

ENSURING CHILD SAFETY

A Three-Part Video Series for Law Enforcement Personnel

Discussion Guide

PART ONE
Ensuring Child Safety
Upon Parental Arrest

PART TWO
Ensuring Child Safety
In Abuse/Neglect Referrals

PART THREE
Ensuring Child Safety
and Minimizing Trauma

Brought to you by:

New Mexico CYFD Protective
Services Division

NMSU Southwest Institute for
Family & Child Advocacy

Bernalillo County Sheriff's Office

With funding from:

New Mexico Children's Justice Act
Advisory Group



#SAFE (#7233)
1-855-333-SAFE

Acknowledgments

Many individuals have contributed their expertise, vision, creative abilities and support to the development of the Ensuring Child Safety Upon Parental Arrest video series and supporting materials.

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- Brian Kilmeck, Police Officer, Las Cruces Police Department
- Honorable John J. Romero, Jr., Presiding Judge, Children's Court Division, 2nd Judicial District Court
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Colleagues:

As public safety officials working in our communities, one of our driving desires is to keep children and youth safe. Law enforcement calls for service where a child is involved can be challenging. Sometimes you're arresting a parent with children present, or you are responding to a call where child abuse or neglect is obvious or suspected. Dealing with these complicated issues, and then coordinating with child protective services, can be a challenge. But there are certain techniques you can use to accomplish your goal of keeping kids safe in the field.

We are pleased to introduce to you a new series of short training videos about dealing with children in the field. *Ensuring Child Safety* is a three-part video series designed to increase your skills in calls dealing with the safety of children.

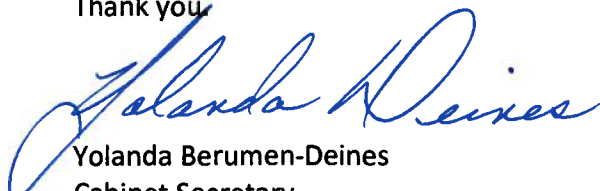
The videos, each 15 – 20 minutes long, were designed to be shown during a shift change, briefing or at a scheduled training event. The series includes:

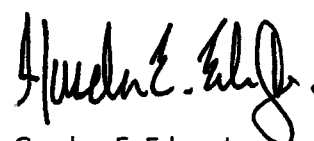
- Part 1: Ensuring Child Safety upon Parental Arrest
- Part 2: Ensuring Child Safety in Abuse/Neglect Referrals
- Part 3: Ensuring Child Safety: Minimizing Trauma

Your personnel will receive credit for two in-service training hours for completing the video series and participating in a short discussion of child safety issues. (The course accreditation number is NM12-44A.) Completion of this training will satisfy mandatory training requirements pursuant to 29-7-7.5 NMSA 1978 and 10.29.7.8A(5) NMAC. The material provided in this Instructor's Guide and the handouts will be useful to you in guiding those discussions. CYFD's local County Office Managers (COMs) are available to assist you in presenting these videos to your officers. If you don't know your local COM, please call 505-827-8400.

One of our goals is to promote further collaboration between your department and CYFD Protective Services. We each play different roles, but share a goal of keeping children and youth safe and supporting healthy families in New Mexico.

Thank you


Yolanda Berumen-Deines
Cabinet Secretary
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Overview

The *Ensuring Child Safety* video series includes three short videos designed to increase understanding of the roles and responsibilities of law enforcement and child protective services when arresting a parent or when responding to a report of child abuse or neglect. The series also looks at the impact on the child when a parent is arrested or when the child is the victim of abuse or neglect and is removed from home.

The videos were designed to be shown during a shift change, briefing or at a scheduled training event. They can be shown all at once, although each can stand alone. It is preferable to show them in the following sequence:

- Part 1: Ensuring Child Safety Upon Parental Arrest
- Part 2: Ensuring Child Safety in Abuse/Neglect Referrals
- Part 3: Ensuring Child Safety: Minimizing Trauma

The videos are self-explanatory and may be viewed without further follow-up. This series will provide one hour of DPS student course credit.

However, a follow-up group discussion and opportunity for questions and answers, which provides an additional hour of DPS student course credit, will enhance the learning for all participants. Ideally the law enforcement trainer should partner with a CYFD Protective Services representative in presenting and discussing this video series, especially for Part 2 and Part 3. A list of PSD regional and county office managers is included in the Appendix.

This instructor's guide will assist the presenter in summarizing the topics offered in the video, highlighting key points and providing supplemental material for discussion. The guide also includes:

- participant handouts that can be copied for distribution;
- questions for discussion, and
- further resources.

In addition to specific information and handouts for each individual video, the Appendix includes a contact list for PSD regional and county office managers, relevant sections of state law, and a list of related online resources.

Ensuring Child Safety Upon Parental Arrest

Learning Objectives

- Participants will understand the requirements of New Mexico's Criminal Procedures (Chapter 31, Article 1 NMSA 1978) and the New Mexico Children's Code (Chapter 32A, Article 4 NMSA 1978) regarding the respective roles and responsibilities of law enforcement and CYFD Protective Services during and after the arrest of a primary caregiver.
- Participants will understand when and how to use the recommended protocol for arresting adults with minor or dependent children.
- Participants will identify required information necessary for documentation.

Training Materials

- Discussion Guide
- DVD Part 1: Ensuring Child Safety Upon Parental Arrest (17 minutes)
- CARE cards
- Participant handouts*:
 - DPS Arrest Protocol
 - Necessary Information to Provide Alternate Caregiver
 - Tips for Talking to Children and Other Suggestions
 - A Child's Bill of Rights

** A master copy of each handout is included in the packet. The trainer will need to make copies for distribution to participants.*

Ensuring Child Safety Upon Parental Arrest

I. The Video

Trainer Note:

Use the learning objectives on the previous page and the adjacent overview to introduce the video in your own words.

