

POLICY 9

Protection of Youth Who are Vulnerable Due to the Arrest of Parents or Other Caregivers, the Execution of Residential Search Warrants, or Commercial Sexual Exploitation

PURPOSE

Provide policies to guide officers' interactions with youth who are vulnerable due to the actions of adults on whom they depend. Specific policies are required to address situations such as arrests of parents or other caregivers of youth, calls for service involving intimate partner violence, and the use of residential search warrants where youth witness a search by armed officers and/or the arrest of a parent, guardian or other caregiver, as well as situations in which youth are being trafficked.

Officers' tactics during these interactions, including an officer's use of weapons and treatment of youth, have major long-term impacts on how youth perceive law enforcement. As the International Association of Chiefs of Police (IACP) and the U.S. Depart-

ment of Justice (DOJ) have noted in the context of parental arrests, protection of youth in these situations should also be "viewed as an ethical, moral, and pragmatic responsibility that serves the short-term and long-term interests of both law enforcement, its justice partners and the communities they serve."¹

In addition, the number of youth who are trafficked by adults through chemical, economic, or physical forms of coercion (e.g. drugs, offering "gifts", food or shelter, and brute force) has increased in recent years. In encounters with trafficked youth, officers should view them as victims² and avoid arresting or recommending charges whenever possible. Officers' primary obligation to these youth is to keep them safe and hold their traffickers accountable.

1. International Association of Chiefs of Police and U.S. Department of Justice Bureau of Justice Assistance, Safeguarding Children of Arrested Parents, at 1 [IACP-SafeguardingChildren.pdf \(ojp.gov\)](#) (2014) (IACP/BJA Safeguarding Children).

2. See U.S. Department of Justice, Child Exploitation and Obscenity Section, Child Sex Trafficking (2020) [Child Sex Trafficking \(justice.gov\)](#) ("[E]very child involved in this form of commercial sexual exploitation is a victim.")

POLICY

This policy has three sections. Section I addresses youth who are present when law enforcement officers are questioning or arresting their parents, guardians or caregivers.

Section II addresses youth who are present in the home when officers are carrying out a residential search warrant. Section III addresses youth who are the victims of sex trafficking.

Officers' obligations to youth in these circumstances requires a greater awareness of youths' vulnerability, a recognition of a special duty of care and protection in light of that vulnerability, and an obligation to anticipate, reduce, and prevent youth exposure to trauma, including from law enforcement interactions and use of force. This policy also

requires law enforcement agencies and officers to anticipate the need for appropriate care and social services to address and minimize youth trauma, and to proactively refer youth and their families to service providers.

Because many of these situations involve complex issues and the responsibilities of child welfare providers and other childcare agencies, implementing this policy requires regular multi-disciplinary coordination, shared protocols, and other collaborative efforts.

REASONS FOR YOUTH SPECIFIC POLICIES

Why Officers Need to Use Special Approaches to Youth in These Situations

Youth Affected by Caregiver Arrest and/or Residential Search Warrants

- Observing a parent or caregiver being arrested is traumatic for youth. Existing studies indicate that witnessing parental arrests leads to poor outcomes for youth, including sleep disruptions, separation anxiety, and irritability. Researchers have also found that these youth have symptoms of post-traumatic stress, diminished skills in regulating emotions, and increased anxious and depressed behaviors compared to youth with incarcerated parents who did not witness the arrests of their parents.
- Although law enforcement agencies do not routinely capture or aggregate data on the presence of children during a parent's arrest, it is estimated that somewhere between 5,000,000 and 10,000,000 children have lived with a parent who went to jail or prison. Some researchers have estimated that as many as 20% to 30% of parents who are arrested may have had children present during their arrest.
- Arrest and incarceration of women, who are usually the primary caretakers of youth, has increased in recent decades, including a reported 83% increase in

arrests of women between 1980 and 2014, a six-fold increase in the number of women incarcerated between 1980 and 2021, and, as of 2021, more than half of women in state prisons having a child under 18.

- The presence of youth during arrest was recognized as being “inadequately addressed in a large number of arrest situations throughout the U.S. given that a majority of departments still [as of 2014] do not have policies and procedures for responding to children of arrested parents.”³
- Communities have raised concern over the conduct of residential search warrants since 2013, when a flashbang grenade was thrown into a living room killing a sleeping 6-year-old, and another grenade was thrown into the crib of a sleeping six-month old who was seriously injured. These highly publicized instances have led to increased concern and protests regarding the use of flashbang and other weapons to conduct the searches, as well as the risks involved in the use of no-knock warrants.

