



<b>Series</b> 200	<b>Effective Date</b> TBD	<b>Review Date</b> Five Years	<b>Directive Number</b> <b>203.10</b>
<b>Chapter</b> 203 – Criminal Investigations			
<b>Reviewing Office</b> Special Victims Unit			<input type="checkbox"/> <b>New Directive</b> <input checked="" type="checkbox"/> <b>Revised</b> Revisions in <i>Italics</i>
<b>References</b> <i>MLEAC 4.5.7 Michigan Safe Delivery of Newborns Law</i>			

## CHILD ABUSE AND SAFE DELIVERY OF NEWBORNS

### 203.10 - 1 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.

### 203.10 - 2 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 *the Child Abuse Unit between the hours of 8:00 AM - 4:00 PM. If Officers are unable to make contact with a member from the Child Abuse Unit, Officers shall contact Notification and Control, who will notify the Child Abuse Unit.*
3. *All notifications shall be made from the scene and be guided by their directives regarding further action. If an Officer must make contact with a member from the Child Abuse Unit between the hours of 4:00 PM - 8:00 AM, the Officer shall notify Notification and Control who will connect the Officer to an on-call Child Abuse Unit member.*
4. *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.*
5. 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.
6. **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, or maltreatment.
7. **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

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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.

8. 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.

9. 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.

10. If a child is taken in custody during the hours Child Abuse is 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.

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

12. 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). *In both instances, Evidence technicians will be ordered at the discretion of the Child Abuse Unit.*

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**203.10 - 2.1 Michigan Safe Delivery Act [ MLEAC 4.5.7]**

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 unit. *The child shall immediately be conveyed to the hospital by medics.* Personnel from the Child Abuse will respond to the location (precinct, fire station, hospital). 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.

**Related Policies:**

- Training Directive #22-01 Training for Youth-Related Interactions

**Related Forms:**

- Complaint – Request For Action, Child Protective Proceedings (JC-02)
- **Michigan Law Enforcement Accreditation Commission:**
  - 4.5.7 Michigan Safe Delivery of Newborns Law