A. Introduce the Video

This training includes information concerning:

- the **impact** that parental arrest has on children and youth,
- the **protocol** to be followed when arresting an adult caregiver,
- the **role** of CYFD Protective Services in issues of custody, and
- the **relationship** between law enforcement officers and CYFD Protective Services personnel.

The focus of the training is the protocol for ensuring child safety upon the arrest of the child's parent or guardian. This protocol was developed in compliance with New Mexico Criminal Procedures (31-1-8 NMSA [1978]) and law enforcement training (29-7-7.3 NMSA [1978]). (Copies of these laws are included in the Appendix.)

The video depicts two different arrest situations. These situations may or may not resemble what would occur in your area. Ask the participants to focus on the skills related to the children rather than the particulars of the arrests.

B. Show the Video (17 minutes)

Distribute the following handouts and review with participants as described below:

- DPS Arrest Protocol
- CARE card
- Necessary Information to Provide Alternate Caregiver
- Tips for Talking to Children and Other Suggestions
- A Child's Bill of Rights

A. DPS Arrest Protocol

In 2007, New Mexico Criminal Procedures (31-1-8 NMSA [1978]) were amended to require safeguards for minor or dependent children upon the arrest of their parent.

- As required by law, the Department of Public Safety, in collaboration with the CYFD Protective Services Division and others, created a protocol to provide clear recommendations and steps for officers to follow when arresting an adult who may be a parent or otherwise responsible for a minor child, whether or not the child is present.
- The main goals of this protocol are to minimize disruption and unnecessary trauma to children and to provide for the most appropriate immediate care for the children to ensure their safety, while still following required procedures for the arrest.

DISCUSSION QUESTIONS

1. Have you experienced a time when you made an arrest and later discovered the arrestee had displaced children?
2. What can be done if arrestees are uncooperative to the point where it is not discovered that there are minor children involved until after the arrest?

Ensuring Child Safety Upon Parental Arrest

II. Follow-Up Discussion

Trainer Note:

The CARE card and the participant handouts cover the content presented and can guide the follow-up discussion. A master copy of each handout is included in the packet along with this guide and the DVD. Before the training, make copies of these for distribution.

The discussion questions were created to assist the participants in applying the training information to their daily work. The facilitator may adapt these general questions to the experience and skill level of the participants and facilitate a discussion in large or small groups.

B. CARE Card

The CARE card was designed to be kept in the officers' pockets for easy reference. Review the following:

Child:

- Always ask if the arrestee is the parent or guardian of minor or dependent children.
- If the officer observes car seats, children's toys, etc., in the vehicle or immediate area of the arrest, the officer may ask where the children are and who is taking care of them.

Assess Arrest Conditions:

- If it is safe to do so, make the arrest away from the child.
- If it is safe to do so, allow the arrestee to explain to his or her child that they will be cared for.
- When possible, consider the ages and location of children when deciding when and where to make the arrest.

Responsible Adult:

- If children are present at the time of arrest, or if the arrestee indicates that there are children who will be left unattended, identify an alternate caregiver.
- If a co-parent or legal guardian is not available, ask if there is a relative who could be contacted; if neither can be identified then an attempt should be made to identify a "fictive kin" who would be contacted to care for the child(ren). A "fictive kin" is anyone with whom the child has established a relationship, but is not a blood relative.
- When placing a child with someone other than a parent or guardian, confirm that the adult is appropriate (any history of sexual crimes or violence against children will make the adult ineligible to assume custodial care):

Trainer Note:

Be sure participants understand their responsibility to:

- *Identify an alternate caregiver, when needed*
- *Confirm that adult is appropriate.*

1. Contact SCI for an abuse/neglect background check.

#SAFE (#7233) from a mobile phone or or 1-855-333-SAFE (7233)

When calling SCI, the individual making the call will get a recording; wait for the Law Enforcement option. The SCI intake worker should be advised background information is needed so an alternative caregiver for a child/children may be provided.

The following will occur:

- The officer will be asked for his/her badge (man) number and phone number.
- The officer may be asked for his/her supervisor's name and phone number.
- The officer will be asked to provide as much information about the alternate caregiver as possible, i.e., name, date of birth, address.

2. Complete a preliminary criminal background check.

The local check should be conducted by agency policy; it may include an NCIC check, an arrest check through the local agency. A Level III can be run if agency policy allows and the officer can articulate why it is needed; this is allowed as the safety of the child overrides NCIC concerns.

Ensure Safety of Child:

- The officer is responsible for identifying an alternate caregiver. If an alternate caregiver cannot be identified, then CYFD should be contacted. CYFD should be the last resource utilized.
- The officer is responsible for the well-being of the child until transfer of custody.
- The officer must make arrangements for transportation, if needed.

Trainer Note:

Documentation is critical. Ensure that the documentation points are discussed.

Remind participants of the importance of documenting:

- It is up to the individual law enforcement agency to determine where or how this information will be documented.
- If the agency does not have a specific policy regarding documentation of this issue, it is up to the officer to document what actions were taken. These notations may be made on the booking sheet, daily activity report, etc.
- If the arrestee says there are no minor children, document this.
- If the arrestee indicates there are minor children at risk, this should be documented as well.
- At a minimum, document:
 - The name and contact information for the alternate caregiver, if one has been identified.
 - Any CYFD Protective Services staff or school personnel contacted.
 - Any family member identified, whether or not the children are placed with them. This information will be useful to Protective Services as they work on the case.

