

**INITIAL STATEMENT OF REASONS**  
**Commission Regulation 1081**  
**Child Safety When a Caretaker Parent or Guardian is Arrested**

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Added in 2006 by Senate Bill 1942 (Senator Nava), Penal Code §13517.7 directed the Commission to develop guidelines and training for use by state and local law enforcement officers in addressing issues related to child safety when a caretaker parent or guardian is arrested. The legislation also identified six topics to be included in the training and in the guidelines.

This proposal addresses only the course curriculum related to child safety when a caretaker parent or guardian is arrested.

POST worked closely with a diverse group of subject matter experts (SME) to develop the curriculum and the guidelines, and to produce a telecourse for comprehensive training on this topic. The SME group included involved stakeholders who represented law enforcement, county child welfare agencies, and child safety advocates. Upon completion, POST will distribute the telecourse to all California state and local law enforcement agencies, for use in training officers in addressing the issue of child safety when caretaker parent or guardian is arrested.

Pursuant to Penal Code 13517.7, the new training course includes the following six elements:

- (1) Procedures to ensure that officers and custodial employees inquire whether an arrestee has minor dependent children without appropriate supervision.
- (2) Authorizing additional telephone calls by arrestees so that they may arrange for the care of minor dependent children.
- (3) Use of county child welfare services, as appropriate, and other similar service providers to assist in the placement of dependent children when the parent or guardian is unable or unwilling to arrange suitable care for the child or children.
- (4) Identification of local government or nongovernmental agencies able to provide appropriate custodial services.
- (5) Temporary supervision of minor children to ensure their safety and well-being.
- (6) Sample procedures to assist state and local law enforcement agencies to develop ways to ensure the safety and well-being of children when the parent or guardian has been arrested.

At its January 2008 meeting, the Commission approved the proposal to adopt the training curriculum, subject to successful completion of the rule making process. As a matter of routine practice, POST incorporates legislative mandates as regulations within the POST Administrative Manual. Therefore, Regulation 1081 will include the curriculum for addressing child safety when a caretaker parent or guardian is arrested.

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**Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, Including Small Businesses**

The Commission on Peace Officer Standards and Training has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

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**Cost Impacts on Representative Private Persons or Businesses**

The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

**Assessment**

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the state of California and will not result in the elimination of existing businesses or create or expand businesses in the State of California.

**Considerations of Alternatives**

To take this action, the Commission must determine that no reasonable alternative considered by the Commission or otherwise identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to effected private persons than the proposed action.