

## RELATIONS WITH POLICE AUTHORITIES

### I. Custody

A duly authorized police officer may require that a pupil be released in his/her custody providing a written request from the local police department is presented to the school official in charge. The request for custody will be made only when one or more of the following conditions exist:

1. There are clear indications that the youth to be questioned is directly involved in a violation of a local ordinance, state or federal statute.
2. The individual involved is a known fugitive from either his/her parents or justice.
3. It appears in the best interest of the student that he or she be taken into protective custody.

The request must be signed by the local police chief or his official representative. Both the police and school officials have a responsibility for notifying the parent or guardian of the action taken.

**NOTE:** When circumstances dictate the immediate questioning of a pupil, a police officer will take the pupil into custody in accordance with the provisions of this statement. It is clear that a police officer has the right to take a child into custody. However, it is important for law enforcement agencies and school authorities to recognize the parent-pupil school relationship which has implications in that school authorities have responsibilities for safeguarding the rights of a pupil during the school day. A police officer would not be expected to take a pupil into custody directly from school except in the case of a major felony.

### II. Questioning

If the police department needs to question a pupil, the most desirable practice would include the notification of the parent or guardian and further the presence of the parent or guardian at the time of the questioning. This would tend to safeguard the self-incrimination rights of the pupil. Also, the questioning should be conducted away from the school to avoid any unnecessary display of law enforcement activities which can lead to unfortunate misunderstandings on the part of other students and members of the faculty.

### III. Emergencies

In emergencies school and police officials may make such arrangements as are required to safeguard youth and prevent a miscarriage of justice.

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