

Safeguarding Children at the Time of Parental Arrest

Law Enforcement Pre-Arrest/Arrest Checklist



Preparing for Arrest

- Ask dispatchers from the Emergency Communications Center (ECC) if they have information on whether or not a child will be present, and if so, how many.
 - Ask officers and other colleagues who work in that area if they are familiar with the arrestee, and if so, if they know if there are children in the home.
 - Consider driving by the house to see if there are signs of children visible in the yard or nearby (toys, swing sets, etc.).
 - Before proceeding with arrest, consider:
 - Is it possible to arrest the parent when the child is not home?
 - Does the parent speak English?
 - If not, get an interpreter. Children should not be asked to interpret.
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Arresting a Parent with a Child Present

- Look for signs of a child (toys, coloring books, etc.) even if the parent denies presence of children.
- Task one adult with being 'assigned' to a child during arrest.
- Allow parent to explain/reassure the child, if safe and appropriate. If this is not possible, the assigned officer should provide an explanation to the child, in an age- and developmentally-appropriate manner.
 - If the child is small, kneel down to her/him eye level.
 - Explain and emphasize that s/he has done nothing wrong.
 - Reassure her/him that s/he will be safe.
- Inform parent as to whether s/he will be allowed to speak to child post-arrest.
- Conduct arrest out of sight/earshot of children.
- Discuss placement options with the parent and identify top three choices (i.e. other parent, trusted friends/family/caregiver/Child Welfare Services - CWS). A child's special needs may limit placement options.
- Get background from agencies (National Crime Information Center—NCIC and CWS) on selected caregivers. If the parent insists on caregivers who may be unsuitable/do not pass checks, contact your supervisor.
- Ask the parent or child about objects that may provide comfort to the child in placement (photos, books, stuffed animals, toys, clothing, food).
- Ask the parent and/or procure objects/items the child will need in placement (medications, hygiene items).
- Ask the parent about psychological, medical, or behavioral conditions, allergies, or any other information that would be important for a caregiver to know.
- Take custody of the child in accordance with state law if you reasonably believe there is a threat of imminent danger to the child.
- Do not leave the scene of the arrest until the child is in the care of an appropriate caregiver.



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Arresting a Parent when a Child is Not Present

- Be prepared to discuss with the arrested parent how the child will be picked up and by whom.
 - Ensure that appropriate arrangements are made, either through your department, CWS or a partner organization, to place the child with a caregiver.
 - Discuss placement options with the parent
 - Identify their top three choices (other parent, trusted friends/family/caregiver/CWS).
 - Get background information (from NCIC and CWS) on selected caregivers.
 - If the parent insists on caregivers who may be unsuitable/do not pass checks, contact your supervisor.
 - Ask the parent about objects that may provide comfort to the child in placement (photos, books, stuffed animals, toys, clothing, food).
 - Ask the parent and/or procure objects/items the child will need in placement (medications, hygiene items).
 - Ask the parent about psychological, medical, or behavioral conditions, allergies, or any other information that would be important for a caregiver to know.
 - Give assigned caregiver as much information as possible regarding the arrest, the timeline/steps to release, and what to expect.
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Documentation

Document the following information:

- The identity and biographical information of the child involved and whether or not he or she was present at the arrest.
- Any of the child's special needs such as medical or mental health conditions, physical impairments or limitations, allergies, or developmental disorders.
- The identities, addresses, and contact information for any actual or potential caregivers.
- Names and contact information of any representatives from partner organizations involved.
- Names and contact information of any adult contacted for notification purposes, such as school officials.
- The final placement determination for the child.
- Any information or observations that suggest the need for further investigation into the child's living conditions and general well-being, such as an indications of a household in crisis.