



Alexandria Police Department

Directive 10.18



Juvenile Victims of Crime

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10.18.01 POLICY/PURPOSE

The purpose of this directive is to establish Department policy and procedures concerning crime committed against juveniles and the handling of child abuse or neglect cases. [44.2.2]

10.18.02 CRIMES COMMITTED AGAINST JUVENILES

Section 16.1-241 of the Code of Virginia vests exclusive original jurisdiction of all criminal offenses committed by any person, regardless of age or relationship, against another person less than eighteen (18) years of age, in the Juvenile and Domestic Relations Court, except as to murder and manslaughter.

10.18.03 DEFINITIONS

- A. **Abused or neglected child** means any child less than 18 years of age:
 - 1. Whose parents or other person responsible for his care creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such child a physical or mental injury by other than accidental means, or

creates a substantial risk of death, disfigurement or impairment of bodily or mental functions, including, but not limited to, a child who is with his parent or other person responsible for his care either:

- (i) during the manufacture or attempted manufacture of a Schedule I or II controlled substance, or
 - (ii) during the unlawful sale of such substance by that child's parents *or other person responsible for his or her care* attempted manufacture or unlawful sale would constitute a felony violation of § 18.2-248 (the manufacture or attempted manufacture of methamphetamine);
2. Whose parents or other person responsible for his care neglects or refuses to provide care necessary for his health; however, no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination shall for that reason alone be considered to be an abused or neglected child;
 3. Whose parents or other person responsible for his care abandons such child;
 4. Whose parents or other person responsible for his care commits or allows to be committed any sexual act upon a child in violation of the law;
 5. Who is without parental care or guardianship caused by the unreasonable absence or the mental or physical incapacity of the child's parent, guardian, legal custodian, or other person standing in loco parentis; or
 6. Whose parents or other person responsible for his care creates a substantial risk of physical or mental injury by knowingly leaving the child alone in the same dwelling, including an apartment as defined in § 55-79.2, with *any* person who the parent or other person responsible for his care knows has been convicted of an offense against a minor for which registration is required as a violent sexual offender pursuant to § 9.1-902.

10.18.04 AUTHORITY

- A. The General Assembly enacted legislation that requires certain persons to report suspected incidents of child abuse or neglect so that protective services may be given to these children and their families. (Section 63.2-1509, Code of Virginia)
- B. Any individual who suspects a case of child abuse or neglect is urged to report it, but the law requires certain persons to report alleged cases. These persons are:
 1. Doctors and those licensed to practice the healing arts,

2. Hospital residents or interns, nurses,
 3. Social workers *or family-services specialists*,
 4. Probation officers,
 5. Teachers or any other person employed in public or private schools, kindergarten or nursery schools,
 6. Day care personnel providing full or part-time child care for pay on a regular basis,
 7. Mental health professionals,
 8. Law enforcement officers *or animal control officer*,
 9. Mediators eligible to receive court referrals,
 10. Any professional staff person, not previously enumerated, employed by a private or state-operated hospital, institution or facility to which children have been committed or where children have been placed for care and treatment,
 11. *Any person 18 years of age or older associated with or employed by a private organization responsible for the care, custody or control of children,*
 12. Any person who is designated a court-appointed special advocate,
 13. *Any person 18 years of age or older who has received training approved by the Department of Social Services for the purposes of recognizing and reporting child abuse and neglect,*
 14. *Any person eligible for public assistance,*
 15. *Any certified emergency medical services provider, who had not reported the suspected abuse or neglect directly to the hospital attending physician where the child was transported,*
 16. *Any athletic coach, director or other person 18 years of age or older employed by or volunteering with a private sports organization or team*
 17. *Administrators or employees 18 years of age or older of public or private day camps, youth centers and youth recreation programs; and*
 18. *Any person employed by a public or private institution of higher education with the exception of an attorney as it relates to information gained in the course of providing legal representation to a client.*
- C. The law states that those who report, provide records, or testifies in any judicial proceeding arising from such report of alleged abuse or neglect cases are immune from civil or criminal liability unless such person acted in bad faith or with malicious intent.

10.18.05 POLICE RESPONSIBILITIES

- A. All officers are to ensure that if juveniles are victims of a crime against their person (except murder or manslaughter), the warrant or petition charging the assailant with the offense is returnable to the Juvenile and Domestic Relations Court.
- B. Officers will report all instances of child abuse or neglect to the Department of *Community and* Human Services using the telephone numbers listed below. Officers will also file an Offense/Incident Report (APD-7) detailing their actions.

- C. When it appears necessary to remove a child for his or her own safety, *Community and* Human Services should be contacted for assistance.
1. State Code Section 63.2-1517 allows a police officer to take a child into custody for up to 72 hours without prior approval of parents or guardians when the situation presents an imminent danger to the child's life or health, and when a court order is not immediately available.
 2. Immediately afterwards the parents or guardians must be notified and a court order obtained. A report must then be filed with the Department of *Community and* Human Services. **[44.2.2.b]**
- D. Reports to the Department of *Community and* Human Services will be by telephone at the following numbers:
1. Alexandria Human Services (24-hour number) 703-746-5800.
 2. State Child Abuse Hotline - 1-800-552-7096.

If there is a problem with either of the above numbers, the on-call supervisor can be paged at [REDACTED].

BY AUTHORITY OF:

Earl L. Cook
Chief of Police