

LOS ANGELES POLICE DEPARTMENT
Juvenile Procedure School
Expanded Course Outline

I. ORIENTATION

- A. History
 - 1. School history
 - 2. Personal history
 - 3. Instructor's history
- B. Dress code
- C. Strict break times
- D. Information about restroom and Café locations for students from other law enforcement agencies.
- E. Test and evaluations.
- F. Fifty questions on Friday.
- G. Instructors will highlight the questions and answers.
- H. Post certified course.
- I. Please take a few minutes to write your opinions on the evaluations.
- J. Attendance
- K. Roll Call
- L. Sign-in sheet
- M. Sign-out sheet
- N. Court.
- O. Promotional interviews.
- P. IA interviews.
- Q. **WARNING!!! THIS CLASS IS XXX RATED.**
 - 1. Language.
 - 2. Violence.
 - 3. Sex.
- R. If a student has a problem with the subject matter, please notify the coordinator at the earliest opportunity.

II. CHILD PROTECTION SECTION – INVESTIGATIVE CONTROL UNIT

INSTRUCTIONAL GOAL: To provide the student with an understanding of the function of Child Protection Section's Injury Control Unit.

PERFORMANCE OBJECTIVES:

- The student will be able to identify who they need to contact for advice on child abuse calls
- The student will know that all injuries need to be photographed by SID only
- The student will be able to recognize what reports are required
- The student will know who is a mandated reporter

LEARNING ACTIVITY: The student will review reports and identify the common mistakes made by officers

- A. INTRODUCTION TO CHILD PROTECTION SECTION- INJURY CONTROL UNIT
 - 1. LOCATED AT PARKER CENTER/ CITY WIDE RESPONSIBILITY
 - 2. HOURS OF OPERATION 0700-1700 MON-FRI
- B. IDENTIFY THE ROLE OF THE INVESTIGATIVE CONTROL UNIT
(CORE VALUE-Service to our communities)
 - 1. PROVIDES ADVICE ON ALL ABUSE CASES
 - 2. DIRECT OFFICERS REGARDING POLICY AND PROCEDURES REGARDING ABUSE CASES
 - 3. DIRECT REGARDING TYPE AND NUMBERS OF REPORTS

- C. GO OVER ARREST REPORTS/ IDENTIFY COMMON MISTAKES
 - 1. 300 WIC ARRESTS
 - 2. ADULT ARRESTS
- D. NUMBER OF REPORTS AND DR #'S NEEDED (LAPD MANUAL VOL 4/218.51)
 - 1. SEXUAL ABUSE INVESTIGATIONS
 - 2. PHYSICAL ABUSE INVESTIGATIONS
- E. ADULT BOOKINGS
- F. PHOTOGRAPHS OF INJURIES (JUVENILE MANUAL CH 13 #309.35)
- G. CROSS REPORTING WITH DCFS/ MANDATED REPORTERS (CORE VALUE- Reverence for the law)
- H. QUESTION/ANSWER REGARDING CHILD ABUSE REPORTING

III. THE INVESTIGATION OF PHYSICAL CHILD ABUSE, CHILD DEATH AND UNFIT HOMES

OVERALL OBJECTIVE

To make police officers aware of the serious problem involving the physical abuse of children and to apprise them of the techniques used in identifying and investigating related cases.

INSTRUCTIONAL OBJECTIVES

At the conclusion of the instructional block the police officer will:

1. Have obtained knowledge as to the various types of abuse of children.
2. Identify the various factors that lead to physical abuse of children.
3. Have insight in interviewing victims.
4. Be familiar with several investigative techniques.

Introduction and Opening – Background of the instructor. An educated knowledge of child abuse and neglect diagnostic indicators is an officers main resource to properly investigating child abuse cases.

- A. History
 - 1. Society's first documented case of child abuse – "Mary Ellen" (1875).
 - 2. The Los Angeles Police Department established the first specialized child abuse investigation unit (1974).
- B. Guidelines for Abused Child Investigations.
 - 1. Mandatory Reporting Laws (Section 11166 of the Penal Code).
 - 2. Legal Authority For Temporary Custody and Detention (Section 305 A of the Welfare and Institutions Code).
 - 3. Elements of Section 300 of the Welfare and Institutions Code.
- C. Diagnostic indicators of abuse.
 - 1. Time and Temperature relationships in hot water scalds.
- D. early development of children "Birth through age 9 years".
- E. Physical Examination.
- F. Shaken Baby Syndrome.
- G. Case Law – Substance and Fetal abuse issues.
- H. Sudden Infant Death Syndrome (SIDS)
- I. New findings.
- J. SIDS Investigation techniques.
 - 1. What the prosecutor needs to know from police officers for successful prosecution.
 - 2. Inter-agency Council on Child Abuse and Neglect (ICAN) Summary Information.
- K. Parenting Tips (English and Spanish) Handouts.
- L. Los Angeles Community Child Abuse Councils.
- M. Closing.

IV. THE INVESTIGATION OF PHYSICAL CHILD ABUSE, CHILD DEATH AND UNFIT HOMES

INSTRUCTIONAL GOAL: To provide the student with a better understanding of the role of the Department of Children and Family Services and how they interface with law enforcement.

PERFORMANCE OBJECTIVE:

- Familiarize the student with the functions of DCFS
- Identify how law enforcement and DCFS work to protect children

LEARNING ACTIVITY: OPEN DISCUSSION REGARDING THE ROLE OF DCFS AND HOW LAPD WORK TOGETHER TO PROTECT CHILDREN

IV. THE ROLE OF THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES

A. INTRODUCTION TO THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES

1. Mission Statement of the Department of Children and Family Services (DCFS)
2. History of the Department of Children and Family Services
3. Role of both DCFS LAPD when interfacing. (**CORE VALUE:** Commitment to leadership)
4. Value of DCFS and LAPD working together in Protecting Children

B. FUNCTION OF THE CHILD ABUSE HOTLINE (CAHL)

1. Location
2. Telephone Number - A/C 800 540-4000
3. Levels of responsibility - How a referral is processed
4. ALL Law Enforcement detentions are automatic "Immediates"
5. Reasonable Response Times
6. Who and How to contact in case of problem, lack of response by a CSW, etc.

C. FUNCTION OF THE EMERGENCY RESPONSE COMMAND POST

1. Location
 2. Outstations
 3. Hours of responsibility
4. Who and How to contact when problems arise
5. Reasonable Response Times
6. Chain of Command with both ERCP and LAPD

D. FUNCTION OF THE FIELD OFFICES

1. Locations
2. Hours of responsibility
3. Who to contact when problems arise
4. Chain of Command: CSW to SCSW to DRA to RA.
5. Where to deliver child

E. HOW DCFS HANDLES PHYSICAL, SEXUAL, AND EMOTIONAL ABUSE

REFERRALS

1. Family Preservation Programs

2. Voluntary Family Maintenance Contracts
3. Voluntary Family Re-unification (Voluntary Placement) Contracts

F. HOW DOES DCFS HANDLE DIRTY HOME REFERRALS

1. Family Preservation Programs
2. Voluntary Family Maintenance Contracts
3. Voluntary family re-unification (Voluntary Placement) Contracts

G. WHO HAS THE RESPONSIBILITY TO TAKE A CHILD INTO PROTECTIVE CUSTODY (CORE VALUE: service to our communities)

1. New referrals
2. WIC 300 children detained on a Protective Warrant/MacLaren
3. MacLaren Clearance Procedures
4. Medical/SCAN exams on Physical and/or Sexual Abuse Referrals

H. ROLE OF JUVENILE COURT

I. CONTENT OF REPORT FOR USE AS EVIDENCE IN JUVENILE COURT PROCEEDINGS (CORE VALUE- Quality through continuous improvement)

1. Date(s) when abuse occurred, when child was hospitalized, if and when perpetrator(s) was/were arrested
2. All interviews with victim(s), suspect(s), witness(s) medical personnel
3. Prognosis by attending physician(s)
4. Results of any lab work done
5. Criminal Index Clearance(s) on all suspects
6. Comprehensive explanation of facts of case including prior incidents of abuse, prior arrests of perpetrator(s), was the parent or other parent aware of the abuse, etc.

J. OPEN FORUM FOR QUESTIONS, CLARIFICATION AND CONCERN ON ALL ISSUES DISCUSSED

V. JUVENILE PETITIONS, WELFARE AND INSTITUTION CODES, AND JUVENILE DISPOSITIONS

INSTRUCTIONAL GOAL: To provide the student with a better understanding of mandated laws and procedures regarding the completion of juvenile petitions, the State of California Welfare and Institution Code, as well as Department juvenile arrest dispositions.

PERFORMANCE OBJECTIVES:

- The student will be able to distinguish the difference between the four types of juvenile petition requests.
- The student will be able to distinguish the difference between the various Welfare and Institutions Codes pertaining to arrests of juveniles.
- The student will be able to distinguish the difference among the 13 types of juvenile case dispositions.

A. HISTORICAL OVERVIEW OF JUVENILE COURT (QUALITY THROUGH CONTINUOUS IMPROVEMENT):

1. Fundamental idea of Juvenile Court.
 - a. "The fundamental idea of the Juvenile Court is that the state exercise guardianship over a child found under such adverse social or individual conditions as develop crime" Roscoe Pound.
2. 19th Century Reform Movement.
 - a. Work conditions blamed for delinquency.
3. Doctrine of "Parens Patriae" (Latin for "Father of the people").
 - a. Juvenile Court-Parents. Juveniles become wards of the state in order to receive care.
4. First Juvenile Court established.
 - a. Cook County, Illinois 1899.
 - b. First California Juvenile Court, 1903.
 - c. Juvenile Court in every state by 1945.
5. Case law and Constitutional Amendments.
 - a. 1966-Kent vs. U.S.
 - b. 1967-InreGault.
 - c. 1970-InreWinship.
 - d. 1971- McKiever vs Pennsylvania.
 - e. 1977- California Assembly Bill 3121.
 - f. 1978- California Assembly Bill 958.
 - g. 1979- California Senate Bill 1473.

B. PAST AND CURRENT PHILOSOPHY OF JUVENILE COURT (Commitment to leadership):

1. Past philosophy.
 - a. Save the children.
 - b. Treatment rather than punishment.
 - c. Industrialization vs. Urbanization- work conditions blamed for delinquency.
2. Current philosophy.
 - a. Front-end intervention measures to prevent delinquency.
 - b. Different philosophy between adult and juvenile offenders.
 - c. Recent legislation allowing for serious juvenile offenders to be tried as adults.

C. WELFARE AND INSTITUTIONS CODE (Reverence for the law):

1. 300 WIC.

- a. Dependency A-J.
2. 305 WIC.
 - a. Authority for peace officers to arrest a dependent child without a warrant.
3. 601 WIC.
 - a. Pre-delinquent status offenders.
 - Truants.
 - Runaways.
 - Transients.
 - Sex.
 - Alcohol/drugs.
 - Curfew.
4. 602 WIC.
 - a. Juvenile criminal offenders.
5. 625 WIC.
 - a. Authority for peace officers to arrest juvenile criminal offenders without a warrant.

D. FOUR TYPES OF PETITION REQUESTS UTILIZED IN JUVENILE CASES:

1. Detained- used when juvenile is detained by Los Angeles County Probation Department or Department of Children and Family Services.
2. Released- used when juvenile offender is arrested but released to parent, guardian, relative, or adult designated by the parent.
3. Non-book- used to bring additional charges against a juvenile offender who is currently in custody on unrelated charges.
4. Non-book and warrant- used to obtain a warrant against a juvenile offender who is not in custody and whose whereabouts are unknown.

E. CASE DISPOSITIONS AVAILABLE IN JUVENILE CASES IN LIEU OF PETITION REQUEST (Integrity in all we say and do):

1. Counseled and released- used in minor cases where offender is counseled by investigating officer and released without further action.

