

<p style="text-align: center;">East Haven Police Department</p> 	Type of Directive: Policies & Procedures		No. 506.1
	Subject/Title: Child Victims – Family with Service Needs, Abuse & Neglect	Issue date: April 24, 2018	
		Effective Date: June 11, 2018	
	Issuing Authority: Honorable Board of Police Commissioners	Review Date: Annually	
References/Attachments: Policies and Procedures #: 439 Connecticut General Statutes § 17a-101b, 17a-101c, 53a-82, 53a-192a		Rescinds: N/A	Amends: N/A

I. PURPOSE

- A. The purpose of this directive is to set forth the policies and procedures of the East Haven Police Department (EHPD) regarding the handling of families with service needs, and child victims of abuse and neglect.

II. POLICY

- A. It is the policy of the East Haven Police Department that its personnel shall display sensitivity and respect the rights of all children with whom they come in contact with through the provision of services.

III. PROCEDURES – Children from Families with Service Needs

- A. A family is a Family With Service Needs if it includes a person under the age of eighteen (18) years who exhibits any of the following behavior.
1. Has without just cause run away from his or her parental home or other residence (includes any non-delinquent child runaway from another state).
 2. Is beyond the control of his/her parents or guardian.
 3. Has engaged in indecent or immoral conduct.
 4. Is a truant or habitual truant or who, while in school, has been continuously and overtly defiant of school rules and regulations.

5. While in school, has been continuously and overtly defiant of school rules and regulations.
 6. Is thirteen (13) years old or older and has engaged in sexual intercourse with another person who is thirteen (13) or older and not more than two (2) years older or younger than the other person.
- B. Appropriate factors to consider when handling children from Families With Service Needs.
1. The nature of the alleged behavior.
 2. The age of the child.
 3. The safety of the child and other persons involved.
 4. Past police involvement with the child and family.
 5. The attitude of the child and parents toward the behavior, and toward referral for treatment or rehabilitation.
 6. Family, school and community adjustment of the child.
 7. The availability of community-based programs for the child and/or family.
 8. The likelihood that an alternative referral will prevent further Families With Service Needs behavior.
 9. Recommendations, if any, of other agencies or professionals involved with the child.
- C. Factors never to be considered when handling children from Families With Service Needs
1. Race of the child and his or her family.
 2. Ethnicity of the child and his or her family.
 3. Sex of the child.
 4. Economic status of the child and his/her family.
 5. Gender identity of the child and his/her family.
- D. Although incidents involving children from Families With Service Needs are not criminal in nature they must be documented with completion of an incident report. The report shall include a description of the actions of the officer and other demographic information for the child involved. Upon locating a child from a Family With Service Needs, the officer should report the location of the child to the parent or guardian and then may do one or more of the following.

1. The child may be brought home. Officers may meet with the child and parents to evaluate whether return home is a viable alternative and to counsel the family. The officer can make transportation arrangements with the parent or guardian.
2. The child and/or family may be referred to any public or private agency serving children. This may include providing information to Connecticut parents/guardians on how to refer the child to court. If a local Juvenile Review Board (JRB) is available to provide services to the family, the option to refer the matter to the JRB should be considered and discussed with the family in accordance with Policies and Procedures # 439 – Juvenile Review Board.
3. If the parent/legal guardian refuses to allow the child to come home and also refuses permission for the child to enter an alternative housing program, the child should be reported to the Department of Children and Families (DCF) at 1-800-842-2288. For Connecticut residents, officers shall make a referral to Juvenile Court.
4. If the child refuses to return home due to allegations of abuse or neglect, or if an out-of-state runaway refuses to return home and refuses DCF services; notify the HOTLINE at 1-800-842-2288 of the child's refusal and location; fax to 860-560-7073 any written documentation, including any teletypes; and, for out-of-state runaways, notify the parents of their right to pursue a requisition process through their state's Interstate Compact Office.
5. If the child refuses all other options, the child may be released. The release of a Families With Service Needs child to his/her own custody should be avoided, but may be necessary. Notice to the HOTLINE and referral to court should be made in such a case.
6. The child may be referred to court. A Complaint: Families With Service Needs should be completed and forwarded to the court (JD-JM-120).
7. If a runaway from another state wishes to return home, and there are no pending criminal charges in Connecticut, the officer should contact the Interstate Compact Office at 860-550-6469 and fax a copy of the teletype to 860-566-6726.
8. Transportation costs should be obtained through funds from the parent/guardian. Free Greyhound transportation may be available if the child is accompanied to the bus terminal by a police officer with a copy of the teletype report of the child's legal status. Arrangements should be made through the Greyhound National Transportation Office at 1-800-231-2222.
9. The National Center for Missing & Exploited Children's (NCMEC) Hotline pioneered a model program to assist families in the reunification process by arranging for transportation and lodging for families who cannot afford these costs when picking up their missing child once found.
 - a. Private-sector partners, American Airlines®, Amtrak, Continental Airlines®, and Greyhound® provide these services free of charge to the families in need of

