

Weapons in School

1. Upon notification by school personnel that a student or other youth has engaged in conduct which violates this policy or other law, the appropriate law enforcement agency shall respond to the location and conduct its investigation. The responding agency will determine if there is probable cause to believe that a juvenile has violated the policy or other law. The agency shall then advise the Juvenile Department of the circumstances and the Juvenile Department shall appear forthwith, and at the conclusion of any further investigation by the agency, take custody of the youth(s).
2. The Juvenile Department shall make reasonable efforts to contact both parents or all guardians and adults responsible for the care and control of the youth, advise them of the circumstances and require their immediate presence at a specific location (Court, Juvenile Department, Law Enforcement Agency, to be determined by circumstances). Notwithstanding the physical presence of either or both parents, guardians or responsible adults, the Juvenile Department may proceed as hereinafter provided upon such notice as may be reasonable under the circumstances.
3. The Juvenile Department shall take the following actions:
 - a. In the event that the responding agency has determined that probable cause exists to believe that the youth has used a dangerous weapon, the Juvenile Department shall cause the youth to be placed in detention, or, if the acts constitute a violation of Ballot Measure 11, if the youth is 16 years of age or older, and has been charged by the District Attorney, the youth shall be lodged in the Malheur County jail.
 - b. In the event that the responding agency has determined that probable cause exists to believe that the youth was in possession of a weapon and has threatened its use, the Juvenile Department shall prepare an appropriate Juvenile Petition and shall forthwith take the youth before the court, which shall conduct a hearing to consider custody options.

Note: In the event that a youth meets all the provisions of Section a and/or b of this policy, the Juvenile Department shall enter into a written safety plan, prior to the youth returning home, and the plan shall require all weapons be removed from the home or secured where the youth is unable to gain possession of those weapons.

- c. When probable cause exists that the youth was in possession of a weapon, and the weapon not used, nor any other threat made of use, the Juvenile Department shall assess the risk of harm to the public's safety and may require a mental health assessment. Based upon its assessment, the Juvenile Department may release the youth to the parent(s), guardian, or a responsible adult on such terms and conditions as it deems appropriate; cause the youth to be placed in detention if the youth is currently on probation; or to take the youth before the Court for a release hearing.

- d. If probable cause exists to believe that the youth was not in possession of a weapon, but threatened violence involving the use of a weapon, the Juvenile Department shall assess the risk of harm to the public's safety and may require a mental health assessment. Based upon its assessment, the Juvenile Department may release the youth to the parent(s), guardian, or a responsible adult on such terms and conditions as it deems appropriate; cause the youth to be placed in detention if the youth is currently on probation, or to take the youth before the Court for a release hearing.
5. The policy shall not be construed to limit or modify the rights, rules, regulations, or policies of any school or school district to impose administrative sanctions for any of the acts described herein.