2. Action suspended- used in cases where the legal time limit has run out before another disposition can be made.
3. Proved adult- used in those cases when a juvenile offender is an adult and will be re-booked as an adult.
4. Exonerated- used when it is determined that the arrested juvenile did not commit, or participate in the offense.
5. Released- insufficient evidence- used when there is not enough evidence to proceed with the case.
6. Community Service- used when the juvenile offender is referred to community service for counseling.
7. California Youth Authority- used when juvenile offender is on active parole and has violated the provisions of his/her parole, yet does not constitute a case legally sufficient to file a petition in juvenile court.
8. Probation Department- used when the juvenile offender is on active probation and has violated the provisions of his/her probation, yet does not constitute a case legally sufficient to file a petition in juvenile court.
9. Other law enforcement agency- used when the crime for which juvenile has been arrested occurred in another jurisdiction.
10. Juvenile traffic misdemeanor- used in all cases where a juvenile is charged with committing a misdemeanor vehicle code violation.
11. Department of Mental Health- used when the services of Department of Mental Health can best meet the needs of the juvenile offender.
12. Department of Public Social Services- used when the Department of Public Social Services can best meet the needs of the juvenile offender.
13. Other- used when the case is referred to the Immigration and Naturalization Service, United States Military, or the juvenile has been arrested on a California Youth Authority Warrant or a Juvenile Court Warrant.

MODULE VI: CHILD SEXUAL ABUSE AND INTERVIEW TECHNIQUES

- A. INTRODUCTION (CORE VALUE: Quality through continuous improvement)**
 1. What police officers must be aware of when handling child sexual abuse cases.
 2. How to properly interview children.
- B. HISTORY**
 1. Intrafamilial abuse, secrecy, and reluctance to discuss victimization.
 2. Me Martin Preschool case:

- a. Changed the way interviews were conducted, b. Key McFarlane- leading questions used.

C. TYPES OF INTERVIEWS

1. Therapeutic or Clinical.
2. Investigative or Forensic.

D. DEVELOPMENTAL SCREENING

1. Does the child qualify for court.
2. Does the child know the difference between the truth and a lie.
3. Make sure the child understands that you need only the truth.
4. The child should know to correct you if you make a mistake.

E. ISSUES TO CONSIDER WHEN INTERVIEWING A VICTIM

1. Location of interview:
 - a. Somewhere quiet,
 - b. Away from crime scene,
 - c. Away from family members,
 - d. Reduces embarrassment.
2. Ask three questions / Mandated by our Department (CORE VALUE: reverence for the law):
 - a. Do you want an officer of the same sex to conduct the interview? (Training Bulletin May 1996).
 - b. Would you like to have an advocate present? (Operation Notice #137 May 1996).
 - c. Would you like your name to remain confidential? (Special Order January 2000).

F. BUILDING RAPPORT

1. Varies with every victim.
2. May take time to build rapport.
3. Get down to the child level:
 - a. Eye contact.
 - b. If child is on the floor/ sit on the floor,
 - c. Remember that as you are evaluating the child/ the child is evaluating you.
4. Introduce yourself and explain your role.
5. Ask general and age specific questions.
6. Inquire if the victim understands why they are being interviewed.

G. THE INTERVIEW (CORE VALUE: service to the community)

1. Let the child know that it is ok not to remember something.
2. Let child know it is O.K. not to know the answer to a question. This allows the child not to feel pressured to **give** an answer.
3. Verify that the victim understands the terms: under, on top, inside, outside and beside. This will establish distinct elements of the crime.
4. Conduct a forensic interview- interview that is focused on facts.
5. Use open-ended questions only.
6. Move to directed or focused questions to get the specifics.
7. Need to find out:
 1. Corpus of the crime.
 2. Time the crime took place.

3. Location crime occurred.
4. Identify if there were any items used during the molestation.
8. Identify "Fresh complaint witness".

DEFINITION: The first person the victim disclosed abuse to. This person is exempt from the hearsay rule. Can testify as to the victim's demeanor, physical appearance, and actual conversation.

9. Inquire if there is any outstanding evidence: bedding, clothing, diary, photos or additional victims.
10. Obtain detailed information regarding the type and number of acts, dates, times, any corroborative evidence, any potential witnesses to the abuse. Find out if the victim is being pressured by family members.
11. Make sure you keep copious notes- ***think court***.
12. Document the terms the victim uses to identify body parts and sex acts.
13. Tell the victim what will happen next (medical exam, court).
14. Ask the victim if they have any questions.
15. Provide victim with a business card, they may need to speak to you at a later date.
16. Thank the victim for talking with you.

H. CHILD SEXUAL ABUSE ACCOMMODATION SYNDROME

1. Five characteristics commonly observed in sexually abused children:
 - a. Secrecy- AFRAID AND EMBARRASSED TO DISCUSS ABUSE.
 - b. Helplessness.
 - c. Accommodation/entrapment.
 - d. Delayed disclosure.
 - e. Retraction.

I. MEDICAL EXAMINATIONS

1. If abuse occurred within 72 hours, the victim must be taken to a hospital for an exam.
2. If more than 72 hours, the investigating officer will take victim for an exam at a later date.

J. CONFIDENTIALITY FORM

1. Training Bulletin May 1996/ Special Order January 2000.

MODULE VII: PRESENTATION FOR THE JUVENILE PROCEEDURES CLASS-LAPD- RE THE INFORMAL JUVENILE AND TRAFFIC COURT OF THE LOS ANGELES SUPERIOR COURT.

INTRODUCTION:

1. Purpose of the class.
2. Information re the L.A. Superior Court- Informal Juvenile and Traffic Court-
3. History/Background
4. Jurisdictional scope.- -General

COURSE CONTENT

1. Vehicle Code violations-General issues/specific sections
2. Penal Code violations-misdemeanors/infractions-19.8P.C. questions
3. Health and Safety violations
4. Business and Professions violations
5. Miscellaneous violations-LAMC and other municipal code jurisdictions.
6. Specific case situations re violations and methodologies to handle contact with the minors committing them.
7. Citations vs. arrest reports.
8. Legal status of the rights of a minor
9. Citation flow for purposes of securing the appearance of the minor in court.
10. Corrections and errors on citations.

CONCLUSION:

1. Review of purpose of the course and summarize process for handling various juvenile activities which result in citation for the minor.
2. Question and Answer session for class attendees.

MODULE VIII: Suicide Prevention Workshop for Law Enforcement Personnel

Target group: Juvenile Procedures School, LAPD

Category/theme: Youth suicide prevention

Presentation goals and objectives: This workshop will educate LAPD juvenile officers as to the warning signs of depression and suicide, how to help someone who is depressed and/or suicidal and how to access appropriate help.

Summary of workshop: This workshop will educate police officers about the warning signs of depression and suicide and how to intercede with suicidal teens, how to respond to families when a teenager commits suicide and how to handle their own responses to these tragedies. Participants will watch a video demonstrating the aftermath of a suicide and the effects on the survivors. Youth presenters will share personal stories of being depressed and suicidal. A parent will share the tragedy of his daughter's suicide. How to access appropriate help and community resources will be explored.

Strategies: Video, personal stories, and group discussion.

Participants will gain: Knowledge of the warning signs of depression and suicide, how to deal with the aftermath and family reactions and how to access appropriate resources.

Presenters:

Name: Elaine Leader, Ph.D.
Title: Executive Director
Agency: TEEN LINE, Cedars-Sinai Medical Center
Mailing Address: P.O. Box 48750, Los Angeles, CA 90048
Phone: 310-423-1601 **FAX:** 310-423-0456 **Email:** drleader@earthlink.net

Brief biography: Dr. Elaine Leader is Co-founder and Executive Director of the Center for the Study of Young People/TEEN LINE where she inaugurated the TEEN LINE Teen Suicide Prevention Project utilizing youth presenters and parent survivors to educate others about the

issues of depression and suicide in adolescence. In addition to her private practice as a psychotherapist, Dr. Leader is a consultant to the LAPD, the media and many youth programs. Her articles and book reviews have been published in the Clinical Social Work Journal, the Journal of Child and Adolescent Group Therapy, and the Peer Facilitator Quarterly. She is the recipient of numerous awards and honors including the NASW Koshland Award, the American Foundation for Suicide Prevention 2002 Award.

Name: Bob Burt
Athletic Coach, Riverside County Dept. of Education, Parent Survivor

Name: Alexandra Khan, Youth speaker

MODULE IX: CHILD ABDUCTION LAWS/ CHILD CUSTODY ORDERS

A. ELEMENTS OF THE OFFENSE- PENAL CODE 278 (CORE VALUE: Reverence for the law)

1. Any person who has taken or enticed away, kept, withheld, or concealed a child.
2. That person did not have a right of custody of the child.
3. That person acted maliciously, and
4. With the specific intent to detain or conceal that child from the lawful custodian

B. PENAL CODE 278.5

1. Victim is a person who is a lawful custodian of a child or has a right to visitation.
2. A person took, enticed away, kept, withheld, or concealed a child from a lawful custodian or person with a right of visitation.
3. The person who took the child enticed away, kept, withheld, or concealed the child, thereby maliciously deprived the victim of a right to custody or visitation.

C. INITIAL STEPS TO TAKE WHEN AN ABDUCTION IS REPORTED (CORE VALUE: Service to the community)

1. Take a report.
 - a. A custody order is not required for criminal prosecution, it is not a prerequisite to file a report. The report must be taken immediately per state and federal law (PC14205)
 - b. Reports must be accepted without delay. Persons under 16 years of age must be placed in NCIC within 4 hours.
 - c. PC14213= A child taken, detained or concealed by a parent. "At risk" The evidence suggest the child is a victim of parental abduction.

- d. 42 USC 5779& 42 USC 5780- states that there should be immediately reporting with out delay and placed into NCIC. There is no waiting period required.

IT IS IMPORTANT THAT A MISSING PERSON REPORT BE TAKEN FOR BOTH THE MISSING CHILD AS WELL AS THE MISING PARENT, EVEN IF IT IS UNCLEAR IF THERE HAS BEEN A CRIME COMMITTED.

D. ENTER INFORMATION INTO NCIC AS SOON AS POSSIBLE

1. Be as precise as possible, include all relevant information.

E. OBTAIN A COPY OF THE CUSTODY ORDER

1. The left-behind parent should be able to provide this, if there is a current custody order. (Certified if possible)
2. Verify validity of order. Call courts.

F. INVESTIGATION OF CHILD ABDUCTION

1. Interview the left behind parent.
 - a. What is current status of relationship with the other parent.
 - b. Were custody proceeding ever initiated?
 - c. Obtain copy of order and entire family court file.
 - d. Have there been prior violations of custody orders?
 - e. Have police reports ever been filed?
 - f. Was this a surprise taking?
 - g. Have there been prior threats left behind by parent or child?
 - h. Are clothes and personal belongings missing along with the child?
 - i. Has there been any attempt to change child's school recently?
 - j. Any delay in reporting?
 - k. Obtain any information on family, friends, neighbors' etc.
2. Locate and interview abducting parent
 - a. Find out what circumstances led to the abduction.

3. Obtain criminal histories on both parties.
4. Verify what steps have been taken by the abductor
 - a. Quit
job?
 - b. Moved.
 - c. Interview neighbors

G. GOOD FAITH DEFENSE PENAL CODE 278.7

1. How it arises?
 - a. Taking parent was a victim of domestic violence.
 - b. There is a strong belief that the child would suffer immediate bodily injury or emotional harm if left in the care of the other parent.
2. Taking parent must report their location to the District Attorney's Office within 10 days of leaving.
3. Must initiate child custody proceeding within 30 days of leaving.
4. All information is confidential and can only be disclosed via court order.

H. VERIFY IF DCFS IS CURRENTLY INVOLVED IN CASE

1. Obtain copies of minute orders
2. What are the terms of current custody order.
3. Interview Social Worker handling case. **I.**

INTERNATIONAL ABDUCTIONS

1. Hague Convention
 - a. 49 countries involved.

J. RETURN OF THE CHILD

1. Organizations such as "Find the Children"
2. Filing an abduction case does not guarantee return of the child must seek order to ensure return of the child

K. OPEN DISCUSSION REGARDING CHILD ABDUCTION LAW AND LAW ENFORCEMENT RESPONSIBILITY

MODULE VI: CHILD ABDUCTION LAWS/ CHILD CUSTODY ORDERS

INSTRUCTIONAL GOAL: To provide the student with a better understanding of child abduction laws. To identify what is required of law enforcement when a child has been abducted.

