



Department of Children and Family Services Policy and Procedure Guide

Division No: 3 – Child Welfare

Chapter No: 3 – Initial Response/Detention

Item No: 15 – Interaction with Law Enforcement and Complaint Process

Effective Date: 5/28/04

POLICY: DCFS staff will work with local law enforcement agencies in a positive and productive manner to identify and protect children at risk of abuse or neglect.

PURPOSE: To clarify interaction issues between Emergency Response (ER) social workers, supervisors, law enforcement agencies, and to identify appropriate ways of addressing problems that might arise in those interactions.

REFERENCE: California DSS Division 31 Guidelines
California Welfare and Institutions Codes.

INTRODUCTION: In ER, contact with law enforcement agencies is a routine process in ensuring the safety of children and meeting reporting responsibilities. Procedures have been identified to make all contacts effective and efficient.

PROCEDURE:

- I. Initial Investigation
Social workers and supervisors will work directly with law enforcement agencies in an open and positive fashion to gather all information necessary for the investigation of a child protective service report. Social work staff will discuss issues, concerns, and decisions related to the allegations and investigation directly with the officer on the scene.
- II. Practice Decision Concerns
 - A. During the course of the field investigation, if the officer and the social worker are not in agreement with a practice decision, the officer and the social worker can request supervisory direction. This will require both law enforcement and Children and Family Services staff to contact their immediate supervisors, i.e., social work supervisor or sergeant.

- B. If the matter can not be resolved and the Emergency Response social work supervisor perceives imminent risk to exist, the social work supervisor shall contact the program manager to determine if emergency response will continue through the chain of command or pursue a “protective custody hold.”
 - C. If the matter is not perceived to be an imminent risk, the social work supervisor can detail the issues of the case in an Inter-Office Memorandum to the designated Emergency Response law enforcement liaison(s) or designee(s) within five (5) working days.
- III. Complaint Process
- A. If, during the course of DCFS staff’s involvement with law enforcement, the social work supervisor/social worker perceives an officer’s conduct as inappropriate or in any way interfering with the social worker’s assessment and determination of the safety and best interests of a child, the social work supervisor/social worker shall submit an Inter-Office memorandum to the designated Emergency Response law enforcement liaison(s). At all times, it is expected that Children and Family Service staff will behave in a respectful and professional fashion.
 - B. The Emergency Response law enforcement liaison(s) will review Inter-Office Memorandum and then contact the law enforcement agency to report/investigate the allegations with the officer’s commanding officer.
 - C. The Emergency Response law enforcement liaison(s) will report the outcome of the investigation to the program manager. At the discretion of the program manager, the Emergency Response liaison will directly inform/update the reporting social work supervisor/social worker of the outcome and discuss any inappropriate behavior by either party.
 - D. The ER liaison(s) will use discretion when determining if a reported incident is to be directly handled by the Program Manager.

Submitted by: Joy Cronin, Program Manager
Approved by: Cathi Huerta, Assistant Manager
DCFS Director: Gary D. Zomalt

Date:
Date:
Date: