WEST NORRITON TOWNSHIP POLICE DEPARTMENT

Subject: Pa Juvenile Act – Law Enforcement Records		Policy # 4.7.1
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By Authority Of: Chief A. Dale Mabry	Signature: ADMabry	

4.7.1 PA JUVENILE ACT – LAW ENFORCEMENT RECORDS

A Law Enforcement Records

1. General Rule - Law enforcement records and files concerning a child shall be kept separate from the records and files of arrest of adults. Unless the release is authorized by the exceptions listed in 6308B, such as a charge of delinquency is transferred for criminal prosecution, the interest of national security requires, or the court otherwise orders in the interest of the child, the records and files shall not be open to public inspection or their contents disclosed to the public, except as provided in subsection D2, but inspection of the records and files is permitted by:

   a. The court having the child before it in any proceeding
   b. Counsel for a party to the proceeding
   c. The officers of institutions or agencies to whom the child is Committed
   d. Law enforcement officers of other jurisdictions when necessary for the discharge of their official duties
   e. A court in which the child is convicted of a criminal offense for the purpose of a pre-sentence report or other dispositional proceeding or by officials of penal institutions and other penal facilities to which he/she is committed, or by a parole board in considering his parole or discharge or in exercising supervision over him.

2. Public Availability – The contents of law enforcement records and files concerning a child shall not be disclosed to the public except if the child is 14 or more years of age at the time of the alleged conduct and if any of the following apply:

   a. The child has been adjudicated delinquent by a court as a result of an act or acts which include the elements of rape, kidnapping, murder, robbery, arson, burglary, violation of section 780-113a30 35 P.S. 35 Act 64 the Controlled Substance, Drug, Device and Cosmetic Act or other act involving the use of or threat of serious bodily injury.
   b. A petition alleging delinquency has been filed by a law enforcement agency alleging that the child has committed an act or acts as described in subsection (a) above and the child previously has been adjudicated delinquent by a court as a result of an act or acts which included the elements of one of those crimes.
   c. If the conduct of the child meets the requirements for disclosure as set forth in subsections (a) and (b) then the court or law enforcement agency shall disclose the name, age, and address of the child, the offences charged and the disposition of the case.

B. Fingerprinting and Photographing of Juveniles

1. Juveniles, as defined under 42 Pa. C.S.A. 6302, that are arrested for a crime that is a Misdemeanor or a Felony shall be fingerprinted and photographed at the time of arrest. Only Pa. State Fingerprint cards are to be used for juveniles. Do NOT use the FBI cards. Juveniles arrested for a summary offence of Retail Theft may only be fingerprinted.

2. The arresting officer shall make two copies of the prints and take two sets of photographs so one set may be sent to the Pa. State Police Central Repository within 48 hours pursuant to Act 6 Pa. C.S.A. 6309.

3. If needed, fingerprints and photographs of juveniles may be disseminated immediately to law enforcement officers of other jurisdictions, the Pa. State Police, and the FBI and may be used for investigative purposes.

4. All juvenile fingerprints and photographs shall be stored separately from those of adults and juvenile fingerprints and photographs shall be destroyed immediately if the juvenile is not adjudicated a delinquent, or found not guilty in a criminal proceeding for the alleged act or acts.

5. If an officer does disseminate the fingerprints and/or photographs of a juvenile he shall immediately notify the Shift Supervisor or OIC of who received the information, when and why so the appropriate records can be kept should the juvenile be found not guilty.