PERFORMANCE OBJECTIVES:

- The student will know the correct penal code section for child abduction.
- The student will be able to determine when a crime report needs to be completed in regards to child stealing/abduction.
- The student will be able to distinguish between a stranger abduction and a parental abduction.
- The student will be able to determine when the "Good faith exception" is applicable.

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MODULE X: THE INVESTIGATION OF SEXUALLY EXPLOITED CHILDREN

LEARNING ACTIVITY: TABLETOP EXERCISES- SITUATIONALS

INSTRUCTIONAL GOAL: To assist the student in identifying the role of the SECU. Also to provide the student with a better understanding when investigating sexually exploited children.

PERFORMANCE OBJECTIVES:

- To recognize the sexual exploitation of a child.
 - To identify the most common crimes of child sexual exploitation.
 - To provide the officer with a basic understanding of what is pedophilia.
 - To provide the officer with tools to make them more effective interviewers.
- A. INTRODUCTION TO THE SUBJECT OF SEXUAL EXPLOITATION OF CHILDREN (CORE VALUE: **Quality through continuous improvement.**)**
1. The Sexually Exploited Child Unit, Juvenile Division.
 2. The emergence of the problem.
 3. Locations where this activity may occur.
 4. Identification of victims and suspect.
 5. Investigation of cases.
 6. Pertinent laws.
- Definition: Sexual exploitation of children is the use of children by adults for the purpose of sexual gratification.
- Pedophilia: Having a sexual interest in children and taking pride in this interest.
- B. FORMS OF SEXUAL EXPLOITATION**
1. Child molestation.
 2. Child prostitution.
 3. Child pornography.
- C. PEDOPHILIA**
1. Pedophilia is the abnormal sexual preference to a juvenile by an adult.
 2. Pedophiles take pride in this activity.

3. Pedophiles, in general, do not use force. They seduce the juvenile through affection and attention.
4. The juvenile frequently feels that he/she is a willing participant and is hesitant to report the abuse.

D. THE EMERGENCE OF SEXUAL EXPLOITATION OF CHILDREN AS A CONCEPT

(CORE VALUE: Reverence for the law.)

1. Sexual Exploitation of children is not a new phenomenon.
 - a. Children have been victims of sexual abuse throughout recorded history.
 - b. This type of sexual abuse was generally thought to be rare and isolated.
2. The concept of children being sexual exploited encompasses a broader knowledge and understanding of the plight of children as sex objects.
 - a. Incidents of sexual exploitation occur frequently.
 1. Victims of a single pedophile may number in the hundreds.
 - b. Incidents of sexual exploitation are not isolated.
 1. Child molesters, purveyors of child pornography, and persons involved in child prostitution form a vast nationwide network.
 2. Extensive communication occurs among persons engaged in this activity.
 3. Child sex in all forms is a lucrative business.
 - c. Concerted efforts are being made to lend legitimacy to the activities of persons who sexually exploit children.
 1. NAMBLA (North American Man/Boy Love Association).
 2. Rene Guyon Society.
 3. Childhood Sensuality Circle.
 4. Lewis Carol Collectors Guild.

E. WHERE TO FIND THE PEDOPHILE

- Identifying suspects.
- Identifying victims.
- Preventing child sexual exploitation.
 1. Anywhere children congregate.
 - a. Schools.
 - b. Parks.
 - c. Beaches.
 - d. Playgrounds.

- e. Arcades.
 - f. Theaters.
 - g. Bus stations.
 - h. Bowling alleys.
 - i. Hitchhiking.
2. Advertisements for children in:
 - a. Swing publications.
 - b. Sexually oriented newspapers.
 - c. Personal ads in adult bookstores.
 - d. Evidence seized in search warrants.

F. VICTIMS OF SEXUAL EXPLOITATION

- Understanding victimization.
- Interviewing techniques vary with victims.
 1. In many instances the victims are “willing” participants to the abuse.
 - a. Due to the seduction, the victim feels a responsibility for the abuse.
 - b. The victims do not want to disclose fearing punishment or losing their best friend, the offender.
 2. Victims can be anyone, but frequently fall into pattern.
 - a. Single parent family.
 - b. Two parent family, both parents working.
 - c. Lack of affection and attention at home.
 - d. Seeks this affection and attention.
 - e. Do not possess the inner strength to overcome the situation in which they find themselves.

* The fact that a victim is willing does not indicate that he/she is content with the abusive lifestyle. In all but the extreme hardcore cases, the victim wants out of the situation. He/she simply does not know how to extricate himself/herself. If the victim is handled properly, the victim will not only be free of the predicament, the victim could be of great assistance in providing information for identification of other victims and prosecution of offenders.

G. FACTORS TO BE CONSIDERED IN IDENTIFYING VICTIMS OF SEXUAL EXPLOITATION (CORE VALUE: **Service to our communities.**)

1. Age – can be of any age under 18 but the majority are from 8 through 16 years.
2. Under supervised, occasionally a runaway.
3. Poor family ties, broken home.
4. Under achiever at school and at home.
5. Abrupt or recent changes in mood, attitude and behavior.

6. Seeks attention, affection, praise, rewards and approval.
7. Not necessarily a delinquent.
8. May have more money than normal, new toys, new clothes, etc. (rewards from the offender).
9. May withdraw from family or peer groups or form new peer groups.

H. FACTORS TO BE CONSIDERED IN IDENTIFYING SUSPECTS ENGAGED IN THE SEXUAL EXPLOITATION OF CHILDREN

(CORE VALUE: Reverence for the law.)

- Keeping an open mind during the investigation.
 - Understanding suspect's activities and motives.
 - Identifying and apprehending suspects prior to more serious violations of the law.
1. Usually adult male, but females may also offend.
 2. Usually unmarried but may have a "protective marriage."
 3. Employment may range from unskilled laborer to corporate executive.
 4. Relates better to children than to peers.
 5. Usually has an identifiable sexual preference regarding children.
 6. Will almost always have an age preference for children.
 7. May seek employment and/or volunteer working with children.
 8. Sexually pursues children.
 9. Pays more than a normal amount of attention to a child in his company (doting).
 10. Frequently photographs or collects photographs of his victims.
 - a. Child pornography.
 - b. Child erotica.
 11. Collects child pornography and child erotica.
 - a. Uses for self-gratification.
 - b. Uses to lower inhibitions of children.
 - c. Uses to sell or exchange with other pedophiles.
 12. May possess and use narcotics to lower inhibitions of the victim.
 13. Frequently has a genuine interest in children.
 14. Usually intelligent enough to recognize the problem but justifies the activity, blaming society for not allowing sex with "consenting" juveniles.
 15. May go to great lengths to conceal his illicit activities, but will brag to other pedophiles.

16. Often rationalizes his involvement, emphasizing his positive impact upon the victim and repressing the harm that was done.
17. Often portrays the child as the sexual aggressor.
18. Talks to the child on the child's level and has similar interests as the child.
19. Oftentimes the offender has been a victim of molestation and therefore, seeks out children of the same age level when he/she was molested.
20. The offender is usually non-violent and has had few problems with the law.
 - a. However, the offender should always be treated as a danger to officers and proper precautions shall be taken.

**I. INVESTIGATION OF SEXUAL EXPLOITATION CASES
(CORE VALUE: Service to our communities.)**

- Conducting reactive investigations.
 - Understanding proactive investigations
 - Joint investigation with other agencies.
1. Be aware that the problem does exist.
 2. Be aware that children are looking for a way out.
 3. Be aware of the locations in your area where adults may prey on them.
 4. Most allegations of sexual exploitation are second hand. They must be verified.
 - a. Background check of the suspect.
 - b. Surveillance of suspect's residence and activities.
 - c. Identify possible victims.
 5. Be aware of the laws pertaining to sexual abuse and exploitation.
 6. During routine investigations, radio calls, and traffic stops, remain alert for child pornography. This material, in itself, is illegal and will identify a person having a sexual attraction for children.
 7. Use of search warrants should be considered in every case.
 - a. Corroborate statements of victim(s).
 - b. Identify other victims and suspects.
 - c. Recover photographs of the victim and other possible victims.
 - d. Photograph room interior to corroborate victim's statements.
 - e. Seizure of material that shows the suspect's state of mind.
 1. Child erotica.

2. Articles and news clippings relating to exploitation and/or molestation cases.
 3. Child sex novels.
 4. Textbooks focusing on children.
 5. Correspondence and literature.
8. Use of informants.
 - a. Identify suspects and victims.
 - b. Identify locations where offenders frequent.
 - c. To obtain information about a particular victim.

J. INTERVIEWING THE VICTIMS OF SEXUAL EXPLOITATION

(CORE VALUE: Integrity in all we say and do.)

- Honesty in dealing with victims of sexual exploitation.
 - Ethical behavior during interview and arrest of suspects.
1. It is important to remember that the victims in these cases are emotionally confused individuals. All he has known at the hands of adults is misuse and abuse. He has no reason to believe that you, as a police officer, will be any better to him. In fact, he may mistrust you all the more. If you are going to be successful in talking to him you must establish and maintain good rapport and trust. This may be done by exhibiting the following characteristics:
 - a. Be attentive (really listen to what he has to say).
 - b. Be honest with him (all he has ever known is lies and he will recognize yours).
 - c. Be patient (it takes time to establish the trust that will enable him to divulge his sexual activities).
 - d. Understand his home life, background and other reasons that underlie his involvement in sexual exploitation.
 - e. Show a genuine concern for the child's welfare (he's dealt with a lot of fakes and phonies and he will know if you are one).
 2. Once rapport and trust is established with the victim it is important to discuss the following facts:
 - a. Specific acts committed by the suspect upon the victim (or victim upon the suspect).
 - b. What inducement, force or persuasion did the suspect employ?
 - c. Dates and times the incidents occurred. (Recollections by the victim to a particular date or time is very important for prosecuting the case).

- d. Anything unique or unusual about the suspect's person, clothing, vehicle or residence. (These may be verifiable at a later date and will aid in prosecution).
- 3. Inquiry should be made into the following areas:
 - a. Was pornography or narcotics used in any manner by the suspect(s)?
If so, where in the premises or vehicle does he keep the items?
 - b. How many other victims does the victim know or suspect?
 - c. How many other suspects does the victim know or suspect?
 - d. Was the victim photographed?
 - e. Did the victim see any photographs of other children who may also be victims?

K. CONSIDER THE FOLLOWING FACT WHEN INTERROGATING ADULT SUSPECTS INVOLVED IN THE SEXUAL EXPLOITATION OF CHILDREN

- 1. They are well aware of the low status that the child molester occupies in our society.
- 2. The thing they fear most in life is going to prison under a charge of child molest.
- 3. If the above facts are emphasized heavily at the outset of an interrogation, the suspect may completely withdraw and deny all allegations.
- 4. The suspects are much more amenable to the approach that they have an emotional problem for which they can be treated. If they felt that you understand their problems and that you may help them find treatment they will be prone to open up and talk about the incident.
- 5. Be aware that these individuals associate with others of their kind and they are a wealth of information on sexual exploitation activity.

L. LAWS PERTAINING TO THE SEXUAL EXPLOITATION OF CHILDREN (CORE VALUE: Reverence for the law)

- 1. Children who become the victims of sexual exploitation may come within the jurisdiction of the Juvenile Court under:
 - 300(d) WIC Sexual Abuse.
 - 300(j) WIC Dependant Child.
- 2. Criminal acts committed by suspects:
 - 261.5 P.C. Unlawful sexual intercourse with female under age 18.
 - 264.1 P.C. Rape or penetration of genital or anal openings by foreign object by force against the will of the victim.