DISCUSSION QUESTIONS

1. Do you see any potential barriers to using the CARE system? If so, what and how would you suggest improving it?
2. Would the CARE model still apply if the parent(s) were undocumented?
3. What paperwork must be completed before the child(ren) can be released to the alternative caregiver?

C. Necessary Information to Provide Alternative Caregiver

Once the officer identifies an alternate caregiver who can provide a safe environment for the child, the officer must provide that individual with as much information as possible regarding the arrest of the parent or guardian and the care of the child. This information should include, but is not limited to:

- Location of the jail.
- Offense leading to arrest.
- Estimated amount of time the parent or guardian could be in jail.
The alternative caregiver should be advised that the amount of time is dependent upon the charges and whether or not the parent can make bail.

Additionally, make sure the alternate caregiver:

- Understands that he or she is accepting responsibility for the child.
- Realizes that the child may be returned to the parent/guardian.
- Receives all available information pertaining to the child's physical health, medications, etc.

DISCUSSION QUESTIONS

1. Have you ever experienced difficulty in contacting SCI when arranging for emergency protective custody?
2. How much time and effort should you put into finding an alternative caregiver before calling SCI?
3. What would you do if Protective Services stated they could not send someone to pick up the children for a significant amount of time (i.e., six hours or more) and it is toward the end of your shift?
4. As the person responsible for ensuring the children are transported to a safe location, besides driving them yourself, what options do you have?

D. Tips for Talking to Children and Other Suggestions

In addition to discussing the steps of the protocol (CARE), remind participants to think about the following suggestions to help make the child feel more comfortable and reduce potential trauma:

- Introduce yourself with your first name.
- Use the child's name.
- Use simple, age-appropriate language.
- Sit at the child's physical eye level.
- Explain your role as a police officer is to keep the child safe.
- Acknowledge the child's right to remain silent.
- Recognize the child's loyalty to the parent.
- Don't criticize the parent(s).
- Answer any questions that the child may have.
- Ask one question at a time.
- Avoid "why" questions.
- Ensure that the child understands the question.
- Ask open-ended questions and use simple reflection to make sure there is clarity.
- Make no assumptions about the child's abilities based upon age.
- Allow the child to hold onto a stuffed animal or other object for comfort.
- Avoid rushing the child; let them have time to process thoughts and feelings.
- Observe non-verbal communication.
- Do not make promises that you will not be able to fulfill.
- Do not arrest the parent in front of the child, if possible.
- Avoid the use of sirens and lights when possible.
- Avoid transporting children in caged units.

DISCUSSION QUESTIONS

1. What other techniques have you found helpful in reducing potential trauma during a parental arrest, especially when the parents have been uncooperative?
2. What techniques can you use if the children involved in the parental arrest are crying infants?
3. What can you do if the child or youth is uncooperative or defiant?

E. A Child's Bill of Rights

The following “Bill of Rights” was created by the San Francisco Children of Incarcerated Parents Partnership (SFCIPP, 2005) based on the experiences and research of families and children impacted by incarceration. The bill of rights can be used as a guideline to consider the child’s perspective when law enforcement encounter children in arrest situations.

1. I have the right to be kept safe and informed at the time of my parent’s arrest.
2. I have the right to be heard when decisions are made about me.
3. I have the right to be considered when decisions are made about my parents.
4. I have the right to be well cared for in my parent’s absence.
5. I have the right to speak with, see and touch my parent.
6. I have the right to support as I face my parent’s incarceration.
7. I have the right not to be judged, blamed or labeled because my parent is incarcerated.
8. I have the right to a lifelong relationship with my parent.

DISCUSSION QUESTIONS

1. Even if you totally agree with this “Bill of Rights,” you may find it a challenge to consider these terms in an arrest situation. What can help you to remember the rights of the child? What might you have to do differently?

In 2003, Janet Silbaugh reported that among parents incarcerated in New Mexico state prisons, 32 percent of mothers and 26 percent of fathers indicated that their children witnessed their arrest.

— as cited by Clare Nolan, California Research Bureau, 2003

F. Additional Considerations

- The second scenario, involving the domestic violence situation, was developed to illustrate different ways of dealing with children when their parents are arrested. The officers still need to meet their obligations under the Family Violence Protection Act (40-13-1 NMSA [1978]), including identifying the primary aggressor. (A copy of the Act is included in the Appendix.)
- That same scenario shows the officer asking the mother for possible relatives to step in and help with the children. Ideally, the officer should ask the father as well. Paternal relatives can be useful resources in caring for the children.

Ensuring Child Safety in Abuse and Neglect Referrals

Learning Objectives

- Participants will understand the requirements of the New Mexico Children's Code when law enforcement seeks to give custody of a child to the Children, Youth and Families Department Protective Services Division (PSD).
- Participants will describe the process by which PSD assesses the safety of the child involved.
- Participants will identify key safety factors and protective capacities which could assist in PSD's determination to remove a child from home or seek alternatives to removal.

Training Materials

- Discussion Guide
- DVD Part 2: Ensuring Child Safety in Abuse and Neglect Referrals (18 minutes)
- Participant handouts*:
 - Safety Assessment Flow Chart
 - Safety Plan Flow Chart

** A master copy of each handout is included in the packet. The trainer will need to make copies for distribution to participants.*

Ensuring Child Safety in Abuse and Neglect Referrals

I. The Video

Trainer Note:

Use the learning objectives on the previous page and the brief overview provided here to introduce the video in your own words.

