

1 [Urging regular review of outcomes of SFPD referrals to CPS]

2 **Resolution urging regular review and analysis of outcomes of San Francisco Police**  
3 **Department referrals to Child Protective Services**

4 WHEREAS, the San Francisco Police Commission passed new domestic violence protocols in  
5 SFPD Department General Order 6.09 in October 2014; and

6 WHEREAS, the domestic violence protocols were the result of years of collaboration with  
7 domestic violence advocates and will strengthen approaches to responding to domestic violence in our  
8 City, but the policy left open concerns voiced by domestic violence and youth advocates regarding  
9 referrals to Child Protective Services in non-arrest domestic violence cases contained in paragraph G  
10 of the general order;<sup>1</sup> and

11 WHEREAS, the police department has a policy in place in DGO 7.04 concerning contacting  
12 Family and Children Services in cases of parental arrest wherein a child is left without the care of  
13 another parent; and

14 WHEREAS, the terms of paragraph G in DGO 6.09 leave open the possibility that officers  
15 would be required to contact FCS in some cases where a child is left in the care of a non-abusing  
16 parent, who may themselves be the survivor of abuse; and

17 WHEREAS, officers already have the ability to make arrests in cases of criminal abuse or  
18 neglect of children; and

19 WHEREAS, witnessing a crime or domestic violence may be traumatizing, but not rise to the  
20 standard of criminal abuse or neglect, and therefore fall outside FCS' general scope of intervention;  
21 and  
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25 <sup>1</sup> See SFPD DGO 6.09 "Domestic Violence": <http://www.sf-police.org/Modules/ShowDocument.aspx?documentID=27437>

1 WHEREAS, the terms of paragraph G of DGO 6.09 include some criteria for officer referrals to  
2 CPS that are grounded in domestic violence lethality assessments, as well as at least three criteria  
3 which were not supported by domestic violence advocates, including threats; access to drugs or  
4 alcohol; or a parent's impairment by drugs or alcohol; and

5 WHEREAS, the police department's goal of ensuring its officers have resources to connect  
6 children exposed to trauma and domestic violence to support and services is commendable; and

7 WHEREAS, the City invests in our Community Behavioral Health Service system in order to  
8 meet the needs of youth and families through a trauma-informed system of care, including a  
9 behavioral health access line and 24-hour child crisis line that link to comprehensive crisis services  
10 including assessment, triage, stabilization, case management, and a full spectrum of behavioral health  
11 services; and

12 WHEREAS, FCS works diligently to support families and provide referrals to resources in the  
13 CBHS system of care, and also maintains a mandate of assessing parental fitness; and

14 WHEREAS, domestic violence advocates have worked with law enforcement and human  
15 service systems for decades to develop best practices that generally advocate keeping children in the  
16 care of their non-offending parent, and establish provisions for separating child welfare and law  
17 enforcement responses to domestic violence;<sup>2</sup> and

18 WHEREAS, the child welfare system has been characterized by disparities affecting families of  
19 color, including disproportionate rates of referrals for investigation, as well as in cases resulting in out-  
20 of-home placement;<sup>3</sup> and  
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23 <sup>2</sup> See: "Effective Intervention In Woman Battering & Child Maltreatment Cases: Guidelines for Policy and  
24 Practice," Recommendations from the National Council of Juvenile & Family Court Judges Family Violence  
25 Department, 1999. Available at: <https://www.childwelfare.gov/pubPDFs/ncjfcj.pdf>; Details from the 2007 San  
Francisco demonstration are available at: [http://www.thegreenbook.info/san\\_fran.htm](http://www.thegreenbook.info/san_fran.htm)

<sup>3</sup> See California Disproportionality Project: [http://www.childsworld.ca.gov/res/pdf/CA\\_Disprop\\_FinalRpt.pdf](http://www.childsworld.ca.gov/res/pdf/CA_Disprop_FinalRpt.pdf) and  
Disparities and Disproportionality in Child Welfare: <http://www.cssp.org/publications/child->

1 WHEREAS, San Francisco Family and Children Services conducts extensive staff training on  
2 differential response and strongly prioritizes avoiding out-of-home placements; and

3 WHEREAS, despite these efforts, stigma and fear concerning CPS involvement may still  
4 persist, especially in communities of color and/or undocumented immigrant communities; and

5 WHEREAS, the fear of losing custody of their children due to ‘failure to protect’ can impact  
6 survivors’ decisions about whether to contact law enforcement to report abuse; and

7 WHEREAS, Family and Children Services is currently in the process of developing protocols  
8 for collaboration with law enforcement in the investigation of child welfare cases in accordance with  
9 new mandates; and

10 WHEREAS, at the time of the police commission’s adoption of DGO 6.09 individual members  
11 of the San Francisco Youth Commission spoke in public comment about the need to ensure regular  
12 review of the effects of the new CPS referral protocols for disproportionate impacts on communities of  
13 color; and

14 WHEREAS, at the time of the police commission’s adoption of DGO 6.09 in October 2014,  
15 police commissioners indicated a commitment to reviewing the outcomes of DGO 6.09 paragraph G  
16 six months after implementation; now therefore be it

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18 RESOLVED, that the San Francisco Youth Commission urges the Mayor and Board of  
19 Supervisors to urge the San Francisco Police Department and Human Services Agency Family and  
20 Children Services Division to enact clear data-collection and sharing capacities through the  
21 establishment of a MOU that includes provisions for collecting data on SFPD referrals to FCS including  
22 age, race, ethnicity, language, whether an arrest was made, and outcomes in FCS including services  
23 provided, cases accepted for investigation, placement, and family reunification; and be it further  
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25 [welfare/alliance/Disparities-and-Disproportionality-in-Child-Welfare\\_An-Analysis-of-the-Research-December-2011.pdf](#)

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RESOLVED, that the San Francisco Youth Commission urges the Mayor and Board of Supervisors to urge the San Francisco Police Department to conduct regular, periodic six-month reviews of the outcomes of DGO 6.09 paragraph G to assess the policy for disproportionate impacts on communities of color; and whether the intended outcomes of linking young people to needed trauma services are being met; and be it further

RESOLVED, that the San Francisco Youth Commission urges the Mayor and Board of Supervisors to urge the San Francisco Police Department to work with Community Behavioral Health Services to identify appropriate avenues for officer referrals of children and families to the CBHS system of care; and be it finally

RESOLVED, that the San Francisco Youth Commission urges the Mayor and Board of Supervisors to urge the San Francisco Police Department to recommit to implementing a comprehensive officer training on working effectively with youth, including de-escalation skills.