- 266 i. (f) P.C. Pandering.
- 266 (j) P.C. Procurement of a child under age 16 for lewd or lascivious act.
- 272 P.C. Causing, encouraging or contributing to the delinquency of a person under age 18.
- 286 P.C. Sodomy.
- 288 P.C. Lewd or lascivious acts with a child under age 14.
- 288 (a) P.C. Oral copulation with a person under age 18.
- 288.2 P.C. Harmful matter sent with the intent of seduction of a minor.
- 288.5 P.C. Continuous sexual abuse of a child under age 14.
- 289 P.C. Penetration of genital or anal openings by foreign object.
- 290 P.C. Registration of a sex offender.
- 291 P.C. School employees (Arrested for sex offenses-Notice to school authorities).
- 311.2 (b) P.C. Commercial distribution of child pornography.
- 311.2 (c) P.C. Distribution of child pornography.
- 311.2 (d) P.C. Distribution of child pornography to a minor.
- 311.3 P.C. Sexual exploitation of a child.
- 311.4 (a)(b)(c) Employment of a minor to perform prohibited acts.
- 311.10 P.C. Advertising for sale or distribution obscene matter depicting a person under age 18.
- 311.11 P.C. Possession of child pornography.
- 313.1 P.C. Distribution or exhibition to minor harmful matter.
- 314 P.C. Indecent exposure.
- 647.6 P.C. Child annoying.
- 667.51 P.C. Enhancement of prison terms.
- 667.6 P.C. Enhancement of prison terms.
- 11166 P.C. Mandatory reporting.

XI. LECTURE: TYPES OF CRIMES AGAINST CHILDREN/MINORS

A. Child Harm, Injury or Endangerment

1. *Is an act in which a person willfully causes or permits a- child suffer, inflicts unjustifiable pain or mental suffering, or allows a child in his or her care or custody to be placed in a dangerous situation*
2. Penal Code Section 273a
3. Elements
 - a. Any person

- b. Willfully causing or permitting any child to suffer, or
- c. Inflicting unjustifiable physical pain or mental suffering, or
- d. Having the care or custody of any child, and
- e. Willfully causing or permitting that child to be placed in such a situation that their person or health is endangered

4. Classifying the Crime

- a. *Felony—circumstances or conditions are likely to produce great bodily harm or death to the child (PENAL CODE § 273a(a))*
 - Example: A mother leaves her two young children alone for a week with little food and water
- b. *Misdemeanor—circumstances or conditions are other than those likely to produce great bodily harm or death to the child (PENAL CODE § 273a(b))*
 - Example: A mother leaves her two young children alone for a day with little food and water

5. Related Terms

- a. Permit: To allow a situation to happen
- b. *Child: Any person under 18 years of age*
- c. Criminal negligence: A flagrant and reckless disregard for the safety or willful indifference to any injury that might occur. Such acts are punishable as crimes themselves if injury or death occurs
- d. Great bodily injury: Significant or substantial injury
 - Example: Malnutrition

B. PHYSICAL ABUSE OF A CHILD

- 1. *Any willful act of physical force that causes corporal injury to a child*
- 2. Penal Code Section 273d
- 3. Elements
 - a. any person who
 - b. willfully inflicts upon a child
 - c. any cruel, inhuman or corporal punishment or injury
 - d. resulting in a traumatic condition
- 4. Classifying the Crime

- a. *Felony*
5. Compare: Parental Discipline vs. Physical Abuse
 - a. Parental Discipline
 - Give examples
 - b. Physical Abuse
 - Give examples
 - c. Continual sexual abuse when offender has recurring access to a child and commits three or more felonies over a period of at least 3 months (PENAL CODE § 288.5)
 - d. Aggravated sexual assault of a child (Penal Code § 269)

C. ANNOYING OR MOLESTING CHILDREN

1. *Any act committed against a person under the age of 18, which would annoy any reasonable person and is motivated by abnormal or unnatural sexual interest*
2. Penal Code Section 647.6
3. Elements
 - a. Any person
 - b. Annoying or molesting
 - c. *Any child under the age of 18*
4. Classifying the Crime
 - a. Misdemeanor
 - Annoying or molesting children
 - b. Felony
 - Annoying or molesting children after entering an inhabited house or dwelling without consent
 - Annoying or molesting children after having already previously committed said offense
 - Annoying or molesting children while having a prior felony conviction
5. Related Terms
 - a. Annoy: Harass, disturbs, or irritates, especially by repeated acts
 - b. Molest: Annoying sexual advances
6. Additional Statutes

- a. Suspect commits an act after entering an inhabited house or dwelling without consent
- b. Perpetrator's second or subsequent offense under Penal Code § 647.6
- c. Perpetrator has prior felony conviction under:
 - Penal Code § 647.6
 - Penal Code § 288(a)—lewd or lascivious acts upon a child; or
 - Penal Code § 311.11—possession of child pornography (Comparison Chart)
- d. Do you have any activity for the comparison chart?

F. REINFORCE KEY LEARNING POINTS

1. When an individual acts upon a child with the intent of arousing, appealing to or gratifying sexual desire of the individual or the child, that individual has committed a felony
 2. Annoying or molesting a child is a misdemeanor; it becomes a felony if the individual has previously committed the act, the individual has any prior felony conviction, or the individual unlawfully entered an inhabited dwelling to commit the act.
6. Related Terms
- a. *Lascivious act: Any act which has a tendency to excite lust*
 - b. Lewd: One, which is committed with a disregard of social constraints
 - c. Upon or with the body of a child: A child's body or clothing is touched
7. Related Statutes
- a. Act committed by force, violence, duress, menace, or fear of immediate and unlawful injury of the child or another person (PENAL CODE § 288(b))
 - b. Child is 14 or 15 years old and perpetrator is at least ten years older than the child (PENAL CODE § 288(c))
 - c. Continual sexual abuse when offender has recurring access to a child and commits three or more felonies over a period of at least 3 months (PENAL CODE § 288.5)
 - d. Aggravated sexual assault of a child (Penal Code § 269)

G. Comparison Chart: Lewd Acts vs. Annoying or Molesting

Crime	13 or under	14 or 15	16 or 17
Lewd or lascivious acts with a child; 288 PC Touching required	Sexual touching by anyone	Sexual touching when suspect is 10 or more years older than the victim	N/A
Annoying or molesting children; 647.6 PC Touching not required	Verbal annoying with sexual intent	Verbal annoying with sexual intent, or sexual touching when suspect is not 10 years older than the victim	Verbal annoying with sexual intent, or sexual touching by anyone

H. LECTURE: POSSESSION OF CHILD PORNOGRAPHY

1. *An act in which a person knowingly possesses or controls material showing a person under the age of 18 years engaging in or simulating sexual conduct*
2. Penal Code Section 311.11
3. Elements
 - a. Knowingly
 - b. Possessing or controlling
 - c. Any matter
 - d. *Depicting a child under the age of 18 years*
 - e. Engaging in or simulating sexual conduct
4. Crime Classification
 - a. *Possession of child pornography (Penal Code § 311.11(a) Misdemeanor)*
 - b. If perpetrator has been previously convicted of Penal Code § 311.11(a), or has previously been convicted of Penal Code § 288, Lewd or Lascivious acts on a child, then it is a felony
5. Related Terms
 - a. Possession: Having domain, control and knowledge

of the object

- b. Controlling: Having power or authority to manage, direct, superintend, restrict, regulate, govern, administer or oversee
- c. Simulate: Any act or pose that gives the appearance of being sexual conduct

6. Further Issues

a. Ask the class: What materials constitute as child pornography?

- Developed or undeveloped film
- Negatives
- Photocopies
- Filmstrips
- Slides
- Videotapes or laser discs

- Books, magazines, newspapers, or written material
- Photographic in nature
- Computer hardware or software

b. *Ask the class what does not constitute child pornography?*

- *Drawings* Examples (are they really necessary?)
- Figurines
- Statues
- Any film rated by the Motion Picture Association of America
- Live or recorded telephone messages when transmitted, disseminated or distributed as part of a commercial transaction

7. Sexual conduct—defined in Penal Code § 311.4(d)

a. “Sexual conduct” means any of the following, whether actual or simulated:

- Sexual intercourse
- Oral copulation
- Anal intercourse
- Anal-oral intercourse
- Masturbation
- Bestiality

- Sexual sadism
- Sexual masochism
- Penetration of the vagina or rectum by any object in a lewd or lascivious manner
- Exhibition of the genitals, public, or rectal area for the purpose of sexual stimulation of the viewer
- Any lewd or lascivious acts as defined in Penal Code Section 288
- Excretory functions performed in a lewd or lascivious manner

I. **REINFORCE KEY LEARNING POINTS**

1. In order for an individual to have committed the crime of possessing child pornography, they must knowingly control the material and the images must be of real children

III. **LECTURE: WARRANTLESS ENTRY TO PROTECT MINORS**

A. *Conditions restricting entry—police may not enter a residence without.*

1. *A warrant*
2. *Exigent circumstances*
3. Valid consent from the occupant

B. Ask the class: *What constitutes exigent circumstances?*

1. An emergency situation requiring swift action to prevent:
 - a. *Imminent danger to life or safety,*
 - b. Serious danger to property
 - c. Imminent escape of a suspect, or
 - d. Destruction or removal of evidence

D. **REINFORCE KEY LEARNING POINTS**

1. *Police officers may not enter a residence without consent, a warrant, or exigent circumstances that would necessitate entry*
2. A plethora of case law exists that supports warrantless entry

II. **LECTURE: Overview –Safety and Protection of Juveniles and Their Rights.**

A. **DISCUSS** purpose of juvenile law

1. To serve the best interest of the minor while providing protection and safety to the public
 - a) Accomplished by:

(1) Imposing on minors a sense of responsibility for their own actions

(2) Removing minors from the custody of their parents only when necessary for the minors' welfare or for the safety of the public

(3) Providing guidance which is consistent with the rehabilitative efforts of juvenile court law

B. Protecting the public from the criminal conduct of a minor

Explain the scope of authority of the California Juvenile Court

1. Welfare and Institutions Code (WIC) §300

a. Minors found to be at the risk of abuse by a parent or guardian are dependents

2. WIC §601

a. Minors found to be habitually truant, or refusing to obey reasonable order or rules of school authorities or parents are status offenders

3. WIC §602

a. Minors found to be participants in a criminal act are wards

H. **REINFORCE** KEY LEARNING POINTS

1. Juvenile law is focused on rehabilitating children rather than retributive punishment
2. California Juvenile Courts handle and administer justice in cases that involve minors

III. **LECTURE:** Juvenile Rights Under California Law

A. Protection of Juvenile Rights

1. Juvenile does not have the right to a parent present during an interrogation and must specifically invoke for an attorney

B. **DISCUSS** Admonishment of Rights requirement: where minor is detained/arrested for:

2 Penal Code Section 625 requires advisement only of the Miranda warnings anytime juvenile is taken into temporary custody, which includes juveniles that:

- a) Are habitually disobedient or truant
- b) Violate an order of the juvenile court
- c) Violate a law or ordinance
- d) Escaping from a commitment ordered by the juvenile court

C. Waiver must still be sought if the juvenile is in custody and will be interrogated

D. **DISCUSS** nature of admonishment requirements:

1. Right to remain silent
2. Right to have counsel present
3. Right to have counsel appointed at no charge if they are unable to afford counsel

E. Admonishment is not required where juvenile:

1. Has a history of being abused or neglected and is at immediate risk of physical or emotional harm, or sexual abuse
2. Is at immediate risk because of his/her:
 - a. Physical environment
 - b. Lack of adequate supervision
3. Is hospitalized and release of the minor to a parent or guardian poses an immediate danger to the minor's health or safety
4. Is found in a street or public place suffering from any sickness or injury requiring care or treatment
5. Is stopped for general questioning by an officer

IV. **LECTURE:** Secure Detention vs. Non-secure Custody

A. Related terms

1. Secure detention: a minor being held in temporary custody in a law enforcement facility is locked in a room or enclosure and/or is physically secured to a cuffing rail or other stationary object
2. Non-secure custody: a minor's freedom of movement in a law enforcement facility is controlled by the staff of the facility; the minor is not locked in a room or enclosure and is not physically secured to a stationary object, but remains in constant visual supervision by the staff

B. Secure Detention

1. A minor is in secure detention whenever he or she is:
 - a. Detained in a locked room or other secure enclosure
 - b. Secured to a cuffing rail or some other fixed object (bench, chair)
 - c. Otherwise reasonably restrained as necessary to prevent escape and protect the minor and others from harm
 - d. Detained in a building or portion of a building, in which all doors are locked to the inside