financial assistance when picking up their child, and the programs are coordinated exclusively through NCMEC. Their website is <http://missingkids.org> and their 24-Hour Hotline is 1-800-THE-LOST (1-800-843-5678).

E. Holding Within the Department – Protective Custody

1. The child from a Family With Service Needs may be held in protective custody for a maximum of twelve (12) hours.
2. At no time may a child from a Family With Service Needs be held in a secure area – cell, lockable room, whether locked or not, holding cage, or be physically secured to a cuffing rail, chair or other stationary object.
3. A Family With Service Needs child held in protective custody must be under continuous visual supervision.

F. Confidentiality

1. Department personnel may have access to the Department’s Families With Service Needs records on a need-to-know basis only. Other persons who request information on any matters involving children from Families With Service Needs who have been, or are expected to be, referred to court should be advised to contact the court.

IV. CHILD VICTIMS OF ABUSE AND NEGLECT

A. Unlike other laws, the child abuse and neglect statutes pertain to anyone under the age of eighteen (18) years, or under the age of twenty-one (21) if he/she attends full time secondary or technical school, college or state accredited job training program.

B. Duty to Report and Reporting Procedures

1. When officers have reasonable cause to suspect or believe that a child under the age of eighteen (18) has been abused or neglected or placed in imminent risk of harm, a telephone report to DCF’s Child Abuse and Neglect HOTLINE at 1-800-842-2288 must be made as soon as practicable but not later than twelve (12) hours in accordance with Connecticut General Statute § 17a-101b.
2. An officer can have “reasonable cause” to suspect that a child is abused or neglected or placed in imminent risk of harm if, considering what physical evidence the officer observes or is told about, and from the officer’s own training and experience, it is possible that the injury or condition was caused by neglect or by non-accidental means. The officer need not be absolutely certain in order to possess the necessary reasonable cause.
 - a. In situations where a child is injured by an individual such as a neighbor or stranger who is not a parent, guardian, foster parent, school employee or volunteer, staff personnel or volunteer of a day care setting, staff of a licensed camp, or employee or volunteer in a residential child care setting, officers should proceed with the incident as a criminal assault and a report to DCF is not required.
3. Information to Include in the Report to DCF.
 - a. Officer’s name, affiliation, address and telephone number.

- b. Name and address of the child and his/her parents or other legally responsible person providing care.
 - c. Child's age and sex.
 - d. Nature and extent of the child's injuries, maltreatment or neglect.
 - e. Approximate date and time when injury, injuries, maltreatment or neglect occurred.
 - f. Information concerning any previous injuries, maltreatment or neglect to the child or his/her siblings.
 - g. Circumstances under which the injury or neglect came to be known by the officer.
 - h. Name and relationship of the person or persons responsible for causing the injury, maltreatment or neglect (may include parent, guardian, foster parent, school employee or volunteer, staff personnel or volunteer of day care setting, staff of licensed camp, employee or volunteer of residential child care setting).
 - i. Actions taken, if any, to treat, provide shelter to, or otherwise assist the child.
 - j. Additional information that may be helpful (including directions to the home, present location of the child, and criminal history of adults in the home).
4. DCF Response.
- a. At the conclusion of the report, the officer will be advised if the report has been accepted and what DCF office will be investigating the report.
 - b. DCF will notify the appropriate police department within twenty-four (24) hours of their receipt of an oral report of serious physical abuse, serious neglect, sexual abuse or child death.
5. A written report to DCF must follow within forty-eight (48) hours of the oral report in accordance with Connecticut General Statute § 17a-101c. Fax reports to the appropriate DCF Office or mail reports to:
- Child Abuse and Neglect Hotline
505 Hudson Street, 5th Floor
Hartford, CT 06106.
- a. The written report should be on form DCF-136 and attach a copy of the incident report. Officers are encouraged to note in the written report the date, time and name of the DCF HOTLINE staff person who took the oral report.