Youth Victims of Sex-Trafficking

- As DOJ has noted, no youth is immune to becoming a victim of child sex trafficking, regardless of the youth’s race, age, socioeconomic status, gender, sexual orientation or location.⁴

- Child sex trafficking victims are often not recognized as victims and do not always outwardly present as sympathetic victims.⁵
- Law enforcement is often the first public agency to intercede on behalf of a trafficked youth. Law enforcement officers who are familiar with indicators of trafficking are better able to recognize the vulnerabilities of trafficked youth and respond appropriately.
- States are increasingly moving to protect child sex trafficking victims from prosecution by providing immunity to youth victims who engaged in commercial sex, such as prostitution and prostitution-related crimes. These protections reflect the presumption that youths who have participated in criminal activity have done so because they were exploited and sexually abused and perceived no other option.
- Child sex trafficking victims often need specialized services to address illnesses, drug addictions, physical and sexual trauma, lack of viable family and community ties, and total dependence (physical and psychological) on their abusers.⁶

Additional source and background information for this policy can be found in the [Appendix to Policy 9](#).

3. IACP/BJA, *Safeguarding Children*, at 14.

4. See U.S. Department of Justice, Child Exploitation and Obscenity Section, *Child Sex Trafficking* (2020) [Child Sex Trafficking \(justice.gov\)](#); U.S. Department of Justice Office of Community Oriented Policing, *Combating d Sex Trafficking A Guide for Law Enforcement Leader*, at 1 (2016), [Combating Child Sex Trafficking: A Guide for Law Enforcement Leaders \(usdoj.gov\)](#)

5. See U.S. Department of Justice, Child Exploitation and Obscenity Section, *Child Sex Trafficking* (2020) [Child Sex Trafficking \(justice.gov\)](#); U.S. Department of Justice Office of Community Oriented Policing, *Combating Child Sex Trafficking A Guide for Law Enforcement Leader*, at 1 (2016), [Combating Child Sex Trafficking: A Guide for Law Enforcement Leaders \(usdoj.gov\)](#)

6. U.S. Department of Justice, Child Exploitation and Obscenity Section, *Child Sex Trafficking* (2020), [Child Sex Trafficking \(justice.gov\)](#)

DEFINITIONS

AGENCY

This law enforcement agency.

CHILD SEX TRAFFICKING/COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN

A situation in which an adult: 1) Recruits, entices, harbors, coerces, or controls sex acts of a youth for the adult's benefit; 2) Coerces or controls the sex acts of a youth in exchange for money, shelter, food, drugs, clothing, or anything of value to a child; or 3) Exploits youths to engage in pornography or perform in sexual venues.⁷

CHILD WELFARE SERVICES (CWS)

A public service agency, or its contract agency, that has authority to assume responsibility for the care, welfare, and temporary supervision of a youth who is at risk of, or is exposed to, abuse or neglect.

DEVELOPMENTALLY APPROPRIATE LANGUAGE

Developmentally appropriate language uses vocabulary, syntax, and speed and complexity of communication that matches an individual's developmental level and capacity for understanding. Developmentally appropriate language is necessary to ensure meaningful communication and increases the likelihood that youth are able to understand and assert their constitutional rights.

INTIMATE PARTNER VIOLENCE (IPV)

Intimate partner violence (IPV) is abuse or aggression that occurs in a romantic relationship. "Intimate partner" refers to both current and former spouses and dating/romantic partners. IPV can include physical violence, sexual violence, coercion, stalking, or psychological aggression.⁸

PARENT

The youth's biological or adoptive parent, guardian, or legal custodian.

PARTNER ORGANIZATION

A group or agency that may work with law enforcement to safeguard a youth from trauma when his or her parent or legal guardian is arrested or when the child has been trafficked. This may include CWS, probation/pretrial entities, victim advocates, medical/mental health services, schools, and youth-serving organizations.

7. See Sections 103(3), 103(8), and 103(9) of the Federal Victims of Trafficking and Violence Protection Act of 2000 (defining commercial sex act, severe forms of trafficking in persons, and sex trafficking)

8. See U.S. Centers for Disease Control and Prevention, [Fast Facts: Preventing Intimate Partner Violence](#), [Fast Facts: Preventing Intimate Partner Violence](#) | [Violence Prevention](#) | [Injury Center](#) | [CDC](#)

RESPONSIBLE ADULT

Any adult related to the youth by blood, adoption, or marriage, or who has an established familial or mentoring relationship with the youth, who does not exhibit adverse interests to the youth. A responsible adult can include, but is not limited to, godparents, clergy, teachers, neighbors, and family friends.

