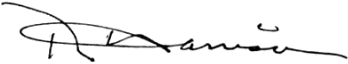


TEXARKANA POLICE DEPARTMENT GENERAL ORDERS MANUAL

SUBJECT	Juvenile Records		
NUMBER	1108.16	EFFECTIVE DATE	July 20, 2017
Scheduled Review Date	August 30, 2018	ISSUE DATE	July 20, 2017
Date Reviewed	July 20, 2017	REVISION DATE	July 20, 2017
APPROVED BY		ALEAP Standards	10.02

I. Purpose and Scope

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

II. Policy

A. It shall be the policy of the Texarkana 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.

B. All personnel shall recognize and adhere to the guidelines of this policy. Supervisors will ensure compliance with this policy wherever applicable.

III. Procedures [ALEAP 10.02](#)

A. Access to any type of juvenile record maintained by the Texarkana Police Department shall be limited to employees having a valid, lawful and legitimate need to access this controlled information.

1. All physical files associated with juveniles, including fingerprint cards, photographs and other forms of juvenile identification will be maintained in the Criminal Investigation Division (CID).

a. The CID lieutenant shall maintain these files in a secure location, separate from any adult records, in a manner that ensures only those demonstrating a valid, lawful and legitimate need are provided access to these files.

2. The Texarkana Police Department's Records Management System (ADSi) maintains the ability to designate and lock juvenile records. All juvenile records maintained in ADSi shall be distinguished as such by utilizing the juvenile checkbox embedded within the electronic file. When toggled, this checkbox locks the record and only allows access authorized personnel to access the record.

3. All Texarkana 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.

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4. Incident reports containing any juvenile information shall be edited prior to the record's release to the public. All such information shall be redacted, blacked-out or otherwise removed from the record prior to the record's release.
5. Pursuant to A.C.A. §27-53-202, the name and address of a minor occupant who is under (18) years of age shall not be open to public inspection under the *Freedom of Information Act of 1967*, §25-19-101 et seq., unless the requested is:
 - a. The parent, legal guardian or legal custodian of the minor occupant;
 - b. Be a representative of an insurance company that insures a person involved in the accident.
7. Minor information identified in Paragraph 5 above must be redacted, blacked-out or otherwise removed from the accident report prior to the record's release unless the requester meets the exceptions provided above in Paragraph 5a and 5b.
8. Fingerprinting and photographing juveniles who have been arrested shall be performed in compliance with A.C.A. 9-27-320, which states when a juvenile is arrested for any offense which, if committed by an adult, would constitute a felony, or a Class A misdemeanor wherein violence or the use of a weapon was involved, the juvenile shall be photographed and fingerprinted by the law enforcement agency. For additional information surrounding fingerprinting and photographing, refer to *General Order 1106.04---Fingerprinting, Photographing and DNA Sample Collection*.
9. All juvenile records shall be disposed of according to one of the following guidelines:
 - a. 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;
 - b. 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 A.C.A. 9-27-508;
 - c. 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
 - d. 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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