Trainer Note:

The discussion questions were created to assist the participants in applying the training information to their daily work. The facilitator may adapt these general questions to the experience and skill level of the participants and facilitate a discussion in large or small groups.

Ideally, this section would be facilitated with a CYFD/PSD representative. However, if a CYFD/PSD representative is not available, the guide includes points to review with participants.

A. Introduce the Video

This training includes information concerning CYFD Protective Services' safety assessment and the process followed once law enforcement contacts CYFD with a referral of abuse or neglect.

In the spring of 2010, CYFD Protective Services Division (PSD) implemented a new safety assessment tool to improve the consistency and appropriateness of safety determinations. This video follows one case from the time a law enforcement official becomes involved and demonstrates how CYFD/PSD uses the initial safety assessment to determine a safety plan for the family.

B. Show the Video (18 minutes)

C. Summarize the Video

DISCUSSION QUESTIONS

1. When you hear PSD or CYFD, what are the first thoughts that come to mind?
2. What has been your prior experience working with CYFD/PSD?
3. What challenges have you faced when working with CYFD/PSD?

Distribute the following handouts and review with participants as described below:

- Safety Assessment Flow Chart
- PSD Safety Plan Flow Chart

A. Safety Assessment Flow Chart

CYFD/PSD begins its safety assessment at the time it is first notified of a concern; in most cases this is activated by a report to the Statewide Central Intake office, or SCI. The initial safety assessment allows CYFD/PSD to make a decision as to what needs to be done immediately to provide for the safety of the children. The safety assessment does not end at the intake. It continues through the life of the case as the caseworker continually assesses the safety threats, protective capacities, and associated needs of the family.

There are three major areas considered when assessing a family

- **safety threats**
- **child vulnerability**
- **caretaker protective capacity**

These three areas allow CYFD/PSD to consider the known safety threats and their effect on the children within the context of each unique family.

CYFD/PSD looks for any abilities and resources the parents have to protect the children from these threats—the parents’ “protective capacities.” This information is used to control known safety threats. If the safety threat is not managed, then the protective capacities are utilized to build a safety plan. Whenever possible, it is preferred that the safety plan be implemented in the home, with actions and services that will mitigate safety threats if the parents are lacking protective capacities.

If the children must be removed from home, the CYFD/PSD worker will meet with the family to assess if any relative, neighbor, or friend can assist the family in maintaining the child’s safety. If the child cannot be maintained at home safely, the worker meets with the family to develop a plan that will allow the children to return home with appropriate safeguards and supports.

Ensuring Child Safety in Abuse and Neglect Referrals

II. Follow-Up Discussion

Trainer Note:

A master copy of each handout is included in the packet along with this guide and the DVD. Before the training, make copies of these for distribution.

DISCUSSION QUESTIONS

1. Have you personally experienced a case where you discovered that the children were returned to the caregiver and you disagreed with that decision?
2. Have you talked to CYFD/PSD staff about their decision to return children to caregivers? If so, what was your experience?

Trainer Note:

Review the CYFD/PSD Safety Plan Flow Chart. This chart is used to decide if an in-home safety plan is sufficient, feasible and sustainable.

B. Safety Plan Flow Chart

- An unsafe child does not automatically require placement outside the home or placement in CYFD/PSD custody.
- A safety plan includes specific actions and tasks intended to control threats of danger to the child by supplementing or substituting for parents' protective capacities.
- The safety plan does not rely on parental promises to stop threatening behavior.

C. PSD Safety Plans

1. In-Home Safety Plan

- The PSD worker:
 - Considers the nature of the threats and when and how they emerge.
 - Determines what actions or services are required for an in-home plan to control the threats of danger.
 - Uses the results of the safety assessment completed during the investigation and reviews any safety plan that is currently in place.
- Safety is assessed at least once a month, with a final assessment conducted prior to anticipated case closure.
- The safety assessment is used to support the determination of appropriate case closure, extension of in-home services, or seeking legal custody of the child.

In-Home Services (IHS)

- IHS is an integrated, comprehensive approach to strengthening and preserving families who are at risk for, or who are currently experiencing, problems in family functioning.
- IHS is provided *without court intervention* with the expectation of enhancing the family's ability to:
 - **function independently of Protective Services**
 - **improve safety for the children**
 - **create stability within the home**
 - **allow for healthy development**
 - **support ongoing community relationships**
- The purpose of IHS is to promote the safety of children and to reduce the risk of the recurrence of maltreatment of children by their caretakers without the intervention of the courts.
- The IHS worker functions as a facilitator of change by assisting the families to meet jointly defined goals that reduce the risk of child maltreatment, provide the family skills to address crisis, and modify the situation that led to the need for services.

2. Out-of-Home Safety Plan

- Addresses two critical issues:
 - What kind and amount of contact (**visitation**) will there be?
 - What are the minimum expectations or **conditions** for the child(ren) to return home?
- Visitation:
 - Immediate and frequent contact between child and parent helps maintain the child's identity and reduces potential trauma.
 - Provides an opportunity to assess and develop parental protective capacities.
 - Visitation frequency or length should not be used as punishment or reward; as long as the child's safety is not jeopardized, it is a right of all family members.
- Conditions for return:
 - Based on what is needed for the child to be safe, with a sufficient, feasible, and sustainable in-home safety plan.
 - Focus on whether return can be made safely, not on parents' compliance.
 - Safety threats do not have to be eradicated, they have to be controlled.

