STATUTE AND ORDINANCE NUMBERS FOR JUVENILE CITATIONS

(Prepared by Juvenile Specialist Susan J. Carstens, Crystal Police – August 2011)

The following violations are prosecuted through delinquency court:

Curfew - ***Henn. Cty Ord. 16*** – use this Ord. # for all juveniles regardless of age.

Consequence: Each offense is a $50 fine or 1 day of STS – there is no mandatory court appearance and the fine remains the same regardless of how many citations a youth receives.

Henn. Cty. Ord. 16 (3D) - For **parents or guardians** who allow child to violate curfew; misdemeanor complaint to HCAO.

Henn. Cty. Ord. 16 (3E) - For **businesses** who allow violations of curfew in their establishments.

Tobacco - ***M.S. 609.685 (3)*** - Covers possession, chewing, ingesting, purchasing or attempting to purchase.

Consequence: $50 fine or 1 day STS; $100 fine or 2 days of STS if on school property; may take a class in lieu of a fine or STS.

Alcohol - ***M.S. 340A.503 (1)*** - **Consumption**
M.S. 340A.503 (2) - **Purchase**
M.S. 340A.503 (3) - **Possession**
M.S. 340A.503 (5) - **Misrepresenting Age**

Consequence/Juvenile: $100 fine or 2 days of STS or health class attendance for 1st and 2nd violations; 3rd and subsequent violations require a mandatory court appearance; a school notification will be made.

Consequence/ 18-20: 1st is generally $100 fine and attendance at a one-day health class; 2nd or 3rd may result in a CD evaluation & treatment.

Marijuana - ***M.S. 152.027 (4)*** - **Possession of Small Amount**
M.S. 152.027 (3) - **Small Amt. in Motor Vehicle**

Consequence: $100 fine, attendance at health class, or 1 day STS; 2nd requires a mandatory court appearance; school notification will be made.

Drug Paraphernalia Possession - ***M.S. 152.092***

Consequence: $100 fine, attendance at health class, or 1 day STS; 2nd requires a mandatory court appearance; school notification will be made.

NOTE: It may take several weeks for a letter from the court to be sent to parents outlining the situations and actions to be taken once a citation has been issued. Questions regarding citations can be directed to 612-348-4822 or to the main Juvenile Court line at 612-348-7916.

OVER

These violations come under the jurisdiction of CHIPS Court:

Runaway - ***M.S. 260C.007(28)***

Consequence: Citations are no longer issued to juvenile runaways; there are no court consequences; only voluntary social services are available through Hennepin County's Front Door (612-348-4111) and other agencies.

Truancy – ***M.S. 260C.007 (19)*** Habitual Truant – 7 unexcused absences; only school personnel may make referrals to Juvenile Court; police have **NO** enforcement powers with truancy.
M.S. 120A.22 (5, 8) Must attend school until 18 years of age.
M.S. 260C.143 (4) Police may take truant into custody & transport to school, home, or a truancy service center.

NOTE: Police have no enforcement powers with truant youth, only authority to take them into custody from the public streets or their homes and transport them to school or a parent.

Emancipation – *M.S. 260C.201 (1,4):*

There is **NO** legal emancipation procedure in the state of Minnesota except marriage (*M.S. 517-02).* If a youth is under the jurisdiction of the Juvenile CHIPS Court and the court believes the child has sufficient maturity and judgment and it is in the best interests of the child, and the County Board has authorized the plan, the Court may allow a youth to live independently, either alone or with others as approved by the court under supervision the court considers appropriate. This does not necessarily relieve parents of complete responsibility for their child but the child may have to be accountable to the Court for their actions.

Other Common Violations that go through juvenile delinquency court:

609.52 – Theft; Subd. 2 (17) MV Theft
609.53 – Poss. Stolen Prop.
609.506 – False Information
609.224 – Assault
609.79 – Harassing Communications
609.505 – False Report
609.821 (2,1)-Financial Trans. Card Fraud
609.487 (6) – Fleeing on Foot
609.546 (1) - MV Riding; (2) Tampering
609.50 – Obstructing
609.595 – Damage to Property
609.72 – DOC
609.713 – Terroristic Threats
609.66 – Dangerous Weapons
609.71 – Riot
609.605 - Trespass

Miscellaneous:

628.26 - Statute of Limitations
260C.425 - Contributing to Status Offense of Juvenile
299C.10 – Photos and Fingerprints of Juveniles
626.556 - Mandatory Child Abuse Reporting Law – Misdemeanor

Traffic - *M.S. 260B.225 (4, 1-3):*

- Juvenile court handles all traffic offenses for juveniles age 10 to 15 and for 16 to 17 year old youth who commit misdemeanor traffic offenses other than DWI.
- Adult Court handles petty misdemeanor traffic and DWI for those 16 or 17.
- Police paperwork is same for all juveniles regardless of age, except that a narrative needs to accompany all traffic citations that will end up in juvenile court; the Violations Bureau will send the reports to the proper court division.