TRAUMA

As defined by the U.S. Department of Health and Human Services, individual trauma results from an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or life threatening and that has lasting adverse effects on the individual's functioning and mental, physical, social, emotional, or spiritual well-being.

TRAUMA-INFORMED RESPONSE

A trauma-informed **officer**: 1) anticipates that exposure to and experience of trauma is widespread, 2) realizes that the impacts of trauma often lead to reactive, survival behaviors; 3) recognizes hallmarks of traumatic responses, which are often shaped by a perspective of powerlessness, and 4) responds by considering the role trauma may play in a person's response while taking steps to avoid re-traumatization. A trauma-informed law enforcement **agency** supports its officers' trauma-informed responses by promoting awareness of and training about trauma, policies that require training for trauma-informed skills with the public and among officers.

WARM TRANSFER

A process of coordination between law enforcement and service providers when officers make a referral for services for youth or abused parents/caregiver in situations of intimate partner violence. In a "warm transfer", the officer will speak with a person in the relevant partner organization about the needs of the youth and/or abused parent or stand by or otherwise support the abused parent when they speak to the service provider.

YOUTH

Any person under the age of 18.

PROCEDURE

I. Policies for Interacting with Youth During Arrests of Parents or Other Caregivers

A. Agency Obligations

1. Obligations of Emergency Communications Center (ECC) Personnel

This Agency shall ensure that:

- ECC staff shall, when feasible and appropriate, ask callers whether a youth is present and notify responding officers if youth are present.
- Officers are trained to effectively communicate with youth using developmentally appropriate language,

2. Agency Obligations at Processing

- This Agency will place notices in booking areas reminding parents and other caregivers who have been arrested, to notify an officer if they are caretakers for youth who are in need of supervision.
- The booking officer shall ask the person under arrest if they are responsible for a youth who needs arrangements for supervision, including youth not present at the time of the arrest who are expected to return home.
- If the person under arrest recommends a substitute caregiver for the youth, this Agency and CWS will promptly determine the suitability of the suggested substitute caregiver, using the procedures set out in Section I.E.5, below.
- The booking officer shall enter the name, address, and phone number of the substitute caregiver into the booking record. Where applicable and known to the booking officer, the booking officer shall enter the name of a CWS contact into the booking record.

3. Coordination with Child Welfare Services (CWS) Agencies and Mental Health/Social Service Providers:

- Where possible, this Agency shall develop a Memorandum of Understanding (MOU) or cooperative agreement with CWS to:
 - a. provide on-site assistance to officers when:
 - an alternative caregiver has not been identified by the parent or is not available;
 - the youth already has an open CWS case; or
 - state mandated reporter law requires officers to do so.

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- b. ensure officers are routinely trained in mandated CWS reporting requirements,
 - c. clarify when officers should report a parent or other caretaker to CWS for suspected child abuse or neglect,
 - d. offer training for CWS and partner organization staff on the role, responsibilities, and protocols of law enforcement during arrests,
 - e. seek training for officers by CWS staff and representatives of partner organizations on their roles, responsibilities, and policies for a youth during parental arrest.
- This Agency will provide officers with information on local, supportive child-serving mental health/trauma organizations as well as medical providers, to facilitate youth access to trauma-informed support and medical care,
 - Where possible, the Agency will routinely meet with providers to ensure that the MOU, cooperative agreement or any other interagency partnership is working effectively and that the Agency's policies and protocols are meeting the needs of youth in these circumstances,
 - The Agency will equip officers with a protocol/checklist to ensure coordination with CWS when the parent has been arrested and no other caregiver is available,
 - The Agency will offer to train CWS and partner organization staff on the role, responsibilities, and protocols of law enforcement during arrest situations. The Agency will ask CWS and other partner organizations to train officers about partner roles, responsibilities, and policies for youth.

B. Upon Officers' Arrival on Scene

1. As soon as possible, officers should be attentive to signs (e.g. toys, diapers, playpens, high chairs, cribs, youth clothing, etc.) of youth being on the premises,
2. As soon as possible, officers must account for and locate any youth,
3. As soon as possible, officers must consider the physical and emotional risk to youth when deciding how to proceed with the complaint/call for service.

