

**POLICY
380**

**EFFECTIVE
DATE
11-21-17**

**Eugene
Police Department**



Child Safety Policy

380.1 PURPOSE AND SCOPE

The Eugene Police Department recognizes that children who are subjected to traumatic events, such as the arrest of a parent or guardian, may experience negative emotional effects that can last throughout the lifetime of the individual. After such an event the child may not receive the appropriate care, which can lead to further emotional or physical trauma. This policy is intended to provide guidelines for officers to take reasonable steps to minimize the impact to the child when it becomes necessary to take action involving the child's parent or guardian.

380.1.1 POLICY

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

380.2 PROCEDURES DURING AN ARREST

When encountering an arrest situation officers should make reasonable attempts to determine if the arrestee is responsible for minor dependent children. In some cases this is obvious, such as when children are present. However, officers should inquire if the person has any other dependent minor children who are without appropriate supervision.

The following steps should be taken:

- (a) Inquire about and confirm the location of any dependent minor children.
- (b) Look for evidence of children. Officers should be mindful that some arrestees may conceal the fact that they have dependent children for fear their children may be taken from them.
- (c) If necessary, contact additional sources of information (e.g., witnesses, neighbors, friends or relatives of the arrestee) who may be able to provide information as to whether the person is responsible for a dependent child.

Whenever possible, officers should take reasonable steps to accomplish the arrest of a parent or guardian out of the presence of his/her child. Removing children from the scene in advance of the arrest will generally ensure the best outcome for the child.

Whenever it is safe to do so, officers should allow the parent to assure children that they will be provided care. If this is not safe or if the demeanor of the in-custody parent suggests this conversation would be nonproductive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the children that both parent and children will receive appropriate care.

380.2.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered dependent minor children.

Officers should allow the arrestee reasonable time to arrange for care of minor children. Temporary placement of the child with family or friends may be appropriate. However, a decision should give priority to a childcare solution that is in the best interest of the child. In such cases the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of minor children with a responsible party, as appropriate.
 1. Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent's judgement regarding arrangements for child care. It is generally best if the child remains with relatives or family friends the child knows and trusts. Consideration regarding the child's familiarity with the surroundings, comfort, emotional state, and safety should be paramount.
 2. Except when a court order exists limiting contact, the officer should attempt to locate and place dependent children with the non-arrested parent or guardian.
 - (a) Provide for the immediate supervision of minor children until an appropriate caregiver arrives.
 - (b) Notify Child Protective Services if appropriate.
 - (c) Notify the field supervisor or Watch Commander of the disposition of minor children.

If children are at school or at a 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 parent's arrest and of the arrangements being made for the care of the arrestee's children, and then record the result of such actions in the associated report.

380.2.2 DURING THE BOOKING PROCESS

During the booking process the arrestee will be allowed to make additional free local phone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any minor dependent child. These phone calls will be given as soon as practicable, and are in addition to any other phone calls allowed by law.

380.2.3 REPORTING

For all arrests where children are present or living in the household, the reporting employee will include information about the children, including names, gender, age, and how they were placed. A copy of the report should be routed to DHS (SCF).

308.3 CHILD WELFARE SERVICES

Whenever an arrestee is unwilling or unable to arrange for the appropriate care of any dependent minor children, the handling officer should consider taking children into protective custody and placing them with the appropriate child welfare service or other department-approved social service.

Only when other reasonable options are exhausted should a child be transported to the police facility or taken into formal protective custody.

Under no circumstances should a child be left unattended or without appropriate care.

PETE KERNS
Chief of Police