5-02/160.15 - Protective Custody

Section 279.6 PC provides: "A law enforcement officer may take a child into protective custody under any of the following circumstances:

- It reasonably appears to the officer that a person is likely to conceal the child, flee the jurisdiction with the child, or, by flight or concealment, evade the authority of the court;
- There is no lawful custodian available to take custody of the child;
- There are conflicting custody orders or conflicting claims to custody and the parties cannot agree which party should take custody of the child; and/or
- The child is an abducted child.

NOTE: Children taken into temporary custody under this section will not be released by the field deputy under any circumstances. The children will be released to the Department of Children and Family Services.