C. Officers' Obligations to Youth on Scene

1. Officers should ask the parent or caregiver whether there are youth on the scene.

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2. When informed that youth may be on scene, officers shall make every effort to avoid use of equipment to force entry, including flash bang grenades, battering rams, and other tools that may harm or traumatize youth.
3. As dictated by their agency's firearms policy and consistent with standards of firearms training and contemporary best practices, upon entry into the residence, officers' fingers will be off the trigger of their weapon, with their weapon pointed in a safe direction. Unless events dictate otherwise, officers will hold their weapons in this manner upon "clearing" the premises, while speaking with youth and family members, as well as when residents may be asked to leave during a callout.
4. As soon as possible and prudent, without escalating the situation, an officer should separate youth from the scene involving the adult who is being arrested or is the target of a search, by bringing them into a separate area.
5. For youths' comfort and safety, they should be permitted to stay in proximity to a responsible adult present at the scene who is not being arrested.
6. As soon as possible, an officer should conduct a visual check of all youth for signs of physical harm, mental health crisis, and/or exposure to drugs to determine need for medical attention.
7. As soon as possible, an officer should comfort youth who appear to be upset, or in shock. They should help small children calm themselves by providing distractions and, when appropriate, comforting them with an item to hold (e.g., a teddy bear).
8. As soon as possible, an officer should explain in developmentally appropriate language:
 - The role of the officer(s),
 - What is happening with the person being arrested,
 - What will happen next to the person being arrested and the youth, and
 - The answer to any questions asked by youth; officers should be truthful and should not make promises or claims of which the officer is unsure.
9. An officer should not question youth in the presence of the arrested adult about the parental conduct leading to the call for service.
10. When possible and likely to be helpful to the youth, and to allay the youth's anxiety, an officer should consider involving the arrested parent in explaining what is happening and what will happen next.

11. Officers should anticipate problems with continence with younger children and permit them to use the bathroom.

Prohibited Officer Conduct

Officers must not:

- Point guns at any person on the scene unless there is an objective, articulable, and reasonable belief that deadly force may be necessary,
- Handcuff/flexicuff or restrain youth, unless doing so is necessary for the immediate safety of the youth,
- Interrogate or threaten youth to obtain information about the adult being arrested,
- Use language with youth that is objectively demeaning, insulting, and abusive.

D. Arrest of Parent or Other Caregivers When *No Other Responsible Adult is on Scene*

1. When reasonable and prudent, an officer shall:
 - permit the parent under arrest to comfort and reassure children who are present,
 - ask the parent under arrest to identify a caregiver for the children and where feasible,
 - permit the parent to access their phone to obtain phone numbers of possible caregivers,
 - ask the parent under arrest about items or objects that provide particular comfort to the youth (e.g. toys, clothing, blankets, books, photographs or food),
 - ask the parent under arrest about any medical, behavioral, or psychological conditions and/or required treatments of the youth that would become the responsibility of a caregiver.
2. The officer shall follow the protocol or MOU regarding transfer of the youth to CWS custody. This may include:
 - Calling or directing a colleague to call the designated CWS contact,
 - Documenting all transfer of custody information in the file of the adult under arrest,
 - Providing CWS with contact information and the location of any responsible adult who is not being arrested,

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- If another responsible adult is not available, and the adult under arrest recommends a substitute caregiver for the youth, this Agency and CWS will promptly determine the suitability of the substitute caregiver recommended by the arrested parent,
 - When the adult under arrest is unable or unwilling to identify a caregiver, and other suitable arrangements cannot be secured within a reasonable period of time, youth shall be taken into the custody of CWS or another partner organization,
 - Wherever possible, in making a youth placement determination, the Agency and CWS will assume that the family knows best about the child's needs.
3. Under no circumstances may the officer(s) leave the scene of the arrest until all youth are in the care of a responsible adult.
 4. Prior to leaving the scene, officer(s) should:
 - Make one final check to confirm that no youth is on the scene (e.g. determine whether a youth is hiding or waiting to come out),
 - Remove any live pets from the home.

E. Arrest of Parent or Other Caregiver When Another Responsible Adult is on Scene

1. When a parent or other caregiver is being questioned or arrested and it is safe for another responsible adult to supervise the youth, the officer should work with the responsible adult to remove youth from the location in which the "target" adult is being:
 - Questioned,
 - Arrested, or
 - Handcuffed.
2. When reasonable and prudent, an officer shall facilitate the available responsible adult's ability to provide comfort and reassurance to the youth, and/or soothing conversation and actions.
3. Officers arresting an adult for IPV should ascertain whether the alleged victim needs childcare to obtain medical assistance and consult with supervisors and/or CWS to attempt to arrange a substitute caregiver so that the victim can receive medical assistance.

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4. When arresting an adult for IPV, officer(s) shall inform the adult who is the alleged victim, of information and referrals to service providers to address the trauma of the IPV experience and help mitigate its effects.
5. Where possible, and as soon as possible, officer(s) shall make a warm transfer to a service provider for the youth and/or the alleged victim.
6. Where an officer arrests a parent or other caretaker outside of the presence of their children, the officer shall:
 - Ask the adult being arrested if they are responsible for youth who are likely to be returning to the location after the arrest and whether those children are in need of another caregiver,
 - Contact a supervisor when the adult denies residing with or being responsible for youth but the officer sees indications or learns from others that the adult lives with or is otherwise responsible for youth.