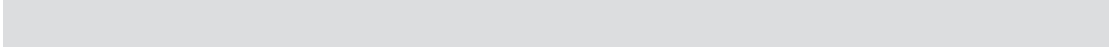
Sufficient Level of Care

It can be difficult to understand why CYFD/PSD might return a child to a particular home; however, the agency strives to assure that the caregivers are able to provide minimally sufficient levels of care. Remember, that's **minimum**, not ideal. Identifying the minimally sufficient level of care for a child is a case-specific determination and:

- maintains child's right to safety while not ignoring parents' rights to their children;
- keeps decision-makers focused on what is the least detrimental alternative for the child;
- discourages unnecessary removal from home; and
- discourages unnecessary long placements in foster care.

DISCUSSION QUESTIONS

1. Do you think the home portrayed in this video could provide a minimally sufficient level of care for the children? Why or why not?
2. How can New Mexico law enforcement and CYFD/PSD work successfully together to ensure the safety of a child(ren)?



Ensuring Child Safety: Minimizing Trauma

Learning Objectives

- Participants will identify child-sensitive practices in various scenarios.
- As it relates to parental arrest, participants will understand the impact of trauma on childhood development and adult behavior.
- Participants will identify strategies to minimize the trauma to children during a parental arrest.

Training Materials

- Discussion Guide
- DVD Part 3: Ensuring Child Safety: Minimizing Trauma (18 minutes)
- Participant handouts*:
 - *Understanding Trauma*
 - *Effects of Trauma According to Development Stage*
 - *Minimizing Trauma*

* A master copy of each handout is included in the packet. The trainer will need to make copies for distribution to participants.

Ensuring Child Safety: Minimizing Trauma

I. The Video

Trainer Note:

Use the learning objectives on the previous page and the brief overview provided here to introduce the video in your own words.

Trainer Note:

The discussion questions were created to assist the participants in applying the training information to their daily work. The facilitator may adapt these general questions to the experience and skill level of the participants and facilitate a discussion in large or small groups.

A. Introduce the Video

- Parts 1 and 2 of the Ensuring Child Safety training videos have shown children in potentially traumatic situations.
- This training will provide relevant information on trauma and how law enforcement can help to minimize trauma when interacting with children and youth.

B. Show the Video (18 minutes)

C. Summarize the Video

DISCUSSION QUESTIONS

1. Have you seen traumatic experiences affect children and youth?
2. Why is trauma a relevant topic for law enforcement?

Distribute the following handouts and review with participants as described below:

- Understanding Trauma
- Effects of Trauma According to Development Stage
- Minimizing Trauma

A. Understanding Trauma

The following statistics¹ demonstrate the high prevalence of trauma among children and youth who law enforcement may encounter:

- Up to 50% of children and youth in child welfare have experienced trauma.
- Between 60 and 90% of youth in the juvenile justice system have experienced trauma.
- Between 83 and 91% of children and youth in neighborhoods with high levels of violent crime have experienced trauma.
- Low income children and families of color are disproportionately affected by trauma.

Trauma is an experience or event that one believes is life-threatening or harmful. This can be:

- **physical injury**
- **witnessing a violent event**
- **being in close proximity to danger**
- **seeing or hearing others in a life-threatening or harmful situation**

Trauma may involve an acute event, chronic occurrences, or traumatic loss.

- Acute trauma events may include:
 - accidents
 - murders
 - suicides
 - assaults
 - disasters

¹ Cooper, Janice L., Rachel Masi, Sarah Dababnah, Yumiko Aratani, and Jane Knitzer. "Strengthening Policies to Support Children, Youth, and Families Who Experience Trauma." *National Center for Children in Poverty July (2007). Web. 2 Oct. 2012.*

Ensuring Child Safety: Minimizing Trauma

II. Follow-Up Discussion

Trainer Note:

A master copy of each handout listed is also included in the packet with this guide and the DVD. Before the training, make copies of these for distribution.

- Chronic trauma occurrences may include:
 - physical and sexual abuse, serious neglect
 - domestic violence
 - war
 - torture

- Traumatic loss events may include:
 - sudden separation from a sole caregiver
 - sudden and unexpected deaths
 - violent deaths
 - death of a child

Anytime a child is removed from his or her home, it is traumatic. Additionally, that removal usually follows another traumatic event such as abuse, severe neglect, parental arrest, or even parental death.

B. Effects of Trauma According to Developmental Stage

Complex trauma is defined as exposure to multiple or prolonged traumatic events.

It is particularly characterized by the relationship between the children's exposure to trauma and its impact on the children's lives. Compared to adults, children are at increased vulnerability for developing negative outcomes after trauma. Separation and loss, although not life-threatening, may be perceived so by children—especially young children.

The *Adverse Childhood Experiences*² study shows that exposure to trauma in childhood not only impacts the child's health and well-being at the time of exposure, but is likely to continue to have an impact across the lifespan.

Impact includes behaviors such as smoking; alcohol abuse; drug abuse; depression; suicide attempts; having multiple (50 or more) sexual partners; developing obesity, heart disease, cancer, or sexually transmitted diseases; psychological disorder; and premature death.

² "Preventing Child Maltreatment," World Health Organization (2006), Web. 2 Oct. 2012.

C. Minimizing Trauma

Just as memories can be triggered by a certain smell or sound, the effects of traumatic events can also be triggered by sight, sound, taste, touch or smell. Thus, when working with children who have been traumatized it is important to try to minimize any additional trauma associated with law enforcement.

