


PBP FORM 290		 <p style="text-align: center;">PITTSBURGH BUREAU OF POLICE</p> <p style="text-align: center;"><i>“...honor, integrity, courage, respect, and compassion.”</i></p>		SUBJECT: “JUVENILE POLICY-LEGAL MANDATES REGARDING JUVENILE RECORDS, PHOTOGRAPHS, AND FILES		ORDER NUMBER: 43-10.2			
				PLEAC STANDARD: 4.7.1		PAGE 1 OF 2			
REVIEW DATE: 3/24/2017		EFFECTIVE DATE: 6/7/2010		ANNUAL REVIEW DATE: AUGUST		RESCINDS: NONE		AMENDS: NONE	

1.0 DISCLOSING THE IDENTITY OF JUVENILE OFFENDERS (excerpt from 42 Pa.C.S.A 6308 Law enforcement records [b] Public Availability)

- 1.1 The public release of any information concerning the contents of law enforcement records and files regarding juveniles is governed by the provisions of the Pennsylvania Juvenile Act (Juvenile Act 42 Pa.C.S.6304).
- 1.2 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 alleged conduct and if:
 - 1.2.1 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 or other act involving the use of or threat of serious bodily harm;
 - 1.2.2 A petition alleging delinquency has been filed by a law enforcement agency alleging that the child has committed an act or acts which include the elements of rape, kidnapping, murder, robbery, arson, burglary or other act involving the use of or threat of serious bodily harm and the child previously has been adjudication delinquent by a court as a result of an act or acts which included the elements of one of such crimes; or
 - 1.2.3 The child is a dangerous juvenile offender.
- 1.3 If the conduct of the child meets the requirements for disclosure as set forth in paragraph (1), then the court or law enforcement agency, as the case may be, shall disclose the name, age and address of the child, the offenses charged and the disposition of the case.
- 1.4 Persons or agencies making requests for such information to the Bureau of Police shall be referred to the Allegheny County Family Court.

2.0 LAW ENFORCEMENT RECORDS AND FILES, FINGERPRINTING AND PHOTOGRAPHING

- 2.1 ***Law enforcement records and files*** (Juvenile Act 42 Pa.C.S. 6308(a) & 6308(b)) concerning a child shall be kept separate from the records and files of arrests of adults. Unless a charge of delinquency is transferred for criminal prosecution under section 6355 (relating to transfer to criminal proceedings), or 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 the public inspection or their contents disclosed to the public. Exception to public availability is found in *Pennsylvania Juvenile Act 6308(b) Inspection of the records is permitted by:*
 - 2.1.1 The court having the child before it in any proceeding.
 - 2.1.2 Counsel for the party to the proceeding.
 - 2.1.3 The officers of institutions or agencies to whom the child is committed.
 - 2.1.4 Law enforcement officers of other jurisdictions when necessary for the discharge of their official duties.
 - 2.1.5 A court in which the child is convicted of a criminal offense for the purpose of a presentence report or other dispositional proceeding, or by officials or penal institutions and other penal facilities to which he/she is committed, or by a parole board in considering his/her parole or discharge or in exercising supervision over the child.

3.0 FINGERPRINTS AND PHOTOGRAPHS: (Juvenile Act 42 P.a. C.S 6308(c))

- 3.1 Law enforcement officers shall have the authority to take or cause to be taken the fingerprints or photographs, or both, of any child who is alleged to have committed an act designated as a misdemeanor or felony under the laws of this Commonwealth or of another state if the act occurred in that state or under federal law.
- 3.2 If the child is found to be a delinquent child pursuant to section 6341 (relating to adjudication) on the basis of an act designated as a misdemeanor or felony, or the child's case is transferred for criminal prosecution to section 6355 (relating to transfer to criminal proceedings), the law enforcement agency that alleged the child to be a delinquent child shall take or cause to be taken the fingerprints of the child, if not previously taken pursuant to this case, and ensure that these records are forwarded to the Central Repository pursuant to section 6309(c) (relating to juvenile history record information).
- 3.3 If a child was alleged to be delinquent by other than a law enforcement agency, the court shall direct the juvenile probation department to ensure that the delinquent child's fingerprints and photographs are taken by a law enforcement agency.
- 3.4 Fingerprints and photographic records may be disseminated to law enforcement officers of other jurisdictions, the Pennsylvania State Police, and the Federal Bureau of Investigation and may be used for investigative purposes.
- 3.5 Fingerprints and photographic records of children shall be kept separately from adults and shall be immediately destroyed upon notice of the court as provided under section 6341(a) (relating to adjudication) by all persons and agencies having these records if the child is not adjudicated delinquent or not found guilty in a criminal proceeding for the alleged act(s).
- 3.6 Members shall ensure when they arrest a juvenile for a misdemeanor or felony, either by a remedial arrest or by a physical arrest, the juvenile shall be processed through the Allegheny County Identification Section.

Approved by:



Scott Schubert
Chief of Police