

CHARLOTTESVILLE POLICE DEPARTMENT



Note: This directive is for internal use only and does not enlarge an officer’s liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by the Charlottesville Police Department and then only in a non-judicial administrative setting.

Type of Directive: GENERAL ORDER	Number: 136-00
INTERVIEWING JUVENILES AT SCHOOL	Date: June 18, 2018
VLEPSC Number: Non-Standard	Manual Number: 534.04
	Effective Date: 06/18/18
Authorization: Chief R.M. Brackney <i>Rm Brackney</i>	Follow-up Date: As Needed

I. PURPOSE

The purpose of this directive is to insure that the investigation of offenses committed both by and against juveniles is handled as professionally and efficiently as possible and to integrate both the needs of the police department and the responsibilities of school officials in meeting that goal.

II. PROCEDURE

A. Interviews of Juveniles, either as victims, witnesses, or suspects in a crime being investigated by police officers of the Charlottesville Police Department, MAY be conducted while the child is at school, under the following two circumstances:

1. When the child is a victim or witness in either a child abuse or child sexual abuse investigation,
 - a. The officer shall clear the interview with the detective sergeant on duty.
 - b. The officer shall notify the principal or other authorized school official of the appropriate school at least twenty-four (24) hours in advance of the interview, unless the circumstances do not permit such advance notice.
 - c. Information about the child abuse investigation will be disseminated on a “need to know” basis only, and an officer shall not disclose details about the investigation to school personnel where such disclosure may interfere with the investigation or is not in the best interest of the child.
 - d. Where necessary, the officer may request that an interview be conducted in private without any school official present. [See Va. Code 63.1-248.20]

B. When the child is a victim, witness or suspect in an investigation involving a felony offense.

1. The officer shall clear the interview with the detective sergeant on duty.

2. Where possible, the officer shall notify the principal or other authorized school official of the appropriate school at least one hour in advance of the interview.
3. The officer shall also inform school officials as to the nature of the offense being investigated, the child's participation in it, and the circumstances requiring that the child be interviewed in school.
4. If special circumstances exist where an Investigator identifies a compelling reason(s) for a custodial interrogation without contacting the child's parent the investigator shall seek the approval of the Commonwealth Attorney's Office prior to questioning.
5. While the officer shall allow the school to notify a child's parent or guardian about the interview, the officer may interview a child suspected of having committed a felony without the consent of the child's parent or guardian [See Va. Code 16.1-246].
6. The officer shall allow either a school official or a parent to be present during the interview if the interview takes place on school property and the parent, guardian, or school official so requests.