2. Males and females shall not be placed in the same locked room, unless under direct visual supervision by staff at all times

C. Criteria for secured detention

1. A minor 14 years of age or older
 - a. Only when a peace officer has a reasonable belief that the minor poses a serious security risk of harm to self or others.
 - b. Officer should consider:
 - Age
 - Maturity
 - Delinquent history of the minor
 - Severity of the offense(s) for which the minor was taken into custody
 - Minor's behavior
 - Including degree to which the minor appears cooperative or non-cooperative
 - Availability of staff to provide adequate supervision or protection of the minor
 - Age, type and number of other individuals who are detained in the facility

D. Informing the minor

1. A minor must be informed of the following at the time he or she is securely detained:
 - a. Allowance of two phone calls within one hour
 - b. Purpose of the secure detention
 - c. Length of time the secure detention is expected to last
 - d. 6 hour maximum time limit
2. Even though we are dealing with children, they still have rights we need to protect. Disregarding these rights amounts to misconduct with a duty to report

E. Supervision of a minor in secure detention

1. Requirements include:
 - a. Direct supervision by correctional staff
 - b. Within hearing distance of a minor
 - c. Documented, visual safety checks of a minor no less than every 30 minutes
 - d. Safety checks
 - e. Should be made on an irregular basis to decrease the likelihood that the minors will anticipate the exact time of the checks

- f. Need to be through the eyes of the staff, not through the lens of a camera or audio device

F. Secure detention outside a locked enclosure

1. A minor may be secured to a stationary physical object outside a locked enclosure due to physical restraints or exigent circumstances
 - a. No more than 30 minutes
 - b. Unless no other locked enclosure is available
 - c. Securing a minor for longer than 30 minutes
 - d. Must be approved by the watch commander
 - e. Clearly document reasons
 - f. A staff person must be present at all times to assure the minor's safety while secured.

G. Criteria for non-secured custody

1. Locked in a room, enclosure or physically secured to any object
2. A minor who:
 - a. Is less than 14 years of age or
 - b. Does not, in the reasonable belief of the officer, present a serious security risk of harm to self or others
 - c. Does not fit the criteria for secure detention

H. Supervision of non-secured custody minors

1. Minor must be under constant personal visual supervision

V. **LECTURE:** Juveniles and Adult Inmates - non-contact permitted

A. Related terms:

1. Contact: communication, whether visual or verbal, or an immediate physical presence
2. Processing: includes procedures such as fingerprinting or photographing an individual who has been recently arrested

B. Incidental contact

1. Communication not allowed
2. Situations permitting incidental contact are:
 - a. Booking

- b. Medical screening
- c. Inmate worker presence while performing necessary work at a law enforcement facility
- d. Movement of people in custody within the law enforcement facility (Title 14, California Code of Regulations, Section 1546)¹

VI. **LECTURE:** Contributing to the Delinquency of a Minor

A. Definition of Contributing to the Delinquency of a Minor if he or she:

- 1. Commits an act or omits the performance of any duty which causes or encourages a minor to come within the provisions of Welfare and Institutions Code Sections 300, 601, or 602 or
- 2. Threatens, commands, persuades, or endeavors to induce a minor to fail or refuse to conform to a lawful order of the juvenile court.

B. Elements of contributing to the delinquency of a minor

- 1. Committing any act, or
- 2. Omitting the performance of any duty,
- 3. Which causes or tends to cause or encourage a minor
- 4. To come under the provisions of 300, 601 or 602 WIC EXAMPLES

C. Classification

- 1. Misdemeanor

D. **REINFORCE KEY LEARNING POINTS**

- 1. When a peace officer reasonable believes that a minor, who is at least fourteen years old, poses a serious security risk of harm, the minor may be placed in secure detention whereby he or she is detained in a secured enclosure or otherwise reasonably restrained
- 2. A minor is entitled to be informed of the reason they are being securely detained, the expected duration of the detainment (cannot last more than six hours), and that they are entitled two phone calls; minors must be supervised directly by correctional staff who must be within hearing distance of the minor
- 3. Documented, visual safety checks should be made no less than every thirty minutes on an irregular basis to decrease the likelihood that the minors will anticipate the exact time of the checks and must be through the eyes of the staff, not through the lens of a camera or audio device
- 4. A minor may be secured to a stationary physical object outside a locked enclosure due to physical restraints or exigent circumstances; the detention however may not be

for more than thirty minutes unless no other locked enclosure is available and then a watch commander must approve the detention after clearly documenting the reasons; a staff person must be present at all times to assure the minor's safety while secured.

5. Communication among juvenile and adult inmates is prohibited unless it happens to be incidental to processing

6. A minor who is older than fourteen should be tried as an adult when it has been determined that the minor is not amendable to the care, treatment and training programs provided by the juvenile court based upon the minor's criminal history and sophistication, the nature of the alleged crime, and likelihood of rehabilitation given the minor's history

7. It is a misdemeanor to contribute to the delinquency of a minor by causing or encouraging a minor to come within the provisions of Welfare and Institutions Code Sections 300, 601, or 602 or by causing a minor to violate lawful order of the juvenile court

MODULE XII. TEEN PROSTITUTION- CHILDREN OF THE NIGHT

A. THE TEENAGE PROSTITUTE AND STREET LIFE

1. Kids on the streets.
2. The pimps.

B. STAGES OF BECOMING A PROSTITUTE AND INTERVENTION TECHNIQUES

1. STAGE 1: Anger stage.
2. STAGE 2: Realization stage.
3. STAGES: Compromise stage.
4. STAGE 4: Degradation stage.
5. STAGES: Denial stage.
6. STAGE 6: In-group solidarity.

C. CHILDREN OF THE NIGHT PROGRAM

1. Hotline.
2. Street program (Outreach).
3. Shelter.
4. Support for pimp arrest.

- D. CONCLUSION (CORE VALUE: Quality through continuous improvement) 1.** Open discussion regarding Children of the Night Program.

XIII. YOUTH ADVOCACY PROGRAM/ CITY ATTORNEY PARENTING PROGRAM

A. INTRODUCTION TO THE PROGRAMS

1. DISCUSS ACRONYMS YAP- YOUTH ADVOCACY PROGRAM
2. CAPP- CITY ATTORNEY PARENTING PROGRAM

QUESTIONS TO THE STUDENTS

**How many of them know about YAP or CAPP?
How many of them have used YAP or CAPP?**

B. WHAT IS YAP?

1. YAP is the Department's only diversion program for juveniles who have been arrested

Explain the difference between YAP and Jeopardy.

C. OPINIONS REGARDING DIVERSION PROGRAMS

1. Diversion doesn't work
2. YAP works

D. HISTORY OF THE PROGRAM

In 1989 the Mayor and City council designated the Community Development Department (CDD), the LAPD, and the City Attorney's Office to develop the Youth Advocacy Program.

In the past the programs used were ineffective because:

1. There was no penalty if the juvenile failed to attend counseling.
2. LAPD had no control over counseling agencies.
3. Probation Department only files the most serious cases.
4. YAP gave the City and Department control over the community based counseling agencies
5. Allowed for non-detained petitions to be filed on the minors that failed program

E. RECIDIVISM STATISTICS

1. A YAP recidivism rate study was conducted in 1994.

The names of 100 juveniles were selected that had been referred to YAP and who successfully completed the program one year prior to the selection. Those names were checked in the Juvenile Automated Index (JAI) for records of arrest after completing the YAP process. The recidivism rate was 25 percent. The study revealed that YAP was a successful front-end intervention/diversion tool for 75 percent of the juveniles referred.

2. A second study conducted in 1996 revealed that there was a 23 percent recidivism rate. This improvement helped 77 percent of the juveniles that were referred to YAP.

F. COMPONENTS:

1. **LAPD** - Supplies the referrals and monitors the referral policy and procedures.
2. **CDD** - Tracks the referrals and monitors the counseling agencies.
3. **City Attorney** - Provides parenting education and enforcement of 272 P.C.

G. PROCEDURES FOR YAP REFERRALS

1. A Juvenile will qualify for YAP if:
 - 6-17 years old
 - First or second time offender.
 - Non-violent crime.
 - Can not be a 707 WIC or 653.5 PC offense.
 - Must be a resident within the city of Los Angeles.
 - Not a gang member.

H. TYPES OF REFERRALS

1. *Arrest (601 or 602 WIC)*
2. *Non-arrest (informal or volunteer)*
3. *Juvenile Traffic Court Citation*

I. RESPONSIBILITIES:

1. Investigating Officer responsibilities. (Show overhead of YAP flow chart)
 - a. Determine if juvenile qualifies for YAP.
 - . Check JAI for prior offenses.
 - . City Resident.
 - . Non-violent offense.
 - . Not a gang member.
 - b. Have parent and juvenile sign YAP agreement. **(Show overhead of Referral form)**
 - c. Referring Officers should emphasize to the parents and Juvenile that failure to complete YAP will result in the filing of a petition
 - d. Approximately 10 percent of the juveniles referred to YAP fail the program by either:

Failing to attend the initial appointment.
Failing to complete their assigned counseling sessions.
Being arrested while participating in YAP counseling.

- e. Distribute 5 copies of Notice of Referral and arrest report to:

Case Package
Referral Unit
City Attorney's Parenting Program (CAPP)
Counseling agency (without arrest report)
Parent (without arrest report)

3. Referral Unit responsibilities:

Monitor referrals.
Conduct audits and keep statistics.
File petitions on YAP violators.
Provide training about YAP to Department personnel.

J. CITY ATTORNEY PARENTING PROGRAM (CAPP)

1. HISTORY:

In September 1989, the City Attorney's Office implemented CAPP in response to the Street Terrorism Enforcement and Prevention (STEP) Act of 1988.

- a. Under the STEP Act, California Penal Code (P.C.) Section 272 was amended to impose upon parents or legal guardians of minors under age 18, a specific duty to exercise reasonable care, supervision, protection, and control over their minor child.
- b. *While declaring that parents have a legal responsibility to discourage their children from committing crimes, the legislation provides that no mother, father, or guardian (hereon referred to as parents) who actively tries to exercise parental control can be prosecuted under the STEP ACT.*
- c. Moreover, it provides that parents of habitually delinquent juveniles, who previously neglected their parental responsibility, could avoid prosecution by voluntarily enrolling in a program which teaches parenting skills. However, parents who willfully avoid their parenting responsibilities can be prosecuted.

2. PROCEDURES:

- a. If at any time during a contact with a juvenile and/or the parents of a juvenile, the investigating officer forms the opinion that the parents are in need of parenting education, a referral of the parents should be made to the CAPP Administrator.
- b. A CAPP referral is **mandatory** for all parents of juveniles who have been arrested and **referred to the Youth Advocacy Program (YAP).**
- c. Investigating officers shall forward a completed copy of the YAP Notice of Referral, Form 9.13, and juvenile arrest report to the CAPP Administrator.
- d. A CAPP referral shall also be completed when a juvenile is arrested, has had a detained or non-detained petition request filed, and the investigating officer forms the opinion that the parents are in need of parenting education.

- e. A CAPP referral is not necessary if the arrested juvenile is over 17 years of age, unless there are younger siblings being raised by the same parents.
- f. Investigating officers should complete a CAPP Referral (see attached CAPP Referral Form), attach a copy of the arrest report and any documentation that articulates the need for parenting education, and forward them to the CAPP Administrator.
- g. A CAPP referral may also be initiated when a juvenile has not been arrested, but it is clear that the juvenile's parents are in need of parenting education.

**Examples: Child abuse cases.
Family disputes.**

- h. The arrest of the parents would be appropriate if it can be determined that they have clearly violated 272 P.C. by failing to exercise "reasonable care, supervision, protection and control" of the minor child which results in the child becoming delinquent under Welfare and Institutions Code (W.I.C.) Sections 300, 601 and 602, in violation of 272 P.C.
- i. The CAPP Administrator request the parents to appear at the City Attorney branch office nearest to their residence and meet with a City Attorney Hearing Officer. The hearing officer will assess all aspects of the case and either excuse the parents or, if deemed appropriate, enroll them in a parenting education program.
- j. Upon completion of CAPP, the parents will have an exit interview with a hearing officer who will document the results of the training and provide the parents a certificate of completion.
- k. Or, the service agency notifies the City Attorney Hearing Officer that the parents failed CAPP by refusing to accept or complete the parent education program.

