



SPECIAL ORDER

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SUBJECT

CHILD ABUSE AND SAFE DELIVERY OF NEWBORNS

REVISIONS

Revisions are italicized

RESCINDS

**Department Manual
Directive 203.10 CHILD
ABUSE AND SAFE
DELIVERY OF
NEWBORNS**

EXPIRATION DATE

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DISTRIBUTION

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POLICY

It is the policy of the Detroit Police Department (DPD) that all child abuse, child neglect or abandonment of children complaints are investigated by Child Abuse in conjunction with the State of Michigan Family Independence Agency, Child Protective Services as mandated by local, state, and federal laws.

Child Abuse and/or Child Neglect

1. Child Abuse shall be responsible for completing investigations and obtaining criminal warrants in child abuse and/or child neglect cases.
2. Officers responding to, or discovering, a case of suspected child abuse and/or child neglect shall contact *Notification and Control* who shall notify Child Abuse personnel from the scene and be guided by their directives regarding further action. If no one is available from Child Abuse, the supervisor on duty at the Control Desk shall be notified. No child shall be removed from the custody of a parent, relative, or social worker unless prior approval is obtained from Child Abuse personnel. Therefore, the above notifications must be made from the scene or from the nearest telephone.
3. The Child Protection Law Act No. 238, Public Acts of 1975, makes it mandatory for police officers to report immediately any case of actual or suspected child abuse and/or child neglect to the State of Michigan Family Independence Agency, Child Protective Services.
4. **Child Abuse:** means harm, or threatened harm, to a child's health or welfare by a parent, legal guardian, any other person responsible for the child's health or welfare, or by a teacher or teacher's aide, that occurs through non-accidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment.
5. **Child neglect:** means harm or threatened harm, to a child's health or welfare by a parent, legal guardian, or any other person responsible for the child's health or welfare, that occurs through either of the following:

- a. Negligent treatment including the failure to provide adequate food, clothing, shelter, or medical care;
 - b. Placing a child at an unreasonable risk to the child's health or welfare by failure of the parent, legal guardian, or other person responsible for the child's health or welfare, to intervene to eliminate that risk when that person is able to do so and has, or should have, knowledge of the risk.
6. The responding member shall list the names of the Child Abuse and Michigan Department of *Health and Human Services*, Child Protective Services personnel notified. The *incident report* shall contain the following specific information:
- a. Name of the child;
 - b. Child's date of birth;
 - c. Description of the child abuse and/or child neglect;
 - d. Name(s) and addresses of parents, guardians, and (if different) the person(s) with whom the child resides;
 - e. Any additional information as requested by the Child Abuse or the State of Michigan Department of *Health and Human Services* or Child Protective Services;
 - f. *Child Protective Services intake log number*.
7. The responding officers shall *notify the Michigan Department of Health and Human Services, Child Protective Services by calling Central Intake at (855) 444-3911. Officers shall obtain a Child Protective Services intake log number, which shall be included within the responding officers' incident report. The original copy of the incident report shall be forwarded to Child Abuse and to the Michigan Department of Health and Human Services, Child Protective Services before the completion of their tour of duty.*
8. If a child is taken in custody during the hours Child Abuse is in not in operation, the responding member shall prepare an *incident report* and a State of Michigan *JC- 02 ("Complaint – Request for Action, Child Protective Proceedings")*. The member shall obtain authorization for the protective custody placement of the child from the Wayne County Juvenile Court by dialing placement and this notification shall be noted in the designated area on page two (2) of the *JC- 02 form*. The member shall also notify Sex Crimes.
9. The responding member shall confiscate any evidence at the scene and document this evidence on the *incident report*. The Evidence Technician Unit shall be notified to take photographs of:
- a. Physical abuse when injuries are visible, but no medical treatment is needed; or
 - b. Hazardous living conditions when there is a failure to provide safe and sanitary housing, (no gas, water, or electricity).

10. The police officer's copy of the *JC-02* complaint and the original copy of the *incident report* shall be forwarded to Child Abuse. When a narcotics raid is conducted and child(ren) is found on the premises where narcotics are used, stored or sold, Child Abuse shall be notified. *An incident report* will be completed, and Child Abuse will determine if the child(ren) will be placed in protective custody.

Michigan Safe Delivery Act

1. The Michigan's Safe Delivery Act mandates that any Emergency Service Provider in the state of Michigan is required to take protective custody action for any newborn (under the age of 72 hours) that is surrendered by a parent. An Emergency Service Provider is defined as a uniformed or otherwise identified employee or contractor of a fire department, hospital or police station when an employee is inside the premises and on-duty. A newborn up to 72 hours old may be surrendered to any on-duty Detroit Police Officer in any district on any day, at any time. The Safe Delivery Act mandates the Michigan Missing Children Clearinghouse to serve as the repository of information for all surrendered newborns in the state of Michigan.
2. The Emergency Service Provider is required to immediately contact the Michigan Missing Children Information Clearinghouse. The Clearinghouse will conduct an investigation to determine that the surrendered newborn has not been abducted. Upon surrender, the member shall inspect the newborn for signs of abuse or injury. The emergency service provider shall make a reasonable effort to provide the parent(s) with the following forms:
 - a. Family Independence Agency Publication 866;
 - b. Family Independence Agency Form 1819, Medical Background;
 - c. Family Independence Agency Form 4820, Voluntary Release.
3. The member who accepts the newborn child shall immediately notify *Notification and Control*, who shall *then* notify Child Abuse. Personnel from Child Abuse will respond to the location (precinct, fire station, hospital). The personnel from Child Abuse will convey the newborn infant to the Michigan Department of *Health and Human Services*, Child Protective Services. Child Abuse personnel shall complete the *JC-02* complaint. *Necessary* notifications shall be made to the Michigan Missing Children Information Clearinghouse *by the proper Emergency Service Provider*.
4. The law specifically stipulates that the Emergency Service Provider must be on duty and on the premises. Any other type of newborn surrendered shall constitute abandonment and the member shall follow department policy pertaining to child abuse and neglect.

Updates to the Department Manual are forthcoming.

JAMES E. WHITE
Chief of Police