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## 1 Policy Statement

It is the policy of the Whatcom County Sheriff's Office to protect runaway and other at-risk children by removing them from potentially dangerous situations and placing them with those who can better provide for their safety. This policy is intended to guide deputy sheriffs in doing so.

### 1.1 Directives Affected

Location	Policy	Section	Status
BLEIS Operations	P-017-R1 P-019-R1 S-003-R1	All	Canceled
Rules and Regulations	Chapter 25	25.3 25.5 25.6.4 25.7	Canceled

### 1.2 Persons Affected

- All law enforcement deputy sheriffs
- Records personnel (Section 4.2.2)

## 2 Definitions

**Child (or juvenile or youth)** - Any unemancipated individual who is under the chronological age of eighteen years ([RCW 13.32A.030\(4\)](#)).

**Parent** – includes custodian or guardian ([RCW 13.32A.030\(14\)](#)).

### 3 Protective Custody

#### 3.1 When Required

Deputies shall take a [child](#) into protective custody whenever ([RCW 13.32A.050](#)):

- (a) A [parent](#) of the child notifies the WCSO that the child is absent from parental custody without consent; or
- (b) A deputy reasonably believes, based on the totality of the circumstances (e.g. age, location, time of day), that the child would be in danger if not taken into custody; or
- (c) An agency legally charged with the supervision of a child has notified the WCSO that the child has run away from placement; or
- (d) The WCSO has been notified by the juvenile court that the court finds probable cause exists to believe that the child has violated a court placement order issued under RCW 13.32A or 13.34, or that the court has issued an order for law enforcement pick-up of the child under the same RCW chapters; or
- (e) There is reasonable suspicion that a child is being unlawfully harbored in violation of [RCW 13.32A.080](#) (Unlawful harboring of a minor).

##### 3.1.1 Children Released from Juvenile Detention

When a child is due to be released from Juvenile Detention and Detention employees are unable to reach a parent, deputies may be called upon to briefly take protective custody of the child and release the child to the Department of Social and Health Services (DSHS). This is necessary because DSHS employees currently lack the authority to take a child into protective custody without a court order.

Deputies who are called upon to do this are exercising their authority under [RCW 13.32A.050\(b\)](#) (Section 3.1(b) of this policy) and should follow the documentation requirements in Section 4.2.

#### 3.2 Additional Authorization – Child Abuse or Neglect

Deputies may take, or cause to be taken, a child into custody without a court order if there is probable cause to believe that the child is abused or neglected and that the child would be injured or could not be taken into custody if it were necessary to first obtain a court order pursuant to RCW 13.34.050 ([RCW 26.44.050](#)).

#### 3.3 Guidelines

A deputy who takes a child into protective custody will observe the following:

- (a) The deputy should inform the child and the receiving party of the reason for the custody ([RCW 13.32.060](#)).
- (b) Whenever practicable, deputies should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, deputies should contact a supervisor promptly after taking a child into protective custody.
- (c) Deputies shall not extend beyond the amount of time reasonably necessary to transport the child to a destination authorized under [RCW 13.32A.060](#).

- (d) Deputies should maintain custody of a juvenile until the person, agency or entity to whom the child is released agrees to accept custody ([RCW 13.32A.050\(2\)](#)).
- (e) Runaway juveniles, except when in custody for separate criminal offenses or Section 7.1(e), are status offenders. Status offenders may not be detained in jails or lockups. They may not be held in a detention environment or come into contact with adults in custody at the station.

## 4 Placement

### 4.1 Acceptable Locations

Deputies who take a child into custody for one or more of the reasons listed in Section 3.1 or 3.2 must decide where best to place the child. This section provides guidelines that are intended to ensure that placement decisions comply with [RCW 13.32A.060](#) while considering local resource availability. See the [appendix](#) for specific resource information.

#### 4.1.1 Custody per Sections 3.1(a), (b) or (e), or 3.2

If...	Home	Parent's workplace	Adult extended family member	Responsible Adult	Licensed Youth Shelter	Crisis Residential Center	DSHS
Parent contacted	X	X	1	1	1	1	1
Unable to contact parent						X	X
Abuse or neglect suspected						X	X

Key:

X	Acceptable option
1	If requested by parent <b>and</b> within reasonable distance

#### 4.1.2 Custody per Section 3.1(c)

The child may be placed in a [Crisis Residential Center](#) (CRC) or with the [Department of Social and Health Services](#) (DSHS).

#### 4.1.3 Custody per Section 3.1(d)

The child may be placed in Juvenile Detention or as otherwise ordered by the court.

## 4.2 Documentation

Deputies should document in a written report why a child was taken into protective custody and to whom the child was released.

#### 4.2.1 Transfer of Custody to CRC or DSHS

DSHS's [Child Custody Transfer form](#) should be used any time a deputy transfers custody of a child to a CRC or DSHS, and should provide a copy to the person receiving the child ([RCW 13.32A.050\(3\)](#)).

#### 4.2.2 Abuse or Neglect Cases

Deputies shall forward a copy of any report containing information about child abuse or neglect to DSHS ([RCW 13.32A.050\(4\)](#)), attention to Child Protective Services (CPS).

Records personnel should send any report marked for delivery to CPS to the [local DCFS office](#).

Appendix – Child Placement Resources

**Crisis Residential Centers (CRCs)**

There is one CRC in our DSHS region. Deputies should call the CRC prior to transporting a child to ensure the facility is able to accept the child. The facility generally accepts any child between the ages of 12 and 17 years old who is not under the influence of alcohol or drugs and who is not a registered sex offender (Level I offenders are considered on a case-by-case basis).

[Redacted]

Deputies should refrain from releasing the address of the [Redacted] CRC and should not broadcast it over the radio.

**Licensed Youth Shelters**

Per [RCW 13.32A.060](#), licensed youth shelters are only an option for the placement of youth by law enforcement with parental consent. Deputies may inform parents about these resources and facilitate transporting a youth to a facility, resources permitting, but should call the facility first to verify bed availability. As of June, 2011, there were no licensed youth shelters in Whatcom County.

[Redacted]

**Department of Social and Health Services (DSHS)**

Children’s Administration (CA), Department of Children and Family Services (DCFS), and Child Protective Services (CPS) are all divisions of the Washington State DSHS.

**Intake center** for child placement (and child abuse and neglect reports)

Business hours – 866-829-2153 (Monroe)

All other times – 800-562-5624 (Seattle)

**Bellingham DCFS office**

1720 Ellis St., Suite 100

Bellingham

360-594-6700