3. CAPP REFERRAL PROCESS:

Officer - Responsibility.

To make a CAPP referral, the investigating officer shall:

- a. Complete a YAP Notice of Referral for juvenile arrest cases when the juvenile is referred to YAP, or,
- b. Complete a CAPP referral and attach a copy of arrest if the minor has been arrested and forward it to to:

Submit the report(s) to the Area Juvenile Coordinator for review; and, Forward a copy of the reports to:

Ms. Glynis Morrow, CAPP Program Administrator,
City Attorney's Office - Maria Elena Reyes Branch,
312 S. Hill Street - 2nd floor
Los Angeles, CA 90013

Or mail stop 144.

telephone number 213-847-8007

Note: Every effort should be made to thoroughly interview parents concerning the delinquency problem and their efforts to impact the problem. Miranda warnings should be given when appropriate. All information must be contained on reports.

Note: Although a final adjudication of juvenile proceedings is not a requirement for filing against the parents, any available documentation of the juvenile proceedings, such as arrest reports and interviews, should be included in the Detective's Case Envelope.

Supervisor - Responsibility. The concerned supervisor shall:

1. Confirm that the parents qualify for CAPP;
2. Review the reports to ensure that they adequately articulate the reason for the parents referral to CAPP; and
3. The Juvenile Coordinator shall place an asterisk or similar code in the Juvenile Arrest Book to indicate that the parents were referred to CAPP. The juvenile's case should proceed in the normal manner.

City Attorney's Parenting Program Administrator - Responsibility.

The CAPP Administrator shall:

- a. Upon receipt of a CAPP referral, the CAPP Administrator will review the referral for completeness and accuracy
- b. Appropriate cases will be set for hearings in one of the four branches for a City Attorney Hearing
- c. At the conclusion of the hearing, the hearing officer will either: Counsel and release the parent if there is no culpability or refer them to a parenting program, or refer the case to the City Attorney for filing consideration

The Referral Unit's – Responsibility

Juvenile Referral Unit shall:

- a. Monitor the referral process and maintain records of the CAPP Referral Forms.
- b. Maintain statistics and analyze and evaluate CAPP data.
- c. Prepare training materials and conduct seminars relating to the referral process for Department personnel and community based agencies.
- d. Provide information, advice, roll call training, and instruction to investigating officers and other concerned individuals regarding CAPP referrals to community agencies.
- e. Maintain liaison with all components of the referral system, including Area detectives, City departments, community based agencies, the Probation Department, the District Attorney's Office, and the Courts.

XIV. JUVENILE COURT LIAISON

INSTRUCTIONAL GOAL: The student will be able to identify what the role is of the Juvenile Court Liaison. The student will understand what is required of them when they receive a subpoena for Juvenile Court.

PERFORMANCE OBJECTIVES:

- *The Student will be able to identify where the four Juvenile Court Liaison Office's are located
- *The student will be able to identify what the four functions of the Juvenile Court Liaison Unit are.
- *The student will be able to identify who is responsible for organizing Evans lineups

LEARNING ACTIVITY: Review Officer's responsibilities while attending Juvenile Court

A. THE JUVENILE COURT LIAISON UNIT

1. The unit's primary purpose
 - a. To assure the appearance of subpoenaed departmental personnel to the Juvenile Courts.

2. The locations of the unit's four offices
 - a. Eastlake (the main office)
 - b. Inglewood
 - c. Sylmar
 - d. Compton

3. The four functions of the unit (**Integrity in all we say and do**)
 - a. To coordinate the on-call system with area subpoena control officers.
 1. Subpoenas
 - 1a. Juvenile Court subpoenas are Superior Court subpoenas because Juvenile Court is a division of Superior Court.
 - 2a. Subpoena Control Officers serve the subpoena.
 - 3a. Copies of all LAPD subpoenas come to the Juvenile Court Liaison Unit at Eastlake where they are date stamped and recorded.
 - 4a. Liaison activity is conducted between unit personnel and subpoena control to ensure service of subpoena.
 - 5a. Only the DA can dismiss an officer from a subpoena.
 - 6a. May receive more than one subpoena for the same case. Keep each one as it may not be a duplicate, but may be for different kinds of hearings, e.g. one may be for a Dennis H. hearing and the other for adjudication.
 - 7a. May at times receive short notice to appear in court. When this happens, the subpoena control officer is immediately contacted telephonically. Officers will have one full day advance notice before necessary court appearance.
 - b. On-Call System
 - 1b. The system was originated in 1974 by the Chief of Police with the cooperation of the Juvenile Courts to allow on-duty officers to remain at their assignments while waiting to testify.
 - 2b. System allows on-duty officers to be placed on call for subpoenaed Juvenile Court hearings when approved for such status by their supervisors.
 - 3b. Upon receipt of notification to appear in court, the officer has one hour to appear.

Violation of the time limit may result in a bench warrant issued and/or departmental disciplinary action being taken. When necessary, the Liaison Unit may launch an investigation re subpoenaed officers who appear in court late, who do not come to court and/or who do not bring required evidence to court.

Officer to talk with DA before court begins to prepare him/herself to testify.
 2. To advise officers of whose responsibility it is to bring evidence to court.
 - 2a. It is the responsibility of the booking officer to transport all evidence, with the exception of whole blood, to court.
 3. To help officers to identify and understand the various kinds of hearings for

which subpoenas are issued for (**Reverence for the law**)

a. Detention Reconsideration Hearings

* Dennis H.

The people must establish a prima facie case in order to further detain the minor, i.e. did a crime occur and is there sufficient evidence to reasonably believe that the minor committed the crime.

* William M.

Usually requested by the Defense (minor) to show that it would be in the minor's best interest to be released whether or not a prima facie case has been established.

If the minor will be detained further, good cause must be shown, i.e. will the minor flee the Court's jurisdiction and/or the seriousness of the offense must be established.

* Edsel P. Hearing

A hearing held **before** the fitness hearing to establish a prima facie case to substantiate the allegations charged in the petition.

* Fitness (707 WIC)

The minor must be at least 16 years of age at the time of the offense if the offense is one listed in 707(b) WIC or 14 years of age at the time of the commission of the 707(e) WIC.

* Adjudication.

Usually requested by the Defense.

4. To conduct lineup aka: "Evans" lineups.

a. If held at Eastlake or Sylmar Juvenile Halls, the lineup is conducted by LAPD personnel (Court Liaison Unit staff) and by LASD personnel if held at Los Padrinos Juvenile Hall.

b. The reason the unit staff conducts the lineup is to ensure uniformity in the lineup process so as to eliminate possible errors which could be used by the defense to have charges dismissed.

c. Requirements

i. Must have a court order.

ii. Probation Officer usually produces seven "look alikes" who resemble the juvenile suspect, although only five are needed. The two extras are in case a "look alike" backs out at the last minute. If can not find a "look alike", no lineup can be held.

iii. Can not force a juvenile suspect to participate against his/her will.

d. **MUST** inform the victims and witnesses that they will be out of sight and segregated from the lineup participants at **ALL TIMES**.

e. Victims' and witnesses' statements, if any, are recorded on a "Lineup Witness Sheet".

B. COURT ATTIRE (Manual of the LAPD, Vol. III, Section 605.80)

(Commitment to leadership)

1. Uniform
 - a. May be worn by on-duty officers summoned to court without advance notice.
2. Civilian Clothes
 - * Male
 - a. Business suit or sport coat and trousers with dress shirt and necktie.
 - * Female
 - a. Dress, suit or pant suit
 - b. Skirt or pants with a blouse, sweater or jacket.

C. THE JUVENILE JUSTICE SYSTEM

1. There are four components of the Juvenile Justice System.
 - a. **Police** - Apprehends the juvenile.
 - b. **Probation Department** - The minor is either released or detained in Juvenile Hall, which is under the supervision and direction of the Probation Department. Detained minors attend school classes and work projects and are brought to court while under the direction of the Probation Department.
 - c. **Office of the District Attorney** - Receives the request to file a juvenile petition and the accompanying police report. The DA either files a petition or rejects the request.
 - d. **Juvenile Court** - Determines whether or not the petition is true. If the petition is found to be true, at the disposition hearing the Court orders the minor placed in an appropriate setting for rehabilitation.

XV. MISSING AND ABDUCTED CHILDREN/ SAVE THE CHILDREN

INSTRUCTIONAL GOAL: To provide the student with a basic understanding of programs that

provide family reunification services in instances of child abduction cases. **PERFORMANCE**

OBJECTIVES:

- The student will understand the dynamics involved in child abduction cases.
- The student will become familiar with the "Find the Children organization".

A. INTRODUCTION

1. Instructor.
2. Organization.

B. THE MISSING CHILD ISSUE (CORE VALUE: Commitment to leadership)

1. Stranger abduction.
2. Parental abduction.

3. Nationally/within California.

C. CALIFORNIA LAW ON CHILD ABDUCTION

D. THE LOS ANGELES CHILD ABDUCTION TASK FORCE

1. A multi-disciplinary approach.
 - a. Police.
 - b. Department of Children and Family Services.
 - c. Counseling/Services.

E. FIND THE CHILDREN

1. History.
2. Case management/case example.

F. RISK ASSESSMENT

1. Abduction of court dependents. **G. CONCLUSION**

1. Open discussion on abduction and service organizations available.

XVI. LAW ENFORCEMENT EXPLORERS

INSTRUCTIONAL GOAL: The student will have a better understanding of the L.A.P.D. Explorer Program.

PERFORMANCE OBJECTIVE:

- The student will be able to identify the requirements for entrance into the explorer-program.
- The student will know what services the Law Enforcement Explorers provide. **LEARNING**

ACTIVITY: Open discussion regarding the Explorer Program.

A. INTRODUCTION

1. Instructor.
2. Program.

B. HISTORY OF THE EXPLORER PROGRAM

1. The program was established in 1962.
2. The Learning for Life guidelines.
3. The current status of involvement with Learning for Life.

C. STRUCTURE OF EXPLORER PROGRAM

1. The role of the youth services officer.
2. The chain of command at each area.
3. The role of the youth programs unit.
4. The scouting control committee.

D. EXPLORER ACADEMY

1. The duration of the academy.
2. Who instructs the academy?
3. What classes are taught?
4. Who instructs physical training?
5. Graduation.

E. VOLUNTEER WORK (CORE VALUE: Service to the community)

1. Involved in community service within the Area of assignment.
2. Non-hazardous police work.
3. Administrative support.
4. Special events/ crowd control.
5. Field searches/ pass out flyers.
6. Hours donated * community service- 26,159 for 2000 * crime prevention- 54,500 for 2000.

F. SIX ELEMENTS OF EXPLORING (CORE VALUE: Commitment to leadership)

1. Gain practical experience in field of law enforcement.
2. Learn leadership.
3. Volunteer work.
4. Sports and fitness.
5. Serving the community.
6. Social.

G. CONCLUSION

XVII. CIVIL LIABILITIES / RISK MANAGEMENT

Instructional Goal: To provide the student with the ability to understand, recognize and develop increased familiarity with the issue of risk management and civil litigation in terms of services available, procedures to follow, and generalized information of value to the Department.

Performance Objective: Using learning activities (charts prepared by students, word pictures, direct questions, verbal exchange and assessments, group exercises and student feedback, etc.)

- To recognize and identify the functions, benefits, and plan strategies of Law Enforcement Risk Management.
- To identify the nature and scope of the problems associated with civil litigation.
- To identify the value of pre-incident prevention and increase the awareness and effectiveness of a solid training program.
- To recognize and identify the value of documentation.
- To recognize the threshold incident and the value of the ALIRT program.
- To increase the awareness of the civil litigation process.

Learning Activity: The student will demonstrate, through several practical exercises and written examination, their understanding for the need of risk management, the value of training and documentation.

