

# Addressing the Needs of Children of Arrested and Incarcerated Parents

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# San Francisco Police Department's Children of Arrested Parent's Policy Goals

- ▶ Provide children a supportive environment during & after their parent's arrest
- ▶ Minimize trauma to children
- ▶ Determine best & safe alternative care for children with input from parent

Responding officers shall assist FCS by adhering to the following procedures:

- A. When making an arrest, officers shall inquire about the presence of children for whom the arrested adult has responsibility. If the arrest is made in a home environment, officers should be aware of items which suggest the presence of children such as toys, clothing, formula, bunk bed, diapers, etc.
- B. If it is safe to do so, officers should attempt to make the arrest away from the children or at a time when the children are not present.
- C. If it is safe to do so, officers should allow the arrested parent to assure the children that they will be safe and provided for. If it is not safe or if the demeanor of the in-custody parent suggests this conversation would be non-productive, an officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurances to the children that both parent and children will be cared for.

- D. When planning an arrest or search warrant, officers shall consider the ages and likely location of the children when determining the time, place and logistics of executing the arrest and/or search warrant.
- E. If children are present, officers shall determine whether the non-arrested parent, an adult relative, or other responsible adult (i.e. godparent, adult neighbor) is willing to take responsibility for the children. Members shall conduct a preliminary criminal background check and contact FCS to determine if the person willing to take responsibility for the children has a history of child abuse. Any history of sexual crimes, 290 PC registration status or violence against children makes the adult ineligible to assume responsibility for the children. However, this does not apply to the non-arrested parent unless there is a court order limiting contact with the children. In any event, officers shall notify the FCS worker of the intended placement. *(Refer to DGO 7.01 III A, 1 through 6 for 300 W&I criteria)*
- G. If the arrested parent's children are at school at the time of the parent's arrest, in addition to contacting FCS, the responding officer shall contact the School Resource Officer (SRO) of that school. If the SRO is not available, the responding officer shall advise the school principal or the principal's designee of the parent's arrest and provide placement information if it is available.

# Highlights of SFPD's Children of Arrested Parent's Policy

Requires officers to ask ALL arrestees whether they take care of a child under 18 years old

Instructs officers to look for signs at the scene that an arrestee has a child.



Permits arrested parents to designate who should care for their child & to arrange this care.





This ensures that children and youth are not left alone or do not return to an empty home after their parent's arrest.



The policy permits arrested parents to reassure their children and say good-bye when safe to do so.



Officers explain the reason for arrest and reassure the child that both parent & child will be cared for when parent cannot provide this reassurance.



The policy instructs officers to handcuff parents outside the presence of their children.



The policy requires officers to consider ages and likely location of children when executing an arrest or search warrant.



- ▶ Officers conduct a background check on the adult the parent designates to care for their child.




# San Francisco Children of Incarcerated Parents (SFCIPP)

Coalition of community-based organizations, city agencies & law enforcement that established:


- ▶ Children of Arrested Parent's Policy
- ▶ Bill of Rights for Children of Incarcerated Parents
- ▶ Family-focused jail visits
- ▶ Project WHAT

# Project WHAT: Support For and Advocacy By Youth Whose Parents Are Incarcerated

Support Community Works (<https://app.etapestry.com/hosted/CommunityWorks/C>)



**Project WHAT!**  
We're Hiring Youth!



Project WHAT! We're Here And Talking

# Bill of Rights for Children of Incarcerated Parents

1. Right to be kept safe & informed of parent's arrest
2. Right to be heard when decisions are made about me.
3. Right to be considered when decisions are made about my parent.
4. Right to be well cared for in my parent's absence.



5. Right to speak with, see and touch my parent.
6. Right to support as I face my parent's incarceration.
7. Right not to be judged, blamed or labeled because my parent is incarcerated.
8. Right to a lifelong relationship with my parent.

# Resources

- ▶ SF Children of Incarcerated Parents Partnership  
<http://www.sfcipp.org>
- ▶ International Assoc. of Chiefs of Police  
Safeguarding Children of Arrested Parents  
<http://www.iacp.org/childrenofarrestedparents>
- ▶ Urban Institute  
<http://www.urban.org/sites/default/files/publication/53731/2000254-Toolkit-for-Developing-Parental-Arrest-Policies.pdf>

# PACT Santa Clara County - children visiting in custody parents

- ▶ The Santa Clara County Sheriff's Office Custody Division has a program called PACT "Parents and Children Together" at Elmwood for both men and women. This program consists of parenting classes and weekly contact visits between incarcerated mothers and their children. Each week, the mothers set up a playroom in the facility, making each child's visit to the facility a positive and enjoyable experience.

# PACT Santa Clara County - children visiting in custody parents

These are the average per class for Men and Females.

Classes are on Tuesdays for Men and Friday for Females.

There are two classes per day with an AM and PM class.

Both AM & PM classes have children in attendance.

Gender	Agency	Average of Adults	Average # of Children in Visits
M	PACT	12	11
W	PACT	10	5
Average		11	8

# JOINT RESPONSE

## Santa Clara County

- ▶ Law enforcement officers/DFCS investigating suspected acts of child death, physical abuse, severe neglect, sexual abuse, kidnapping, and parental child abduction should immediately, or as soon as practically possible, contact DFCS/Law Enforcement.

# JOINT RESPONSE

## Santa Clara County

- ▶ Whenever possible, the investigating officer shall coordinate the investigation with the DFCS worker while being mindful that the officer's investigative focus may differ from that of the DFCS worker. The investigating officer should include the DFCS worker in interviews with the child victim and family whenever possible.
- ▶ Whenever possible, the DFCS social worker shall coordinate the investigation with the law enforcement officer while being mindful that the officer's investigative focus may differ from that of the DFCS worker. The social worker should include the investigating officer in interviews with the child victim and family whenever possible.
- ▶ State law authorizes the investigating officer and DFCS worker to share relevant information relating to the investigation of child abuse and neglect. (W&I § 827)

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