F. Documentation of Efforts

When an officer arrests an adult, they must document in the arrest report whether the arrested adult has any children under the age of 18, including those not present at the time of arrest. Documentation shall include:

- the identity and age of any youth,
- if known to or apparent to the officer, any of the youth's special needs, including any disability, medical, or behavioral health condition;
- for notification purposes as required by department protocol, the identities, addresses, and contact information for caregivers;
- names and contact information of any partner organizations that the officer consulted or involved in preparing for or carrying out the arrest.

G. Assess Possible Traumatic Impacts to Officers Involved

The Agency will assess whether officers experienced trauma as a result of encountering youth during the arrest of an adult. At a minimum, the agency will:

- Make officers aware of any available wellness programs,
- Support and encourage officers in seeking help.

II. Interactions with Youth During Execution of Residential Search Warrants (RSW)

A. Obligations to Minimize the Harm Resulting from Execution of the RSW

1. Any officer who may be asked to participate in a RSW where youth are likely to be present shall be required to attend an annual training that includes special focus on execution of RSWs in the presence of youth.

The training must include guidance on **use of force policies**, including policies regarding:

- Use of restraints, hand control, firearms and/or tasers, including pointing weapons at, or using them on, youth, or on caretakers while youth are present,
 - Threatening caretakers with use of force or other harm while youth are present.
2. Use of developmentally appropriate, trauma-informed, equitable language and interactions with youth, during the course of the law enforcement action, to include **obligations** to:
 - minimize youths' exposure to violence and use of force,
 - engage, comfort, and reassure youth,
 - ensure other team members adhere to best practices with youth,
 - recognize that youth trauma may be compounded if officers' actions traumatize parents and render them helpless to protect their children,
 - permit responsible adults who are arrested to comfort the youth,
 - address any trauma caused by the law enforcement action by arranging for access to mental health services,
 - address proper care of youth should a responsible adult be arrested.
 3. Use of developmentally appropriate, trauma-informed, equitable interactions with youth prohibits:
 - Using breaching weapons, including flashbang grenades and tear gas,
 - Handcuffing/flexicuffing and otherwise restraining youth except for the immediate safety of the youth,
 - Threatening youth,
 - Using intimidating, demeaning, threatening or insulting language with youth or with caregivers when youth are present;

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- Interrogating or threatening youth to obtain information about the target or contraband sought.
4. Destroying the residence and/or possessions, including leaving the scene without repairs to the door and locks that may have been damaged during entry.

B. Preparing to Execute a RSW⁹

1. To determine whether youth reside in the target's location, officers should prepare a detailed youth surveillance plan by:

Conducting surveillance:

- Deploy officers to conduct surveillance on the residence to determine whether youth reside, or are cared for, at the location, and identify the time when youth are least likely to be present,
- Use a "Youth Protection Checklist," to check for the presence of youth by looking for specific cues,
- Ascertain whether there are family pets,
- Submit this checklist for supervisory review and as part of the case file.

Confirming the correct address for the planned RSW:

- Comprehensively investigate existing court, probation, or any other law enforcement databases to ensure that the target of the RSW resides in or is highly likely to be found at the target address, including that the target is not incarcerated,
 - Using all available databases and sources of information, investigate who lives or stays with the target, including any children, their ages, and their school and activity schedules, if applicable.
2. To minimize harm to youth who may be at the target's location, the entry team supervisor must prepare a detailed written implementation plan based on the information collected by officers. This plan must include:
 - An analysis of whether the risk to youth is outweighed by the expected law enforcement benefit,

9. As the International Association of Chiefs of Police has recognized, "[a]n important measure that law enforcement can take to protect a child when his or her parent will be arrested is to determine, when reasonably possible, whether a child is, or is reasonably likely to be, at the arrest location. Of course, this is not always possible.... However, when an arrest or search warrant is being executed or officers expect that it is probable that questioning of a suspect at his or her home or other location may lead to an arrest, there may be time to determine whether it is likely that a child will be present or may be under parental care of the suspect." IACP/BJA, *Safeguarding Children*, at 12 (2014). See also *id.*, at 20-21 (Model policy provisions for "pre-arrest planning" for arrests and search warrants).

