

## Training on Child Removals

Though law enforcement officers in Minnesota play an important role in removing children from the home, they receive relatively little training on child protection matters.

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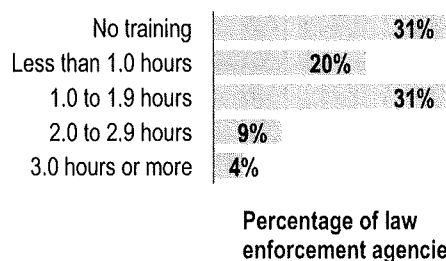
### There are no statewide requirements for ongoing training of law enforcement officers on child protection issues.

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Law enforcement officers educated in Minnesota receive initial training through a professional peace officer education program and must pass Minnesota's state licensing exam.<sup>19</sup> One requirement for licensure is training on community policing, including "training on child development issues to enable officers to respond appropriately to perceived child protection situations."<sup>20</sup> Officers fulfill continuing education requirements following initial licensure, but there are no state-mandated continuing education requirements on child protection.<sup>21</sup>

Officers also receive field training once hired by a law enforcement agency, but training varies from agency to agency. Sixty-four percent of law enforcement agencies responding to our survey said their agency requires all newly hired officers to receive training on emergency child protection holds. When asked how many hours of training related to emergency holds newly hired officers receive in their first year, most law enforcement agencies that require this training said the training is less than two hours long.

#### Most law enforcement agencies reported that newly hired officers receive less than two hours of training on emergency holds during their first year on the job.



NOTE: Five percent of respondents said they didn't know whether their agency required newly hired officers to receive this training.

SOURCE: Office of the Legislative Auditor, survey of law enforcement agencies, 2020.

According to our survey respondents, few law enforcement agencies require officers to receive supplementary training on emergency child protection holds. Only 16 percent of agencies responding to our survey require that most or all officers receive continuing education or ongoing training on emergency holds.<sup>22</sup> Many law enforcement

<sup>19</sup> Individuals with non-Minnesota law enforcement experience may instead take a reciprocity exam to be licensed to work as an officer in Minnesota.

<sup>20</sup> *Minnesota Statutes* 2021, 626.8455, subd. 1.

<sup>21</sup> The Legislature has established a training program covering topics such as circumstances where a removal is appropriate and which services are available to prevent child maltreatment and keep the family together. *Minnesota Statutes* 2021, 260E.36, subd. 4. Although the departments of Human Services and Public Safety share statutory responsibility for the program and it appears that the training content could apply to both child protection agency staff and law enforcement officers, the training is currently offered only to child protection workers.

<sup>22</sup> In comparison, child protection workers are required to receive 15 hours of continuing education on providing child protective services each year. *Minnesota Statutes* 2021, 260E.36, subd. 1(b).

agencies with this requirement have had officers participate in an hour-long online training offered by the League of Minnesota Cities and accredited by the Police Officer Standards and Training (POST) Board. Some county child protection agencies and county attorney's offices also provide trainings for law enforcement officers on child protection issues.

Several respondents to our surveys of both child protection agencies and law enforcement agencies told us that they would like law enforcement officers to have more training in child protection or the use of emergency holds. A couple of law enforcement agencies specifically asked if our office could suggest additional resources for training officers about emergency holds. Several county child protection agency administrators cited concerns about a lack of knowledge on child protection and emergency holds by officers in their area. These administrators suggested that increased training would place less of a burden on the child protection staff and improve officers' understanding of when they should place a hold.



I feel like there is a general lack of knowledge on holds within law enforcement. Typically, [child protection] is the one guiding the process and law enforcement just does what we ask them to as they are the ones with the authority.

— Child protection agency administrator

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## RECOMMENDATION

**DHS should convene a working group to make recommendations to the Legislature regarding training of law enforcement officers in child protection removals.**

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Considering whether to remove a child from a family is an important and serious decision. On the one hand, choosing not to remove a child in imminent danger could expose the child to preventable harm. On the other hand, removing a child who is not in imminent danger creates unnecessary trauma for both children and parents. We are concerned that some law enforcement officers may make these decisions guided only by minimal training that may have occurred long in the past.

However, law enforcement officers have numerous other responsibilities that involve high-stakes decision making. Thus, we are hesitant to recommend a training requirement related to child protection removals without examining how it might fit into the context of other training needs. Further, it is not clear to us whether resources would be better spent providing minimal training to all officers or more extensive training to officers that might serve as specialists in their departments. Therefore, we recommend that DHS convene a working group consisting of key stakeholders, including the Minnesota POST Board, local law enforcement representatives, child protection agency staff, and representatives from the judicial branch, to make recommendations to the Legislature on training of law enforcement officers on child protection removals. The working group could further examine training content and whether training should vary based on characteristics such as size of the department.