



Approved:

Chief Marcia Harnden

Subject:

538. Child and Dependent Adult Safety

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538.1: PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the [Child Abuse: Policy 515](#) and the [Adult Abuse: Policy 534](#).

538.2: POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Albany Police Department will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected including call-out availability and follow-up responsibilities.

538.3: PROCEDURES DURING AN ARREST

- a. When making an arrest or prolonged detention, officers should inquire if the arrestee or detainee is responsible for any children or dependent adults who are without appropriate supervision. The following steps should be taken:
 - 1) Inquire about and confirm the location of any children or dependent adults;
 - 2) Look for evidence of children and dependent adults. Officers should be mindful that arrestees may attempt to conceal the fact that they have a dependent adult for fear that the individual may be taken from them.
 - 3) Consider inquiring of witnesses, neighbors, friends, and relatives of the arrestee or detainee as to whether the person is responsible for a child or dependent adult.
- b. Whenever practical, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of their child or dependent adult.

- c. Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care.
 - 1) If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that they will receive appropriate care.

538.3.1: AFTER AN ARREST

- a. Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.
- b. Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:
 - 1) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
 - A. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
 - 2) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care.
 - A. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
 - 3) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
 - 4) Notify Department of Human Services, as appropriate.
 - 5) Notify the Shift Supervisor of the disposition of children and/or dependent adults.
- c. If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

538.3.3: REPORTING

- a. For all arrests where children are present or living in the household, and are left in the care of someone other than a parent or legal guardian, the reporting member will document the following information for each child:
- 1) Name;
 - 2) Sex;
 - 3) Age;
 - 4) Special needs (e.g., medical, mental health);
 - 5) How, where, and to whom or with which agency the child was placed;
 - 6) Identities and contact information for other potential caregivers;
 - 7) Notifications made to other adults (e.g., schools, relatives).
- b. For all arrests where dependent adults are present or living in the household, and are left in the care of someone other than a legal guardian, the reporting member will document the following information for each dependent adult:
- 1) Name;
 - 2) Sex;
 - 3) DOB;
 - 4) Contact phone number and where the child and caregiver will be for the next 24 hours;
 - 5) Whether the dependent adult reasonably appears able to care for themselves.

Disposition or placement information if the dependent adult is unable to care for themselves.

538.3.4: SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

538.4: DEPENDENT WELFARE SERVICES

- a. Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service

or other department-approved social service to determine whether protective custody is appropriate.

- b. Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked law enforcement vehicle or taken into formal protective custody.
- c. Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

538.5: TRAINING

The Administrative Lieutenant is responsible to ensure that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.