- Don't arrest the parent in front of the child(ren) when possible.
- Avoid transporting children in caged units.
- Avoid the use of sirens or lights when possible.
- When working with children:
 - Provide them with accurate information regarding the situation.
 - Address their concerns and worries.
 - Remember that a child who has been traumatized may have a lower developmental level than what you may expect from a child of their age.
 - Remember it is inappropriate to make light of the situation and to make jokes about what has happened.
- **Remind participants of the “Tips for Talking with Children” discussed in Video 1:**
 - Introduce yourself with your first name.
 - Use the child's name.
 - Use simple, age-appropriate language.
 - Sit at the child's physical eye level.
 - Explain your role as a police officer is to keep the child safe.
 - Acknowledge the child's right to remain silent.
 - Recognize the child's loyalty to the parent.
 - Don't criticize the parent(s).
 - Answer any questions that the child may have.
 - Ask one question at a time.
 - Avoid “why” questions.
 - Ensure that the child understands the question.

- Ask open-ended questions and use simple reflection to make sure there is clarity.
- Make no assumptions about the child's abilities based upon age.
- Allow the child to hold onto a stuffed animal or other object for comfort.
- Avoid rushing the child; let them have time to process thoughts and feelings.
- Observe non-verbal communication.
- Do not make promises that you will not be able to fulfill.

DISCUSSION QUESTIONS

1. Have you witnessed the generational cycle of trauma that Judge Romero discussed?
2. What have you found helpful in those situations?
3. How can you best work with children and youth who have been taught to fear you?
4. Which of the tips for minimizing trauma feel inappropriate or unpractical in actual practice?
5. What would remove those barriers?

APPENDIX A

CYFD COUNTY OFFICE MANAGER CONTACT LIST

<i>County</i>	<i>Office Manager</i>	<i>Address</i>	<i>Phone #</i>
FRANCINE ANAYA, Field Deputy Director, 1308 Gusdorf Rd., Taos, NM 87571, Phone: (575) 758-8871			
SCI	Linda Cravens-Rodriguez	300 San Mateo, NE, Suite 500, Alb., NM 87108	(505) 841-6100
CARMELA ALCON, NE Regional Manager, 912 North Railroad, Espanola, NM 87532, Phone: (505) 753-7191			
Colfax	Patricia Trujillo	1900 Hospital Drive, Raton, NM 87740	(575) 445-2358
Union	Patricia Trujillo	834 Main Street, Clayton, NM 88416	(575) 374-9862
Rio Arriba/Los Alamos	Carmela Alcon	912 North Railroad, Española, NM 87532	(505) 753-7191
San Miguel/Mora/Guad	Joy Weathers	2518 Ridge Runner Rd., Las Vegas, NM 87701	(505) 425-9335
Santa Fe	Matthew Esquibel	1920 5 th Street, Santa Fe, NM 87505	(505) 827-7450
Taos	Melissa Quintana	1308 Gusdorf Rd., Taos, NM 87571	(575) 758-8871
KASANDRA GANDARA, SW Regional Manager, 760 Motel Blvd., Suite A, Las Cruces, NM 88005, Phone: (575) 524-6400			
Doña Ana	Cecilia Rosales	760 Motel Blvd, Suite A, Las Cruces, NM 88005	(575) 524-6400
Doña Ana/Anthony	Jolene Torrez	945 Anthony Drive, Anthony, NM 88021	(575) 882-7900
Grant/So. Catron	Richard Anderson	3082 32 nd Bypass Rd. Ste. A, Silver City, NM 88061	(575) 538-2945
Luna/Hidalgo	Ronald Williams	918 E. Pear, Deming, NM 88031	(575) 546-6557
Otero	Larry Wisecup	2200 Indian Wells Rd., Alamogordo, NM 88310	(575) 434-5950
Lincoln	Larry Wisecup	507 Mechem Drive, Ruidoso, NM 88345	(575) 257-9217
Sierra	Tina VanWinkle	161 New School Rd., T or C, NM 87901	(575) 894-3414
Socorro/No. Catron	Tina VanWinkle	104 S. 6 th Street, Socorro, NM 87801	(575) 835-2716
CORY MCCARRELL, SE Regional Manager, 907 West Calle Sur, Hobbs, NM 88240 (575) 397-3450			
Chaves	Virginia Villarreal	#4 Grand Ave. Plaza, Roswell, NM 88201	(575) 624-6071
Curry	Carol Gonzales	221 W. Llano Estacado, Clovis, NM 88101	(575) 763-0014
Roosevelt	Carol Gonzales	1223 W. Fir, Portales, NM 88130	(575) 356-6688
Eddy/Carlsbad	Matthew Rael	901 DeBaca, Carlsbad, NM 88220	(575) 887-3576
Eddy/Artesia	Matthew Rael	2215 W. Main, Artesia, NM 88210	(575) 748-1221
Lea/Hobbs	Cory McCarrell	907 West Calle Sur, Hobbs, NM 88240	(575) 397-3450
Quay/Harding/ DeBaca	Tom Cassidy	107 West Aber, Tucumcari, NM 88401	(575) 461-0110
LISA MADRID-SCHLEICHER, Metro Regional Manager, 1031 Lambertton Place, NE, Alb., NM 87107, Phone: (505) 841-7800			
Alb. East Inv./HIS	Joseph Madrid	300 San Mateo, NE, Suite 300, Alb., NM 87108	(505) 841-2910
Alb. East Perm Plan	Brenna Dotson	300 San Mateo, NE, Suite 200, Alb., NM87108	(505) 841-2900
Alb W. Invest/IHS	Michelle Herrera	1031 Lambertton Place, NE, Albuquerque, NM 87107	(505) 841-7800
Alb. W. Perm Plan	Angelina Unale-Hale	1031 Lambertton Place, NE, Albuquerque, NM 87107	(505) 841-7800
Metro Placement	Robin Yoder	1031 Lambertton Place, NE, Albuquerque, NM 87107	(505) 841-7994
BART SANDOVAL, NW Regional Manager, 475 Courthouse Rd., P.O. Box 220, Los Lunas, NM 87031, Phone: (505) 865-4634			
Cibola	Edward Gould	1019 E. Roosevelt Ave, Ste. A Grants, NM 87020	(505) 285-6673
McKinley	Stacy Bond,	1720 East Aztec, Gallup, NM 87301	(505) 863-9556
San Juan	Nichole Garcia	2800 Farmington Ave., Farmington, NM 87401	(505) 327-5316
Sandoval	Sarah Osborn	4359 Jager Dr., NE, Rio Rancho, NM 87144	(505) 867-2373
Torrance	Valree Lopez	214 S. 5 th Street, Estancia, NM 87016	(505) 384-2745
Valencia	Cynthia Chavers	475 Courthouse Rd., Los Lunas, NM 87031	(505) 865-4634
Statewide Central Intake (SCI) Toll Free Line 1-855-333-7233 (855-333-SAFE)			
Foster Care & Adoption Inquiry Line 1-855-333-7233			