A. CHALLENGING TIMES FOR LAW ENFORCEMENT, INCREASED PUBLIC SCRUTINY (SHOW SLIDES 1-4):

1. Public distrust for law enforcement. **(Core Value)**
2. Intense media focus.
3. Special interest group scrutiny.
4. Decline in employee morale.

B. PUBLIC OPINION OF LAW ENFORCEMENT:

1. Public only learns of our job through the media.
2. Majority of media reports negative information regarding law enforcement.
3. Public opinion effects criminal and civil case dispositions.
4. Intense media focus increases litigation.
5. Show Civil Action Video (3 minutes).

- a. This video demonstrates what effect the media and public opinion has on the out come of a civil trial.
- b. Have a short discussion about the video and how litigation isn't about right or wrong but what people perceive and believe about law enforcement.
- c. Only we, as an organization can create a positive image,
- d. Discuss the importance of treating all with dignity and respect **(Core Value)**.

C. THE NEED FOR RISK MANAGEMENT (SHOW SLIDES 5-8):

- 1. In theory what is risk management?
 - a. The identification and prevention or reduction of predictable losses to the organization.
- 2. In practice what is law enforcement risk management?
 - b. The proactive approach to pre-incident or reduction of adverse consequences associated with organizational operations.
- 3. Identify law enforcement adverse consequences and discuss how they effect the way we do our job.
 - a. Injury or death to personnel.
 - b. Discipline of personnel.
 - c. Criminal indictment o f p ersonnel.
 - d. Civil liability.
 - e. Organizational embarrassment.

D. ESTABLISHMENT OF RISK MANAGEMENT DIVISION (SHOW SLIDES 9-11):

- 1. Primary objective is to provide managers with the information to identify, control and manage at risk incidents, individuals, and other liabilities through.
 - a. Providing solid, realistic, on-going, and verifiable training.
 - b. By tracking personnel complaints, use offeree incidents, and civil litigation,
 - c. Holding management and supervision accountable for people and incidents.

E. RISK MANAGEMENT PROGRAMS AND STRATEGIES:

- 1. Providing employees with the Civil Litigation Handbook, which identify procedures when served with a summons and complaint.

2. Implementation of incident call-out response by supervisors assigned to Risk Management Division.
3. Risk Business Newsletter provided quarterly to Department employees to increase awareness of litigation trends and risk management strategies.
4. Area Liability Incident Response Training (A.L.I.R.T.) program.
5. TEAMS II system.

F. THE NATURE AND COMPLEXITY OF THE PROBLEM (SHOW SLIDES 12-16):

1. Why do people sue Law Enforcement?
 - a. Nature and complexity of law enforcement activities.
 - b. Litigious society.
 - c. Too many lawyers in California (2.5 lawyers to every police officer).
 - d. The creation of the 1983 Civil Rights Act which allows plaintiff attorneys to recover their costs for the action.
 - e. Decline in society values and responsibilities.
2. Why do things go right in law enforcement?
 - a. The ability to encounter incidents and do the job right comes from knowledge. Knowledge comes from experience .
 - b. If you don't have the experience, all you have to rely on is your training.
3. Why do things go wrong in law enforcement?
 - a. Lack of experience,
 - b. Lack of training,
 - c. Complexity of the job.
 - d. Rapidly changing situations.

G. PRE-INCIDENT PREVENTION /THE FIVE PILLARS OF SUCCESS (SHOW SLIDES 17-19):

- a. Good People,
- b. Good Policy,

- c. Good Supervision,
- d. Good Discipline.
- e. Good Training.

Show Gordon Graham Video "The Value of Training"

LEARNING ACTIVITY: Students will be divided into equal groups. Students will be asked to identify two critical tasks associated with their current job assignment. The groups will discuss their critical tasks and what policies, procedures, and laws are associated with each of the tasks.

H. THE THRESHOLD INCIDENT (SHOW SLIDES 20-22):

1. Recognize the incidents that have a high probability of ending up in litigation. These are the ones that need your extra attention. Encounter incidents and do the job right.
2. Injuries or property damage caused by us.
 - a. Taking or damaging property could trigger litigation.
 - b. Injury that we cause or just being at the scene could trigger litigation.
3. Injuries that require hospitalization in which we are at the scene.
4. Being threatened with a lawsuit or a personnel complaint (1.28) could trigger litigation.
5. Reduce civil liability by identifying the incidents most likely to result in civil litigation against the Department.

I. THE ALERT (AREA LIABILITY INCIDENT RESPONSE TRAINING) PROGRAM (SHOW SLIDES 22):

1. A uniform method for capturing and retaining information that is germane to a civil lawsuit, which may not be available or retrievable at a later time. Department-wide coordination with Risk Management Division in the preparation for civil cases.
2. The *ALIRT program* is, by design, flexible enough to accommodate the specific needs of each area. The most important element of this program is the liaison between each Area's *ALIRT* coordinator and Risk Management Division.
3. Every moment that passes from the time of the incident, the more difficult it becomes to prove what did or did not occur. It is up to you to recognize a critical incident and initiate the proper documentation.
4. Remember that the elements required to successfully prosecute a case in criminal court may be substantially different than those needed to defend a case in civil court.

J. INCIDENT DOCUMENTATION (CONSENT DEGREE) (SHOW SLIDES 23-24):

1. What is documentation?
 - a. Management's way of monitoring what personnel are doing,
 - b. What happened during an incident for criminal prosecution?
 - c. Defense in civil court,
 - d. Learn about mistakes, so policy and training can be updated.
2. Civil cases are built on discovery and juries view the loss, destruction, or failure to gather exculpatory evidence with extreme suspicion. Gather and preserve complete and consistent documentation of the "critical incidents". **(Core Value)**
3. Take the time to do it right the first time, think before you write. **(Core Value)**
4. Think who you are writing for and include details of the incident. Complete and accurate reports, making sure you include 5 W's & 2 H's (Who, What, Why, When, Where, How, and How Many).
5. Focus on articulating probable cause and reasonable suspicion.
6. Always proofread and review by all parties involved.
7. Jurors believe if it isn't reported then it probably didn't happen.
8. The longer time passes from the incident, the more difficult it becomes to prove exactly what happened. Get the proof immediately and take the time to document exactly what happened.

K. WITNESSES (Show slide 25):

1. Identify all witnesses even ones who indicate they didn't observed incident.
2. Record all statements if possible including exact location of witnesses, and date, and time of incident.
3. Thoroughly identify witnesses so you can locate years later.

L. PHYSICAL EVIDENCE (Show Slide 26):

1. Gather all, leave nothing behind.
2. Loss, destruction, or failure to gather is very suspicious to jurors.
3. Communication and audio tapes.

M. PHOTOGRAPHS AND VIDEOS (Show slide 27-28):

1. Photograph/Video incidents with high probability of litigation.
2. Photograph/Video injuries that are observed or not.
3. Remember a picture is worth 1,000 words.

LEARNING ACTIVITY: Students will be divided into three equal groups and be given a real world scenario of an incident. Each group will be given a unique task to identify the pre-incident issues, post incident issues, and critical tasks associated with the incident.

N. OVER 90% OF CIVIL LAWSUITS AGAINST THE LAPD INVOLVE: (Show slides 29-48) The Lawsuit (Consent Decree):

1. Driving areas of liability.
 - a. We have the skills although we use poor judgement.
 - b. Majorities of traffic collision lawsuits are not related to pursuits or code 3 operations.
2. Use of Force areas of liability.
 - a. Knowing and understanding the policy and procedures related to use offeree, b. Documenting by clearly articulating facts related to the incident.
3. Detention and Arrest areas of liability. **(Consent Decree)**
 - a. Understanding the 4¹¹ amendment.
 - b. Understanding and being able to articulate the difference between an arrest and detention.
 - c. Knowing and understanding the laws associated with detentions and arrests,
 - d. Understanding the role of a witnesses. (*Legal Bulletin Vol. n, issue 2, dated 7/21/93*)
 - e. Following the booking approval policy.
4. Search areas of liability **(Consent Decree)**.
 - a. Understanding searches and importance of documentation.
 - b. Role of the affiant and accuracy of documentation.
 - c. Department has liability if you have no probable cause. (*Legal Bulletin Vol. n, issue 1, O/16/87*)

- d. No murder Scene exception. (*Legal Bulletin Vol. 10, Issue 2, 6/28/85*).
 - e. Release of property taken pursuant to a search warrant.
5. Off-duty incident areas of liability (**Consent Decree**).
- a. Understanding and knowledge of 830.1 of the Penal Code.
 - b. Knowledge and understanding of Department policy associated with off-duty conduct.
 - c. Civil litigation associated with off-duty conduct.
6. Employee Relation areas of liability (**Consent Decree**).
- a. Sexual harassment.
 - b. Discrimination.
 - c. Hostile work environment.
 - d. Retaliation.
 - e. Discipline and wrongful termination.
 - f. These cases affect the entire workplace and everyone suffers.

O. SUMMONS AND COMPLAINT (Show slide 49):

- 1. State vs. Federal.
 - a. Time needed to respond: 20 days Federal & 30 days State,
 - b. Acceptance of the complaint.

P. REQUESTING REPRESENTATION (Show slides 50):

- 1. The 15.7.
 - a. Hand carry summons and complaint to Risk management Division within 5 days and complete 15.7 requesting representation.
 - b. Must be approved by Chief of Police. If Chief denies, it goes to the City Attorney. If conflict still exists, then the City Counsel will decide.
 - c. Comply with LAPD Manuel 3/782.30.
 - d. Late 15.07 could result in default judgement of loss forum.

Q. OFFICERS ROLE (Show slides 51):

1. Meet with City Attorney.
2. Return phone calls and pages, judges sometimes only give minutes notice.
3. Respond to letters and memos.
4. Advise City Attorney of conflicts.
5. Remember silence is golden. Do not discuss your case with others.

R. RISK MANAGEMENT INVESTIGATOR ROLE (Show slide 52):

1. Assist the City Attorney with the investigation.
2. Handle discovery request.
3. Locate and interview witnesses.
4. Provided insight into the case and assist City Attorney with walk throughs.
5. Attorney-client and work product privileges.
6. Liaison with City Attorney and Defendant officer.

S. DISCOVERY (Show slide 53-55):

1. Paper trial where opposing sides gather ammunition to prevail.
2. Plaintiffs are entitled to all related documents.
 - a. Personnel documents requires Pitchess Motion in State court,
 - b. Federal court gives no protection of personnel documents.
3. Interrogatories.
 - a. Written questions answered under penalty of perjury, b. They are used to impeach at trial or deposition. c. Answered only with assistance from City Attorney
4. Depositions.
 - a. Oral questioning under penalty of perjury opposing attorneys,
 - b. Used to impeach or pin you down.
 - c. Any party, attorneys, and investigating officer can attend depositions.

T. DAMAGES (Show slides 56-59):

1. Compensatory Damages.
 - a. City pays if working within scope of employment at time of incident,
 - b. Employee must cooperate in good faith in defense of action.
2. Punitive Damages.
 - a. Damages to punish you for your actions.
 - b. City can not be held liable for punitive damages, although can pay if:
 - i. Employee acted within course and scope of employment.
 - ii. Employee acted in good faith, without malice, best interest of public.
 - iii. Payment is in the best interest of the City.
 - iv. Council doesn't have immunity from lawsuits when voting to pay.

U. SETTLEMENTS (Show slides 60):

1. Court often mandated.
2. City initiates where liability is clear.
3. City is self-insured; thus taxpayer pays all costs (expenses and verdicts).
4. City Council must balance the financial interest of taxpayer, morale of City employees and will it cost more later if we don't settle now.

V. ADVANTAGES OF SETTLEMENTS (Show slide 62):

1. Eliminates punitive damages.
2. Eliminates additional discovery.
3. No stress of a trial and provides closure.

W. DISADVANTAGES OF SETTLEMENTS (Show slide 61):

1. Employee may see settlement as an admission by the city, that he or she did something wrong.
2. No vindication of the employees name and reputation.