C. Definition of Abuse and Neglect

1. Actual or suspicion of abuse or neglect inflicted upon the child by a person responsible for such child's health, welfare or care or by a person given access to such child by such responsible persons.
 - a. Abuse
 - 1) Non-accidental physical injury.
 - 2) Injuries at variance with the history given.
 - 3) Condition that is the result of maltreatment such as malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.
 - b. Neglect
 - 1) Abandonment.
 - 2) Denial of proper care and attention, physically, emotionally or morally.
 - a) For example, circumstances that constitute emotional neglect include when a child is in a condition of diminished psychological or intellectual functioning such as a result of, but not limited to, failure to thrive, severe aggressive behaviors or suicidal behaviors clearly attributable to the unwillingness or inability of the parent or legal guardian to exercise a minimum degree of care toward the child.
 - b) Being permitted to live under conditions, circumstances or associations injurious to well-being.
 - c) A parent may voluntarily give up custody of an infant age thirty-one (31) days or younger to the nursing staff of an emergency room and not be subject to arrest for abandonment. This does not protect the parent from being arrested if abuse or neglect has occurred.

D. Prostitution

1. A person under the age of sixteen (16) cannot be charged with the crime of Prostitution (C.G.S. § 53a-82, as amended by PA 10-115).
2. For a sixteen (16) or seventeen (17) year old charged with Prostitution, there is a presumption (i.e. one that must be rebutted by the prosecution) that they were coerced into committing the offense by another person in violation of the law against trafficking in persons (C.G.S. § 53a-192a).
3. Upon the arrest of a sixteen (16) or seventeen (17) year old for Prostitution, an oral and written report of suspected abuse or neglect must be filed with DCF as outlined above. (See PA 11-180)
4. Any child under the age of sixteen (16) suspected of engaging in prostitution activity should also be reported to DCF as a case of suspected child abuse or neglect.

E. Assistance to DCF

1. Officers should comply with requests from the DCF for assistance in the following circumstances.
 - a. A child is left alone or abandoned and entry to secure the child is necessary.
 - b. There is concern about the physical safety of a child, parent, or DCF employee based on information contained in the report such as a weapon in the home, serious assaultive behavior, or verbal threats made against the child, a parent or the DCF employee.
 - c. The removal of a child from his/her home under a 96-hour hold authorized by statute or a court order transferring custody of the child to DCF. Removal of a child should be accomplished in the least coercive manner feasible under the circumstances.

F. Investigation of Child Abuse and Neglect

1. Police must coordinate with DCF to minimize interviews of children where serious physical abuse or sexual abuse has occurred. Such coordination may be with the assigned DCF investigator, physicians, prosecutors, victim advocates and service providers involved with the child and family.
 - a. Departments should actively participate in regional multidisciplinary teams dealing with child abuse.

G. Sensitivity of Child Abuse Investigations

1. Officers should be aware that investigation of child abuse is one of the most sensitive areas of law enforcement. Investigating the death of a child can be among the most difficult and frustrating types of cases police officers will encounter. In most cases, officers must carefully balance their investigative needs with sensitivity and sympathy for the grieving family, who may not be responsible for the child's death. This requires skill and tact.
2. The officer must gain adequate information to determine if the death was the result of the actions of the caregivers, without unduly adding to the trauma of the parents who lost the child. The basic steps in these cases are variations of normal investigations of possible homicides and physical abuse investigations.

H. Confidentiality

1. Personnel may have access to DCF records without the consent of the parent or guardian on a need-to-know basis only. To review a case record, officers should contact either the Program Director or Program Supervisor in the local DCF office.

I. Testifying as Witness in Court

1. The police officer may be asked to testify in a court proceeding based on the need for the child's protection. Prior to testifying, efforts will be made by the Office of the Attorney General and DCF to have the attorney representing DCF in the proceeding meet with the officer to discuss his/her involvement in the incident. It is helpful to have a copy of the report made to DCF about the suspicion of abuse or neglect.

Written police incident reports are admissible as evidence in any court proceeding; therefore, accuracy and completeness of the report is vital.

J. Office of the Child Advocate.

1. The Office of the Child Advocate is an independent state agency whose mission is to oversee the protection and care of child and to advocate for their well-being. Complaints and concerns about the care and treatment of a child by state agencies or state-funded programs should be referred to this office at 860-566-2106 or toll free at 1-800-994-0939.