



# Minneapolis Police Department Policy and Procedure Manual

Number:  
8-200

## Volume Eight - Minors – Policies and Procedures

### Specific Call Procedures for Minors

#### 8-204 Health and Welfare Holds for Minors

(10/06/08) (10/10/22) (xx/xx/24)

##### I. Purpose

The purpose of this policy is to establish guidelines for placing health and welfare holds on minors.

##### II. Policy

###### A. Situations involving minors in crisis

1. Situations involving minors in crisis shall be handled in accordance with P&P 7-809, including the potential need for a Transport Hold.
2. Health and Welfare 72-Hour Holds are distinct from Transport Holds for people in crisis. If a minor in crisis is going to be transported in accordance with the section in P&P 7-803 on Transportation for Emergency Admission, and is found in surroundings or conditions meeting the criteria of MN Statute section 260C.175, determinations for a Health and Welfare Hold will have to be made at the health care facility. Any situations involving MPD making a transport shall be handled in accordance with P&P 8-305.

###### B. Member responsibility

1. The decision to place a minor on a Health and Welfare 72-hour Hold is solely the responsibility of the member placing the hold. MN Statute section 260C.175 allows only a peace officer or judge (via court order), to take a minor into immediate custody when a minor is found in surroundings or conditions which endanger the minor's health or welfare, or which the member reasonably believes will endanger the minor's health or welfare.
2. Social workers may only *request* that a minor is placed on a Health and Welfare Hold. Members dispatched to place a minor on a Health and Welfare Hold at the request of medical personnel or social services shall document the circumstances, surroundings, or conditions which necessitate the hold be placed. This must be done to ensure that the hold is legal.

### **C. Decision not based on cooperation**

The decision to place a Health and Welfare Hold on a minor shall not be based upon a parent or guardian's, or minor's cooperation (or lack of) with any police investigation.

## **III. Procedures**

### **A. List of Child Welfare Services**

MN Statute section 260C.175 mandates that whenever a law enforcement officer takes a minor into custody for a Health and Welfare Hold, the member must provide the parent or legal guardian a list of social service agencies that offer child welfare services. If the parent or legal guardian is not present, a copy of the "Rights as Parents" brochure shall be left in a conspicuous location on the premises. This brochure is available in multiple languages on the MPD's intranet site.

### **B. Hold Process**

If members determine it is necessary to place a Health and Welfare Hold on a minor, the following procedures shall be followed:

#### **1. Complete Hold Notice**

- a. Members shall complete the Notice of 72-Hour Police Health and Welfare Hold (HC 12434).
- b. Members shall ensure that the receiving institutions documentation is completed.

#### **2. Provide Notice and Resource List to Parent or Guardian**

The copy of the brochure prepared by the Department of Human Services listing of social service agencies shall be given to the parent or guardian or posted conspicuously in the home if the parent or guardian is not available. Members shall document in the Police Report where the notices were left.

#### **3. Contact Child Protection Services (CPS)**

- a. Members shall contact CPS Intake at 612-348-3552 to advise about the hold and to receive information regarding the transport destination.
- b. CPS staff will determine whether the minor will be transported or if a Rapid Response CPS staff member will respond to the scene and take custody of the minor to process the hold (response time is generally within an hour).
- c. If the minor will be transported, CPS staff will let the member know where to bring the minor (such as an out-of-home placement or a family placement per an investigation).

- d. If the member is unable to reach CPS, or CPS could not find a suitable transport destination, the minor should be transported to the Fairview University of Minnesota Masonic Children's hospital.

#### 4. Transports to Hospital

##### a. Transport for medical attention

- i. If the minor requires medical attention or a medical assessment, members shall transport the minor to Hennepin County Medical Center (HCMC) whenever possible, using an ambulance if necessary..

##### b. Transport due to neglect or unsafe surroundings

If a minor must be transported to a hospital because the member could not reach CPS or CPS could not find a suitable destination and the minor cannot safely care for themselves in the current surroundings, the member should transport the minor to the Fairview University of Minnesota Masonic Children's hospital.

##### c. Form completion

In accordance with the section on completing the Hold Notice, the member shall list both the hospital and the Children and Family Services coordination center as the receiving facility in order to avoid the need for a separate 72-Hour Hold to be completed. A copy of the form shall be left with the minor's chart.

#### 5. Contact MECC

Members shall contact MECC and provide the nature of the incident and the location where the minor is being transported to help prevent a Missing Persons Report from being filed when not appropriate.

#### 6. Complete a Report

Members shall complete a Police Report with the code HLTWEL. Members shall articulate the reasons for the Health and Welfare Hold and state what crime was committed: neglect, medical neglect, child endangerment, criminal sexual conduct, malicious punishment or deprivation of parental rights.