APPENDIX B

FAMILY VIOLENCE PROTECTION ACT (40-13-1 NMSA 1978)

The legislature finds that domestic abuse incidents are complex and require special training on the part of law enforcement officers to respond appropriately to domestic abuse incidents. The state of New Mexico discourages dual arrests of persons involved in incidents of domestic abuse. A law enforcement officer, in making arrests for domestic abuse, shall seek to identify and shall consider whether one of the parties acted in self-defense.

A local law enforcement officer responding to the request for assistance shall be required to take whatever steps are reasonably necessary to protect the victim from further domestic abuse, including:

- (1) advising the victim of the remedies available under the Family Violence Protection Act; the right to file a written statement, a criminal complaint and a request for an arrest warrant; and the availability of domestic violence shelters, medical care, counseling and other services;
- (2) upon the request of the victim, providing or arranging for transportation of the victim to a medical facility or place of shelter;
- (3) upon the request of the victim, accompanying the victim to the victim's residence to obtain the victim's clothing and personal effects required for immediate needs and the clothing and personal effects of any children then in the care of the victim;
- (4) upon the request of the victim, assist in placing the victim in possession of the dwelling or premises or otherwise assist in execution, enforcement or service of an order of protection;
- (5) arresting the alleged perpetrator when appropriate and including a written statement in the attendant police report to indicate that the arrest of the alleged perpetrator was, in whole or in part, premised upon probable cause to believe that the alleged perpetrator committed domestic abuse against the victim and, when appropriate, indicate that the party arrested was the predominant aggressor; and
- (6) advising the victim when appropriate of the procedure for initiating proceedings under the Family Violence Protection Act or criminal proceedings and of the importance of preserving evidence.

(2010) New Mexico Statutes, 1978. Family Violence Prevention Act. Chapter 40-13-1.

APPENDIX C

CHAPTER 29 LAW ENFORCEMENT

29-7-7.3 Ensuring child safety upon parental arrest: training.

Training for ensuring child safety upon the arrest of a parent or guardian shall be included in the curriculum of each basic law enforcement training class and as a component of in-service training each year for certified police.

(2010) New Mexico Statutes, 1978. Law Enforcement. Chapter 29-7-7.3.

CHAPTER 31 CRIMINAL PROCEDURE

31-1-8. Identification of minor or dependent children upon arrest; required inquiry; guidelines.

A. A state or local law enforcement officer who arrests a person shall, at the time of the arrest, inquire whether the person is a parent or guardian of minor or dependent children who may be at risk as a result of the arrest. The officer shall make reasonable efforts to ensure the safety of minor or dependent children at risk as a result of an arrest in accordance with guidelines established by the department of public safety.

B. The department of public safety, in consultation with the children, youth and families department, shall establish guidelines and a training program for law enforcement officers for ensuring child safety upon the arrest of a parent or guardian. The guidelines and training program shall include:

- (1) procedures to ensure that law enforcement officers inquire whether arrestees have minor or dependent children who may be present or at another location at the time of the arrest;
- (2) procedures for the proper arrangement of temporary care for children to ensure their safety and well-being; and
- (3) education on how the effects of witnessing a violent crime or other event causes emotional harm to children and how law enforcement can assist in mitigating the long-term effects of the trauma.

(2010) New Mexico Statutes, 1978. Criminal Procedure. Chapter 31-1-8.

ENSURING CHILD SAFETY UPON ARREST: NEW MEXICO DEPARTMENT OF PUBLIC SAFETY PROTOCOL

1. An arresting officer shall at the time of an arrest inquire whether the arrestee is a parent or guardian of minor or dependent children. The officer shall make reasonable efforts to ensure the safety of minor or dependent children at risk as a result of an arrest in accordance with the guidelines established by the Department of Public Safety (DPS) in consultation with the Children, Youth and Families Department (CYFD).
 - a. The officer shall ensure whether arrestees have minor or dependent children who may be present or at another location at the time of the arrest. The officer shall indicate that in the arrest/booking report.
 - b. Proper arrangements shall be made for the temporary care of children to ensure their safety and well-being.
2. Whenever it is safe, an officer shall make an arrest away from children or at a time when children are not present.
3. Whenever it is safe, an officer shall allow an arrestee to assure his or her children that they will be provided care in their absence. If the situation is not safe or if a conversation between the arrestee and child would prove to be non-productive, the officer shall explain the reason for the arrest to the children in age appropriate language and reassure the children that both arrestee and the children will be taken care of.
4. When an arrest or search warrant is planned, the ages and likely location of the children shall be taken into consideration when determining the time, place and logistics of the arrest or search.
5. If children are present during an arrest or if the arrestee indicates that children will be home without an adult caretaker, the officer shall determine whether another parent or guardian will be available to care for the children. If not, the officer shall attempt to locate an adult relative or another adult with whom the child or children have a significant emotional relationship with who is willing to take responsibility for the children. A preliminary criminal background shall be completed on the alternate caregiver to ensure the safety and wellbeing of the child or children.
6. Prior to placing children with an adult other than a parent, the officer shall call CYFD State Central Intake (SCI) to obtain information from the CYFD FACTS database regarding the potential caregiver. If there are abuse or neglect concerns, or if there is no identified caregiver for a child/children, the officer shall contact CYFD SCI for further support in ensuring the safety of the child/children and in providing support to families and children during the arrest of the parent.
7. If the child or children are in school, the officer shall contact the school and advise an authorized school employee of the parent's arrest and of the arrestee's preference for an alternate caregiver to pick up the child or children for temporary placement.