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- The approximate time at which the RSW is planned, including that, absent exigent circumstances, officers will not execute a warrant at a time youth are expected to be present,
 - The identification of one officer as the “designated youth officer” for purposes of executing the RSW. As described in II.C.4, below, this officer will be present to assist youth on the scene, and protect their physical and emotional well-being.
3. Final approval of the execution of an RSW
- Prior to approving an RSW, a commander must consult with the entry team supervisor and designated youth officer to determine whether:
- The risk to youth in the home is outweighed by the expected benefit of executing the warrant at the time and under the circumstances proposed by the team.
 - The team has:
 - completed the Youth Presence Checklist,
 - identified a designated youth officer,
 - coordinated for custody and aftercare of any youth (e.g. ensured the on-scene presence of a mental health provider, to assess and address child trauma on scene, as well as provide access to support services).

C. Policies for Execution of Search Warrant

1. Officers who execute the RSW shall proceed on the assumption that they will encounter youth even if none have been identified in the pre-execution preparation process. This means that upon entry:
 - Each officer must be clearly identifiable as a law enforcement officer.
 - As dictated by the Agency’s firearms policy and consistent with standards of firearms training and contemporary best practices, upon entry, officers’ fingers will be off the trigger, with their weapon pointed in a safe direction during both entry and “clearing and securing” the premises as well as when the youth leave during a callout.
2. Officers will immediately withdraw if they realize they are in the wrong location.
3. Officers will wear and activate body worn cameras (BWCs) prior to entering the residence and keep the cameras running until they have left the location.

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4. The designated youth officer will immediately remove youth from the scene where officers are questioning adults and from any location where officers are pointing guns at anyone.

Wherever feasible, the designated youth officer shall be in close proximity to youth at all times. The designated youth officer shall, where practicable:

- Use trauma-informed/responsive language designed to comfort and distract the youth, emphasizing that the youth have done nothing wrong and that they will be kept safe,
 - Using developmentally appropriate language to explain, and if need be, repeatedly explain, what is happening, including explaining loud noises and what is likely to happen next,
 - Acknowledge any mistakes made or harm inadvertently caused,
 - Keep youth with non-target caregivers,
 - Involve non-target caregivers in comforting and supporting youth,
 - Work with the team to avoid harming any pets, and keep youth from observing any harm to a pet,
 - Introduce available family members (including caregiver) to social, psychological and medical service providers to address youth exposure to traumatic incidents that occurred during the law enforcement action,
 - Ensure that youth removed from the residence:
 - Are properly clothed for the weather,
 - Are given the opportunity to take something that gives them comfort (e.g., a stuffed animal, blanket, computer),
 - Are able to leave with any medication they may need if there is a risk that they cannot immediately return to the residence.
5. At no point shall the youth's belongings/room be searched in the presence of youth and care should be taken not to damage or destroy a youth's toys or other belongings.
 6. If the youth's parent or other caregiver is arrested, officers will follow the procedures for arrests set out in Section I.

7. Officers must document in their report:
 - Whether officers' firearms and/or tasers were pointed and/or fired at any person during the RSW,
 - Whether youth saw officers point a weapon at any parent or other caretaker,
 - Whether youth saw or heard any officer interrogate or arrest a parent or other caretaker,
 - The approximate age and observed gender of any youth present during the RSW,
 - Any circumstances in which officers left youth alone while the RSW was executed,
 - The name and badge number of the search warrant entry team supervisor and the designated youth officer.

D. Debrief After Executing the RSW

The Agency will conduct a complete debrief of the execution of the warrant.

This process will:

1. Assess Accuracy of Pre-Warrant Investigation and Planning

Review the pre-RSW Youth Presence Checklist and the implementation plan for conducting the search to determine whether officers complied with the Checklist and the plan, whether the plan was effective and, if not, determine why not.

2. Assess Youth Exposure to Use of Force and Other Law Enforcement Action:

- The supervisor and designated youth officer will review BWCs to determine whether BWCs were used and report when they were not,
- The supervisor and designated youth officer will review BWCs to assess the:
 - Designated youth officer's ability to separate and shield youth from exposure to weapons by team,
 - Team members' actions to shield youth and minimize exposure to harm,
 - Language used by designated officers to assess whether any officer threatened youth or caretakers, interrogated youth, and whether officers used language to calm and support youth,
 - The use of weapons, if any, by officers executing the warrant, including if they were used, how they were used, and whether their use (including any pointing) was properly documented.

3. Assess Efforts to Support Youth and Caregivers

The supervisor will review involvement of mental health providers and/or CWS to care for youth and/or take them into child welfare custody, including:

- Whether officers notified mental health providers and CWS services of the need for their presence
- Whether the RSW team included a mental health professional,
- Whether mental health providers or CWS representatives responded to the scene, if requested by the RSW team,
- If mental health providers or CWS representatives were needed but not present, how the team attempted in their absence to meet youths' needs during the search.

