. Inspection and/or release of the files and records of a juvenile is permitted under the following circumstances:
    - a. If authorized by a juvenile court having jurisdiction over the juvenile;
    - b. If authorized by the Clerk of the juvenile court;
    - c. If authorized by the District Attorney or an attorney for the juvenile;
    - d. To law enforcement officers from other agencies when necessary for the discharge of their official duties; and
    - e. To the Oklahoma Law Enforcement Telecommunication System (OLETS).
  2. Any juvenile information to be released shall first be authorized by a supervisor unless it is for a police officer as described in section C.1.d of this policy.
  3. Incident reports containing juvenile arrest or detention information shall be edited prior to being released to the public. Any information in a report about the arrest or detention of a juvenile that might identify that juvenile must be redacted or blacked out prior to release.
  4. The name and address of a minor/juvenile occupant who is involved in a motor vehicle accident shall not be open to the public unless the requestor is:
    - a. The parent, legal guardian, or legal custodian of the minor occupant; or
    - b. A representative of an insurance company that insures a person involved in the accident
- C. Fingerprinting and photographing juveniles who have been arrested for any offense which, if committed by an adult, would constitute a felony, or a misdemeanor wherein violence or the use of a weapon was involved, the juvenile shall be photographed and fingerprinted by the law enforcement agency. The fingerprint cards and photographs shall be maintained in the Central Records Section in a secure location, in a locked filing cabinet, separate and apart from adult records.
- D. All juvenile records shall be disposed of according to one of the following guidelines:
1. If the record pertains to a misdemeanor offense, all records associated with this offense shall be sealed or expunged upon the eighteenth (18) birthday of the individual involved;
  2. If the record pertains to a felony offense and the juvenile was convicted of a felony, all records associated with this incident shall be kept for ten (10) years from the date of conviction pursuant to;
  3. If, however, the felony offense was adjudicated as a misdemeanor, all records associated with the incident shall be sealed or expunged upon the eighteenth (18) birthday of the individual involved; or
  4. Seal or expungement of a juvenile record upon receipt of an expungement order from a court with jurisdiction over the matter.

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