County of Los Angeles
DEPARTMENT OF CHILDREN AND FAMILY SERVICES
425 Shatto Place, Los Angeles, California 90020
(213) 351-5602

PATRICIA S. PLOEHN, LCSW
Director

Board of Supervisors
GLORIA MOLINA
First District
YVONNE B. BURKE
Second District
ZEV YAROSLAVSKY
Third District
DON KNABE
Fourth District
MICHAEL D. ANTONOVICH
Fifth District

January 16, 2007

To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Yvonne B. Burke, Chair Pro Tem
Supervisor Don Knabe
Supervisor Gloria Molina
Supervisor Michael D. Antonovich

From: Patricia S. Ploehn, LCSW
Director

OCTOBER 17, 2006 BOARD AGENDA ITEM # 63-B MOTION BY SUPERVISOR DON KNABE RE: MART

INTRODUCTION:

On October 17, 2006, the Board of Supervisors instructed the Department of Children and Family Services, in collaboration with the Sheriff's Department, County Counsel and the Probation Department, to review and enhance the placement protcols for children and youth detained by the Multi-Agency Response Teams (MART) with particular focus on:

- Enhancing procedures that will ensure that children are not detained with contraband weapons or communications devices that could result in endangerment to themselves as well as others;
- Identifying and developing additional foster and group home placements that are specifically trained to receive and protect high profile MART identified children, and report back to the Board in 60 days.

SCOPE OF PROBLEM:

During the course of specialized operations, MART is often called upon to respond to the allegations of abuse or neglect involving children from generational and criminally sophisticated families. These MART identified children are sometimes pressured by the family to leave placement, are at risk of being abducted or may be at risk of harm, because they are witnesses to the criminal activities of the family. Additionally, some

children have begun participating in criminal activity and are resistant to placement and difficult to manage safely in placement.

Law Enforcement requests for MART participation in sensitive intelligence cases is increasing. Most are derived from cases involving homicide, human trafficking, terrorism, child pornography, wanted fugitives and national/international organized crime syndicates. Each of these investigations has a child abuse or neglect component.

As technology improves, communication devices have become more of a way for children to increase direct contact with their parents/family members. As a result, communication devices may compromise the safety of children and caregivers where there are concerns that a child may be abducted or harmed by family members as indicated above.

These concerns can exist for all Department of Children and Family Services (DCFS) children, not just those identified by the MART team. In response to these concerns, DCFS will expand its existing protocols and procedures to address the safety of all DCFS involved children in need of specialized protection due to concerns related to abduction or harm, by limiting their access to communication devices at the time of detention. This will ensure their immediate safety and the safety of their caregivers. Limiting this access will occur when there is reasonable suspicion to believe that there is: a flight or abduction risk, or a threat to the safety of the child or caregivers. When these factors are present, DCFS will make every effort to ensure that the children's right to communicate with their parents and family members is made through a controlled contact environment monitored by the caregivers, DCFS personnel or approved person(s).

STRATEGIES/SOLUTION(S):

The new policy guidelines will include more active guidance by the Children Social Worker (CSW) in ensuring that children who are being detained pack necessary items, including required medications and leave valuable, inappropriate or dangerous items at home. In addition, any child who is considered to be at risk of abduction or harm will be placed with existing trained out-of-home care providers who presently provide shelter and are prepared to deal with these types of situations. Law enforcement will also increase their role by ensuring safety at the scene in order to help DCFS facilitate and significantly minimize the risk factors posed to children having possession of inappropriate or dangerous items. A detail of the efforts that will be developed and implemented are as follows:

NEW POLICY: EXPANDED GUIDELINES ON CHECKING PERSONAL PROPERTY

DCFS will expand its existing policy (0100-525.20: MOVING A CHILD'S POSSESSIONS) to address the specialized safety needs of all children through newly developed guidelines on what a child should take from the home when detained. Guidance regarding appropriate items to take (i.e. socks, pants, shirts, personal attachment object, required medication, etc.) and not to take (i.e. communication devices, weapons, narcotics, large sums of money, etc.) will be provided and/or explained to the child and/or parent, when appropriate. Assistance with packing or a visual inspection will then be made of the items to be taken to the out-of-home care placement. Concerns related to illegal drugs and weapons will be turned over to law enforcement for appropriate handling.