E. Repairs of Premises

The Agency commits to restoring, at the jurisdiction's cost, the residence which it searched to the condition in which it found it—and taking every step to do so promptly without creating demands on residents to do so. The Agency will:

- Assess steps taken to repair the home from any damage caused by the RSW, with a special focus on repair of doors and other safety hazards damaged by breach actions,
- Photograph and document all damage to real and personal property resulting from the search prior to leaving the scene,
- Within 24 hours, create a timetable for expected repairs, identifying the agencies or persons responsible for implementing the repairs,
- Maintain contact with the family to provide updates on the progress of repairs,
- Complete repairs, without requiring any financial contribution from the family,
- Alternatively, reimburse the owner/occupant for all repairs made and/or establish a municipal fund for the repair of damages to collateral victims' property,
- Refer the family to temporary housing and other services, if needed,
- Follow up as necessary to ensure repairs are completed.

III. Policies for Patrol Officer Encounters with Youth who are Trafficked or Subjected to Commercial Sexual Exploitation

A. Commercial Sexual Exploitation of Children

1. A person under 18 who is subjected to sex trafficking is to be treated as a **victim**.
2. In situations of sex trafficking, the Agency will create a multi-disciplinary team involving, health care, victim services, and other partner organizations.
3. This team will:
 - Create a response protocol to provide for the youth's health, safety, and emotional well-being,
 - Ensure officers and partner organizations implement protocols swiftly and effectively,
 - Facilitate the youth's access to services, and
 - Provide patrol officers access to information and strategies for helping trafficked youth.

B. Primary Obligations of Officers on the Scene are to:

- Prioritize the trafficked youth's safety, privacy, and physical and emotional well-being,
- Provide or ensure the trafficked youth's transport to any needed medical care,
- Respond with sensitivity, compassion, and professionalism, showing respect for the human dignity of the victim(s) regardless of their sexual orientation, gender identity, socio-economic status, sexual behavior, substance use or abuse, mental and physical challenges, race, national origin, religion, immigration status, or English proficiency,
- As appropriate and in consultation with supervisors, officers may notify and assist federal agencies when investigations involve the alleged violation of federal statutes regarding child sex trafficking.

C. Officer Training

1. All officers who respond to situations of alleged child sexual exploitation or sex trafficking will receive training on:
 - How to recognize indicators that a youth may be a victim of sex trafficking,

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- How to take a trauma-informed approach to youth victims, including effective interviewing techniques, establishing trustworthiness, empathizing with victims, understanding, and responding to victims' cultural backgrounds, and avoiding actions that further traumatize victims,
 - Relevant laws involving sexual assault,
 - Service providers and community partners, including in the areas of mental health, medical care, substance abuse, and children's services.
2. Agency Point of Contact (POC) Protocol
- The Agency will identify an individual or unit as a POC for child sex trafficking matters,
 - Officers will notify the POC immediately when it appears the youth is trafficked,
 - Officers will provide the POC with written information including names of victims, targets, location of encounter, date and time,
 - Once notified, the POC will confer with a supervisor, who determines whether indicators of trafficking are evident,
 - The POC determines the best strategy for determining custody of the youth in view of facts discovered on scene.

D. Responses Of Patrol Officer

1. When a youth is found, officers will be able to recognize the signs that a youth may be subjected to sex trafficking, including by using screening tools and indicators of trafficking.¹⁰
2. When arriving on the scene, officers will:
 - Record on scene contact via BWC. However, when a victim or non-offending caregiver requests the de-activation of a member's BWC, the officer shall comply,
 - Assess the extent of the youth's injuries, if any, and respond to their request for medical treatment,
 - If the officer has reasonable suspicion that sexual contact has occurred within 72 hours, the officer shall gather any available physical evidence, and immediately bring the youth to a designated medical facility,

10. Officers should be familiar with and may want to use established screening tools in evaluating whether a youth is a victim of sex trafficking. See, e.g., West Coast Children's Clinic Commercial Sex Exploitation Identification Tool, available at Commercial Sex Exploitation Identification Tool (CSE-IT), <https://www.westcoastcc.org/cse-it/>; Urban Institute Pre-Tested Human Trafficking Screening Tool for Youth (HTST), available at: https://www.urban.org/sites/default/files/publication/93596/pretesting_tool_2.pdf

Policy 9 – Procedure (cont'd)

