

ARRESTEE'S DEPENDENTS

Alternate Care for Arrestee's Dependents Model Policy

Issued December 1993

1.0 PURPOSE

The purpose of this policy is to reasonably insure that children or other persons dependent upon an arrestee for their care, sustenance or supervision are provided with alternate care, sustenance or supervision as arranged for by the arrestee or an appropriate agency.

2.0 POLICY

This department will provide persons taken into custody by this department a reasonable opportunity to arrange for the care of children or persons dependent upon the arrestee for their care, sustenance and supervision. When the arrestee is unable to arrange for the care of dependent persons, this department will notify the appropriate municipal, county and state agencies of the need for alternate care for the arrestee's dependents. This department will not take direct responsibility for providing alternate care for arrestee's dependents.

While the need for alternate care for an arrestee's dependents is to be determined, the existence of arrestee dependents should not be the determining factor as to whether the arrestee is held in custody or released. Where a summons in lieu of arrest is inappropriate or the taking into custody is required by law, public safety or safety of the arrestee, the individual should be held until released in accordance with law.

3.0 PROCEDURE

3.1.0 Whenever an arrestee is taken into custody, and is accompanied by a child or other person dependent upon the arrestee for care, sustenance or supervision, the following procedures are to be followed.

3.1.1 If another appropriate adult is present with the arrestee, the arrestee will be permitted to place the dependent child or dependent person in the care of that adult.

3.1.2 If another appropriate adult is not present or refuses custody of the dependent person, the dependent person will be transported to police headquarters. The dependent person may be transported with the arrestee or in a separate vehicle as required by the circumstances. Transportation of the dependent person will be conducted in accordance with department policy concerning the transportation of non-police personnel in department vehicles.

3.1.3 The arrestee shall be permitted a reasonable opportunity to make arrangements by telephone for alternate care for the dependent. When contact cannot be made by telephone, an officer from this or the appropriate police department shall be assigned to make the necessary notifications.

3.1.4 If the arrestee is unable to arrange for the alternate care for the dependents, the shift supervisor or arresting officer shall notify the appropriate municipal, county or state agency of the arrest and need for alternate care. The arrestee is to be informed as to the agency taking charge of his or her dependents.

3.1.5 When the arrestee has dependents requiring their care, a record is to be made indicating the arrangements made for the care of those dependents. The record shall contain, at a minimum, the person or agency taking charge of the dependent, the name of the agency's representative and a phone number, and information as to how the arrestee can regain custody of the dependent child or person when released from custody.

3.1.6 The shift supervisor or arresting officer shall contact the appropriate judge as soon as possible for the setting of bail. If the arrestee has dependents requiring the arrestee's care, the judge is to be informed of this and of the arrangements made for the temporary care of those dependents.

3.2.0 Whenever a person is arrested or taken into custody and is likely to be detained more than two hours, that person shall be questioned as to whether or not any child or other person is dependent solely upon the arrestee for care, sustenance or supervision.

3.2.1 When it is determined that the arrestee is the sole provider of care, sustenance or supervision for a child or other dependent person, the arrestee shall be permitted a reasonable opportunity to make arrangements by telephone for alternate care for those dependents. When contact cannot be made by telephone, an officer from this or the appropriate police department

shall be assigned to make the necessary notifications.

3.2.2 If the arrestee is unable to arrange for the alternate care for the dependents, the shift supervisor or arresting officer shall notify the appropriate municipal, county or state agency of the arrest and need for alternate care. The arrestee is to be informed as to the agency taking charge of his or her dependents.

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