When a child insists, over the DCFS' objection, on taking a communication device, DCFS will inform the out-of-home care provider to monitor the child and report any behavior or action that threatens the safety of the child or others in the home. DCFS will seek County Counsel's advice, and in appropriate cases, ask that the court order the communication device to be taken from the child.

Should a communication device such as a Geographic Point System (GPS) come into the child's possession during placement (i.e. visitations, school, etc.), the out-of-home care provider will notify DCFS. If DCFS determines the child is at risk of abduction or harm, it will first initiate a response to the out-of-home care placement to request that the communication device be deactivated. The item will be returned to the parent and/or caregiver at the earliest time with proper documentation to follow. Should the child refuse, County Counsel will be consulted and in appropriate cases will ask the court to order the communication device be taken from the child.

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) COLLABORATION

The Sheriff's Department, when there is a request from LASD for MART personnel to respond for assistance, will secure the location before MART personnel enter. LASD personnel shall, within the legal limitations as established by statutory and case law, secure the location and persons inside to establish a safe working environment for MART personnel.

LOS ANGELES COUNTY PROBATION DEPARTMENT COLLABORATION

For those operations involving the Probation Department where there is a request for MART participation, the Probation Department will ensure that their agent(s) is present and will take the lead over DCFS where the situation involves a violation of a youth's probation.

The vast majority of the Probation sweeps that MART is requested to be present at, will also have the corresponding local law enforcement agencies participating. The same physical search policies that exist for LASD noted above will also apply and be exercised by the participating law enforcement agency in order to secure the scene.

SPECIALIZED PLACEMENTS

The Out-of-Home Care Section of DCFS will work to provide the most up-to-date lists of existing homes that currently accept and provide specialized services to children based upon many factors including medical needs, mental health needs, sibling groups, children with probation like issues, etc. DCFS will assess each child taken into protective custody and determine the most suitable and safe home to be placed. This will take into account the level of risk and other related factors (i.e. number of siblings and ages, health needs, threats of violence, child engaging in criminal activity, family history of violence, etc.). Where necessary for the safety of the child, instructions will be given to each of the out-of-home care providers. These instructions will include adhering to strict monitored contact between the parents/caregivers and the detained children and any visitations will occur in a safe and neutral setting to include a law enforcement station, DCFS office or a secured foster family agency office. DCFS will work to also provide training and assistance to these identified specialized homes. In addition, further efforts to identify these specialized homes in collaboration with Probation is being explored by DCFS.

COUNTY COUNSEL

To create the Board-ordered MART Initiative, County Counsel has provided legal guidance and assisted in establishing protocols for the new collaborative effort between DCFS and LASD. County Counsel has remained a part of the collaborative and a designated Deputy County Counsel has been assigned to advise the MART Units. This designated Deputy County Counsel has and will continue to be accessible to the MART Units to advise DCFS on legal issues related to its involvement on the MART team.

NEXT STEPS:

The DCFS Policy Section will expand its existing Policy (0100-525.20: MOVING A CHILD'S POSSESSIONS) to include a safety component that addresses the guidelines to ensure that a child has needed items when detained and leaves behind items which are inappropriate. Safety precautions for children at risk of abduction and harm will be addressed.

Further, DCFS will move forward to train all DCFS personnel on the new policy. Utilization of a new list of specialized DCFS and Probation out-of-home care providers, will be put into practice depending on the needs and specific circumstances of each family.

SUMMARY AND CONCLUSION:

DCFS looks forward to the continued partnership and expansion of our collaborations with the Sheriff, County Counsel, Probation Department, and our community partners in order to provide maximum protection for children who have been or are at risk of being abused or neglected.

DCFS remains committed to the goal of ensuring the safety of all children and to dedicating the resources needed to significantly reduce the risk factors associated in working with families who are considered to be at high risk of abducting or harming their detained children and endangering out-of-home care providers.

If you have any questions, please call me or your staff may contact Armand Montiel, Board Liaison at (213) 351-5530.

TP:AW:em

c: Chief Administrative Officer
Chief Probation Officer
County Counsel
Sheriff
Executive Officer, Board of Supervisors