8. In the event that a child or children are present during an arrest, the officer must make alternate arrangements for the transportation of the children. Due to safety issues regarding child restraints, an officer shall avoid transporting children inside a caged unit unless absolutely necessary.
9. The arresting officer shall include the following in the Offense/Incident Report:
 - a. The names and contact information for the adults with whom the child or children are left with.
 - b. The name of any CYFD workers or school personnel contacted.
 - c. The names and contact information for any family members identified whether or not the child or children are placed with them.

New Mexico Department of Safety, Policy Manual. OPR: 33 (R-4), pages 6-7.

APPENDIX D

CHILDREN'S CODE 32A-4-3: DUTY TO REPORT CHILD ABUSE AND CHILD NEGLECT; RESPONSIBILITY TO INVESTIGATE CHILD ABUSE OR NEGLECT; PENALTY.

A. Every person, including a licensed physician; a resident or an intern examining, attending or treating a child; a law enforcement officer; a judge presiding during a proceeding; a registered nurse; a visiting nurse; a schoolteacher; a school official; a social worker acting in an official capacity; or a member of the clergy who has information that is not privileged as a matter of law, who knows or has a reasonable suspicion that a child is an abused or a neglected child shall report the matter immediately to:

- (1) a local law enforcement agency;
- (2) the department; or
- (3) a tribal law enforcement or social services agency for any Indian child residing in Indian country.

B. A law enforcement agency receiving the report shall immediately transmit the facts of the report and the name, address and phone number of the reporter by telephone to the department and shall transmit the same information in writing within forty-eight hours. The department shall immediately transmit the facts of the report and the name, address and phone number of the reporter by telephone to a local law enforcement agency and shall transmit the same information in writing within forty-eight hours. The written report shall contain the names and addresses of the child and the child's parents, guardian or custodian, the child's age, the nature and extent of the child's injuries, including any evidence of previous injuries, and other information that the maker of the report believes might be helpful in establishing the cause of the injuries and the identity of the person responsible for the injuries. The written report shall be submitted upon a standardized form agreed to by the law enforcement agency and the department.

C. The recipient of a report under Subsection A of this section shall take immediate steps to ensure prompt investigation of the report. The investigation shall ensure that immediate steps are taken to protect the health or welfare of the alleged abused or neglected child, as well as that of any other child under the same care who may be in danger of abuse or neglect. A local law enforcement officer trained in the investigation of child abuse and neglect is responsible for investigating reports of alleged child abuse or neglect at schools, daycare facilities or child care facilities.

D. If the child alleged to be abused or neglected is in the care or control of or in a facility administratively connected to the department, the report shall be investigated by a local law enforcement officer trained in the investigation of child abuse and neglect. The investigation shall ensure that immediate steps are taken to protect the health or welfare of the alleged abused or neglected child, as well as that of any other child under the same care who may be in danger of abuse or neglect.

E. A law enforcement agency or the department shall have access to any of the records pertaining to a child abuse or neglect case maintained by any of the persons enumerated in Subsection A of this section, except as otherwise provided in the Abuse and Neglect Act [32A-4-1 NMSA 1978].

F. A person who violates the provisions of Subsection A of this section is guilty of a misdemeanor and shall be sentenced pursuant to the provisions of Section 31-19-1 NMSA 1978. (2010) New Mexico Statutes [1978] Annotated, Chapters 32-33A, Children's Code. 32A-4-3, pages 83-84.

(2010) New Mexico Statutes, 1978. Children's Code. Chapter 32A-4-3

APPENDIX E

ONLINE RESOURCES

<http://www.childwitnessstoviolence.org>

- A counseling, advocacy, and outreach project that focuses on young children who are the hidden victims of domestic and community violence, and other trauma-related events.

<http://www.sfcipp.org>

- A bill of rights for children whose parents have been incarcerated. Also, resources and news regarding child welfare.

<http://www.zerotothree.org>

- ZERO TO THREE is a national, nonprofit organization that informs, trains, and supports professionals, policymakers, and parents in their efforts to improve the lives of infants and toddlers.

<http://actagainstviolence.apa.org>

- The ACT program mission is to mobilize communities and educate families to create safe, nurturing, healthy environments that protect children and youth from violence and its consequences. Website provides online publications on violence prevention, child development, conflict resolution and healthy discipline.

http://www.samhsa.gov/children/earlychildhood_trauma_resources.asp

- Substance Abuse and Mental Health Services Administration (SAMHSA) works to reduce the impact of substance abuse and mental illness on America's communities. The website contains resources on mental health and substance abuse. The webpage noted above provides multiple links to resources regarding childhood trauma.