



COUNTY OF KINGS
GRAND JURY
County of Government Center
1400 W. Lacey Blvd.
Hanford, CA 93230
Tel. No. (559) 582-3211 ext. 2892
Fax No. (559) 587-9502

FINAL REPORT RECEIPT FORM

KINGS COUNTY
GRAND JURY FINAL REPORT
2011-2012

I HEREBY ACKNOWLEDGE RECEIPT OF (1) COPY () COPIES
OF THE 2011-2012 FINAL REPORT (s):

**LEMOORE POLICE DEPARTMENT
CHILD PROTECTIVE EMERGENCY RESPONSE**

THIS REPORT WILL BE PUBLISHED AFTER TWO WORKING DAYS OF
RECEIPT FROM THE KINGS COUNTY GRAND JURY FOR THE YEAR
2011 ~ 2012.

THIS COPY IS DIRECTED TO: **LEMOORE POLICE DEPARTMENT**

PRINT NAME:

Janie Venegas

SIGNATURE:

Janie Venegas

TITLE / POSITION:

Secretary

MONTH/DAY/YEAR:

5-29-12

TIME:

8:55

WITNESS:

[Signature]
[Signature]

**GRAND JURY
2011-2022**

**LEMOORE POLICE DEPARTMENT
CHILD PROTECTIVE EMERGENCY RESPONSE**

SYNOPSIS

Due to a variety of events, children require placement in a suitable environment due to sudden inability or incapacitation of their primary guardian. Many of these events are a result of situations involving law enforcement. Coordination between law enforcement and Child Protective Services (CPS) is often required to provide the affected children with temporary placement.

WHY THE GRAND JURY INVESTIGATED

Public interest.

AUTHORITY

California Penal Code Section 925(a). The grand jury may at any time examine the books and records of any incorporated city or joint powers agency located in the county.

METHOD OF INVESTIGATION

The Grand Jury conducted an interview with a representative from the Lemoore Police Department. Procedure, policies and codes were reviewed and examined.

BACKGROUND AND FACTS

When law enforcement is involved in a child welfare emergency, they are required to comply with California Welfare and Institutions Code, Section 305(a) which states in part: "In cases in which the child is left unattended the peace officer shall first attempt to contact the child's parent or guardian to determine if the parent or guardian is able to assume custody of the child. If the parent or guardian cannot be contacted, the peace officer shall notify a social worker from the county welfare department to assume custody of the child." Section 300 defines guardian as being the legal guardian. Therefore, law enforcement agencies shall contact the

social worker to have potential caregivers approved by CPS before placing a child with anyone other than a parent or guardian.

According to CPS records and Lemoore Police Department testimony, Lemoore Police Department has not consistently followed the above code requirements. The Lemoore Police often violated this code by placing children without notifying CPS before assigning custody of the child.

When officers encounter a child at a scene where the parent(s) or guardian(s) have been arrested, the officers shall notify their dispatch to contact the on-call CPS worker. The purpose of the call is to determine proper placement of the child. It is permissible for the parent to make a request with the officer as to where the child will be placed. Officers shall obtain the name, date of birth, and address of the person the parent wishes the child to be placed with. This information will be provided to the on-call CPS worker. CPS on-call personnel utilize laptops which allow them to access their CPS database to assist law enforcement in determining if the person who receives temporary custody of the child is in fact fit to care for the child.

Continuing investigation revealed that in early 2012 Lemoore Police department initiated contact with CPS to develop better communications through training sessions and interdepartmental activities.

FINDING 1

Lemoore Police Department has not consistently followed the Welfare and Institutions code requirements. The Lemoore Police Department often violated this code by placing children without notifying CPS before assigning custody of the child.

RECOMMENDATION 1

Develop police department policies which conform to the Welfare and Institutions code. Provide officer training sessions regarding these policies and their implementation.

FINDING 2

In extreme cases of child welfare and endangerment, neglect, abandonment, and abuse (safety issues), CPS has agreed to respond to Lemoore Police Department in a timely manner as they are aware of the officer's need to stay available for normal duties due to limited personnel.

RECOMMENDATION 2

None

COMMENTS

In early 2012, the Lemoore Police Department has taken positive steps toward a productive working relationship with CPS. This will lead to a better understanding of each others role in insuring the safety of children involved in emergency situations.

future Due to the importance of the safety of these children, the Grand Jury recommends juries monitor the development and implementation of policies and procedures.

RESPONSE REQUIREMENT

Penal Code Sections 933 and 933.05 require that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Superior Court of Kings County within 90 days.