- Where a POC for trafficking matters has been assigned, the officer(s) will notify the agency's POC about the youth.
3. When the officer believes the youth is being trafficked because the youth is found in the presence of adults in a sexual context (e.g. motel room, sexual venue, soliciting), the officer shall:
 - Collect potential evidence (condoms, phones, money) and protect the integrity of the evidence,
 - Photograph and obtain identifying information on the adults,
 - Follow the chain of custody when collecting, securing, and turning over evidence.
 4. If the adult perceived to be coercing, manipulating, or threatening the youth is on scene, the officer will separate the youth from the adult(s) when questioning youth about their:
 - Name and age,
 - When they ate last,
 - When they last showered,
 - What school they attend,
 - Where they live and with whom,
 - Who they depend on for food, shelter, etc.
 - Whether they are hurt and want medical treatment,
 - Whether they are afraid or need help,¹¹
 5. The Officer(s) should observe and report to the POC for trafficking whether the youth:
 - Has a parent, sibling, guardian, romantic partner, or other person who tries to prevent the officer from speaking with the youth,

11. As noted above in "Why Officers Need to Use Special Approaches to Youth in These Situations," some youth will reject help because they do not see themselves as victims, even when it is obvious they are not in control of their situation and are at risk. See, e.g. Police Executive Research Forum, How Local Police Can Combat the Global Problem of Human Trafficking: Collaboration, Training, Support for Victims, and Technology Are Keys to Success, at 26 (2020) ("For example, it is common for victims of human trafficking to be combative, or to appear unaffected by their victimization when they encounter police officers. By understanding the impact of trauma on the brains and the behavior of victims, officers can respond in a more appropriate and effective manner."); VERA Institute Trafficking Victim Identification Tool (TVIT), <https://www.ojp.gov/pdffiles1/nij/grants/246713.pdf> ("Respondents whose answers initially indicate a lack of victimization may instead be demonstrating reasonable fear or forgetfulness as a symptom of trauma. As such, for the best outcomes, questions may have to be asked at a time when the potential victim trusts the interviewer and is ready to respond. The screening tool should be used to guide interviews with potential victims, not to eliminate or deny potential victims access to needed services and legal protections.")

Policy 9 – Procedure (cont'd)

- Is not permitted to be alone or independent when speaking with the officer,
 - Lives where they work or are transported by “guards” between their home and workplace,
 - Lives with or is dependent on an adult who has a substance use disorder,
 - Lives with or is dependent on an adult who is abusive,
 - Appears to be controlled by a “pimp” or “manager” in the commercial sex industry,
 - Works/lives in settings where it is common to be pressured into performing sex acts for money,
 - Attempts to explain that they have “chosen” this activity, where there are clear signs that such a “choice” is influenced by fear of violence or retaliation by an adult.
6. In Agencies with a POC for child trafficking cases, officers will immediately:
- Notify the POC immediately upon concluding the youth is trafficked,
 - Provide the POC with written information including names of victims, targets, location of encounter, date and time,
 - Once notified, the POC will confer with a supervisor to determine:
 - whether indicators of trafficking are evident, and
 - the best strategy for determining custody of the youth based on what the officer(s) discovered on scene.

E. Determining Custody of Youth who is Trafficked

1. Officer(s) may release the youth to a parent or other responsible adult when it appears that person can ensure the youth has access to necessary medical, mental health, and other services, and can keep the alleged trafficker away from the youth.
 - Officer(s) will ensure the youth and the responsible adult understand the youth’s legal rights and available resources. Officer(s) shall take the youth into protective custody if the officer has reason to believe:
 - There is a need to preserve evidence that the youth has had sexual contact with an individual 18 years or older within the past 72 hours,

Policy 9 – Procedure (cont'd)

- The youth could be in immediate danger of physical or sexual abuse,
 - The youth is in need of treatment for a physical illness or injury.
2. Should an officer discover that a trafficked youth is already in CWS custody, the officer(s) should follow established agency protocol and contact CWS to ensure the youth is in protective custody or notify the Juvenile Court.
 3. Maintain confidentiality to the maximum extent possible. No officer shall publicly disclose the name, address, or identity of the victim and shall refrain from using a victim's address or name for radio transmissions.
 4. Officer(s) shall maintain confidentiality of records, photographs, and communications, as mandated by state law, while ensuring that all records are promptly and properly transferred, as required, to appropriate persons or agencies.

IV. LEA will Ensure Officers Opportunity to Address Incident-Related Exposure to Trauma

In recognition of the uniquely emotionally charged, and often traumatic, nature of interactions involving youth and sexual trafficking, the Agency will take affirmative steps to debrief officers and, at a minimum, will:

- Make officers aware of available wellness programs,
- Facilitate and encourage officers to seek help.