X. THE TRIAL (Show slides 63-68):

1. Be prepared and only review material given to you by your attorney.
2. Wear court attire.

3. No guns in court.
 - a. Defendants in state court are prohibited to have guns in court per Penal Code Section 171 (B)(2)(b).
 - b. No firearms are allowed in Federal court.
4. Cases can go on for years.
 - a. State Court cases should be brought to trial within five years of filing date.
 - b. Federal Court has no statute and the judge decides when he or she wants to hear the case.
5. Stress is a very real part of the process. Advise your attorney if you think it may interfere with your ability to concentrate during any phase of the case.
6. Demand excellence,
 - a. Ask questions,
 - b. Know what is going on with your case.
- c. Stay in touch with your attorney and investigator,
- d. Be part of the team.

XVIII. THE ROLE OF THE PUBLIC DEFENDER

LEARNING ACTIVITY: WHITEBOARD EXERCISE UTILIZING THE OVERHEADS- TO IDENTIFY THE ROLE OF THE PUBLIC DEFENDER

INSTRUCTIONAL GOAL: To provide the student with a better understanding of the role of the Los Angeles County Public Defender.

PERFORMANCE OBJECTIVES:

- The student will understand the role the Public Defender must play in the court room
- The student will be able to identify how the law protects defendants and their rights to counsel
- The student will have a better understanding of how to be a more effective witness in court

INTRODUCTION

INTRODUCTION OF INSTRUCTOR

OVERHEAD – COUNT THE NUMBER OF TIMES THE LETTER “F” APPEARS IN THE PARAGRAPH

1. POOL CLASS FOR THEIR ANSWERS

2. IDENTIFY YOUR CERTAINTY BETWEEN 1-10

INTRODUCTION OF BRAINSTORMING EXERCISE

D. PRESENTATION OF HYPOTHETICAL CASE

(**CORE VALUE:** Reverence for the law/ Integrity in all we say and do)

1. PRESENT OVERHEAD:

In the hypo the police officer makes arrest of a driver for DUI. When the driver attempts to exit his vehicle he falls to the pavement and injures his head. The passenger accuses the officer of having assaulted the driver with a baton. A paramedic who arrives to assist the driver notices blood on the tip of the officer's baton and reports the incident to the prosecutor who has now filed a criminal complaint against the officer. Each police officer in the audience is directed to imagine himself/herself to be the accused officer. The speaker is the officer's attorney. The purpose of the brainstorming is to identify what the attorney is to do for the client (officer).

E. BRAINSTORMING ACTIVITY

The audience is then given approximately ten minutes to describe the role of the attorney. The speaker records the audiences responses on the blackboard. At the conclusion of this first phase of the brainstorming the speaker then reviews the points made by the audience engaging them in discussion regarding the scope of the suggestions.

F. OPEN DISCUSSION REGARDING THE ETHICAL LIMITS OF DEFENSE REPRESENTATION (**CORE VALUE-**Commitment to service)

Invariably the audience suggests that among the things to be done by defense counsel is impeachment of the passenger. The speaker then produces nearly 20-year old newspaper articles in which the passenger is depicted to have made racist remarks. The speaker then queries the audience whether it is appropriate to impeach the passenger with these prior statements. A parallel is then drawn to the criticism by some police officers lodged against defense counsel in the O.J. Simpson case for having played the "race card." Also as part of the role-play, the client changes his version of the facts, now confessing his guilt to the defense attorney. This allows for a discussion of the question of the role of the attorney when he "knows" his client is guilty, and the limits of subornation of perjury.

G. UNITED STATES SUPREME COURTDDESCRIPTION OF DEFENSE ROLE

At the conclusion of the interaction with the audience the speaker then displays overhead slides of the description of the role of the defense counsel as presented in a concurring opinion in United States v. Wade.

H. CONCLUSION

Having provided the role of defense counsel, the speaker then gives some pointers regarding how a police officer can enhance his credibility with a jury, now that he understands the role of the defense attorney.

WHATS AHEAD IN HOUR 28:

CORE VALUE: REVERENCE FOR THE LAW (XXI- A-1, E-1)
RESPECT FOR PEOPLE (XXI D- 1)
HANDOUT: JUVENILE LANGUAGE VS ADULT LANGUAGE IN COURT

LEARNING ACTIVITY: QUESTION/ANSWER REGARDING ROLE OF THE DISTRICT ATTORNEY / DIFFERENCES IN TERMINOLOGY

XIX. THE ROLE OF THE LOS ANGELES COUNTY DISTRICT ATTORNEY

INSTRUCTIONAL GOAL: To provide the student with an understanding of the Role of the Los Angeles County District Attorney, in regards to juvenile case filings.

PERFORMANCE OBJECTIVES:

- The student will have an understanding of the role of the District Attorney in regards to Juvenile filings and adjudications.
- The student will be able to identify the differences in the language used in juvenile/ adult matters in the court system.

A. INTRODUCTION

1. GOALS OF JUVENILE LAW (CORE VALUE- Reverence for the law)
 - a. Protection of Society
 - b. Rehabilitation of minor
 - c. Underlying legislation

B. ROLE OF THE FILING DISTRICT ATTORNEY

1. SORT THRU INCOMING NON-DETAINED PETITIONS
2. FORWARD ALL 652 WIC CASES TO PROBATION
3. REJECT FOR FURTHER INVESTIGATION
4. FILE APPROXIMATELY 85% OF CASES

C. ROLE OF COURT DISTRICT ATTORNEY

1. ARRAIGN MINOR
2. EVALUATE DISPOSITION
3. PREPARE FILE AND RESPOND TO MOTIONS
4. PREPARE FOR TRIAL
5. PRESENT ADJUDICATION
6. ADVOCATE AT DISPOSITION

D. JUVENILE LINGO /DIFFERENCES BETWEEN JUVENILE AND ADULT TERMINOLOGY (CORE VALUE-Respect for all people)

1. SEE HANDOUT

E. TYPES OF PETITIONS (CORE VALUE-Reverence for the law)

1. DETAINED
2. NON-DETAINED
3. WARRANT

F. TIMELINES

1. NON DETAINED CASES WITHIN 7 DAYS OF ISSUING CITE
2. DETAINED MISDEMEANORS MUST BE FILED WITHIN 24 HOURS AFTER ARREST
3. DETAINED FELONIES MUST BE FILED WITHIN 48 HOURS AFTER ARREST

F. GLADYSS R.

1. APPLIES TO MINOR UNDER 14 YEARS OF AGE
2. MINOR MUST KNOW THE WRONGFULNESS OF THEIR OFFENSE
3. MINOR MUST KNOW RIGHT FROM WRONG
4. KNOWLEDGE MUST BE POSSESSED PRIOR TO THE CRIME

G. PROPOSITION 21

1. GANG VIOLENCE AND JUVENILE CRIME PREVENTION ACT OF 1998
2. CAME INTO EFFECT MARCH 8, 2000
3. RECENT APPELLATE COURT DECISIONS

- H. QUESTION/ANSWER REGARDING JUVENILE TERMS AND THE VARIOUS ROLES OF THE DISTRICT ATTORNEY'S OFFICE

XX. JUVENILE NARCOTICS

LEARNING ACTIVITY: OPEN DISCUSSION REGARDING JUVENILE NARCOTIC USAGE

INSTRUCTIONAL GOAL: To provide the student with a better understanding of the role of Juvenile narcotics Division. To assist the student in being able to identify the most common street drugs used by juvenile offenders.

PERFORMANCE OBJECTIVES:

- The student will be able to recognize the three A's of drug usage
- The student will be able to identify common narcotic trends among juvenile offenders
- The student will identify the most common drugs of choice by juvenile offenders

A. ORGANIZATION OF JUVENILE NARCOTICS SECTION

1. IDENTIFY CURRENT PROBLEMS (LEGALIZATION OF NARCOTICS)
2. DEPARTMENTS EFFORTS TO COMBAT NARCOTIC USAGE AMONG YOUTH (CORE VALUE-Commitment to leadership)
3. ORGANIZATION OF JUVENILE NARCOTICS SECTION

BUREAU UNITS

1. **WEST BUREAU**
 - a. Wilshire Area
 - b. Hollywood Area
 - c. Pacific Area
 - d. West Los Angeles Area
2. **CENTRAL BUREAU**
 - a. Central Area
 - b. Northeast Area
 - c. Rampart Area
 - d. Hollenbeck Area
 - e. Newton Area
3. **SOUTH BUREAU**
 - a. 77th Street Area
 - b. Southeast Area
 - c. Southwest Area
 - d. Harbor Area
4. **VALLEY BUREAU**

- a. Van Nuys Area
- b. North Hollywood Area
- c. West Valley Area
- d. Devonshire Area
- e. Foothill Area

B. RESPONSIBILITIES OF THE BUREAU UNITS (CORE VALUE- service to our communities)

1. City-wide responsibility for petition requests on juvenile offenders arrested for narcotics offenses.
2. Responsibility to conduct in-depth cite-back interviews, paying attention to the obtaining of correct information.
3. Active field enforcement of juvenile narcotics problems within the City of Los Angeles, paying particular attention to the numerous schools within the City limits.
4. Responsibility to gather and compile intelligence relating to juvenile narcotics trends. Responsibility to impart this information to the community via community meetings and classes.

C. SCHOOL INVESTIGATION BUY UNIT

1. General discussion of the school unit and its responsibilities.

D. COMPLAINT INVESTIGATION BUY UNIT RESPONSIBILITIES

1. City-wide responsibility of the 3.19's involving juveniles.
2. Responsibility to gather and compile juvenile narcotics related intelligence.
3. Serve the community by responding directly to their complaints regarding narcotics problems.

WHAT'S AHEAD IN HOUR 30-31:

CORE VALUE: INTEGRITY IN ALL WE SAY AND DO (XXII-E-1-6)
SERVICE TO OUR COMMUNITIES (XXII-E-1-6)

VISUAL: SLIDE PRESENTATION (PRIOR ARREST CASES)

LEARNING ACTIVITY: IDENTIFICATION OF NARCOTICS THROUGH DISCUSSION

**E. DISCUSSION OF THE NARCOTICS TRENDS WITHIN THE JUVENILE POPULATION (SLIDE PRESENTATION ALONG WITH DISCUSSION)
(CORE VALUE- Integrity in all we say and do/Reverence for the law)**

1. DRUG USE BY JUVENILES

- a. Discuss the three "A" formula of drug use within the juvenile population. Show the direct affect that the increase in availability has on acceptability and affordability.

2. TRENDS OF DRUG USE WITHIN THE JUVENILE POPULATION

- a. Alcohol is the number one choice for juveniles. This can be directly related to the three "A" formula. Show the contrast side to a drug such as heroin.
Note: Show slide of heroin addict with needle in arm.

3. MARIJUANA: Discuss that marijuana continues to be a big problem in today's society.

Discuss:

- a. the T.H.C. content of marijuana has jumped from 3-5% in the 60's to 15-17% today and continues to rise
- b. method of ingestion used increasingly by juveniles, leans toward quantity
- c. the profit motive of drug manufacturers , dealers and the huge peripheral industries that surround marijuana.

4. METHAMPHETAMINE- DISCUSS:

- a . use by juveniles has shot up-refer to the increase in availability
- b. methods of ingestion
 - c. objective symptoms and physiological affects
 - d. change in production techniques and those who control production
 - e. appearance and packaging

5. COCAINE: DISCUSS

- a. use by juveniles about the same in numbers
- b. mostly rock-cocaine
- c. methods of ingestion
- d. symptomology and physiological affects

6.. HEROIN: DISCUSS

- a. use by juveniles has gone up
- b. reasons for increase; media, club scene, bad information , methods of ingestion.
- c. symptomology and physiological affects
- d. appearance and packaging of heroin-mostly tar.

7. INHALANTS: DISCUSS

- a. wide use by juveniles mostly due to extreme availability
- b. toluene substances
- c. nitrous compounds
- d. horrible neurological damage, irreversable

8. EXOTICS: DISCUSS-(SHOW PHOTOS)

- a. ghb
- b. extacy
- c. roofies
- d. k.a.t
- e. ketamine

9. PARAPHERNALIA: DISCUSS

- a. use and function

F. QUESTION /ANSWER WITH CLASS