

## ***Protocol for Intervention***

The protocol for intervention is the recommendation for Team members to follow as closely as possible when intervening in a child abuse case. It was developed through extensive research and based on the protocol that one of the first Multidisciplinary Teams in the state uses. The purpose of the protocol for intervention is to have a specific procedure to follow and refer to in handling child abuse cases.

### **Investigative Team**

A subcommittee of the Multidisciplinary Team should be organized consisting of representation from law enforcement and DHS. This subcommittee will be known as the *Investigative Team*. A forensic interviewer may become part of the Investigative Team when deemed appropriate. The job of the Investigative Team will be to notify each other on every felonious child abuse case and take a joint approach to the investigation. These agencies internal policies should be coordinated to facilitate an Investigative Team response to child abuse. The recommended procedure is described below.

### **Procedure for Case Handling**

*Intake/Reports-* All reports of child abuse will be made directly and immediately to the Department of Human Services in the county in which the child lives. DHS will be responsible for filtering cases that fall under the jurisdiction of law enforcement to the appropriate law enforcement agency. DHS will also screen out any inappropriate referrals.

*Notification of Team-* When a report is received by DHS and is found to be an appropriate report, the uniform intake (See Appendix E) will go from DHS to the respective law enforcement agency. The names of all investigators shall be entered on the intake form.

*Convening the Team-* When a child is brought to the hospital, the Investigative Team members will convene to conduct the initial intake/investigation at the hospital. In situations in which children are brought to the hospital, a child advocate will be contacted to play the role of a support person for the child and his or her family. If a referral is made directly to DHS, or DHS needs to investigate a report in which felonious abuse has allegedly occurred, the DHS worker will notify the appropriate law enforcement agency that he or she will be conducting an initial intake of the current situation to assess the child's safety. When possible, the law enforcement officer will accompany the DHS worker on the investigation to avoid duplicating the interview. During the initial intake a determination will need to be made as to whether the case will be pursued. If it is determined that it is inappropriate to continue the investigation, the case will be closed and the child will be referred for services when appropriate. If it is determined that the case will be pursued, law enforcement and DHS will gather the information they need to do their jobs with as minimal amount of interviewing of the child as possible at this time.

*Coordination of investigations-* All child sexual abuse, physical abuse and severe neglect cases will be opened for investigation by the Investigative Team. A joint approach to investigations will be used. This means one in-depth interview of the child will take place when possible, while the others observe the interview through a two-way mirror, or sitting quietly in the back of the room.

*Physical abuse and neglect cases-*In all physical abuse and neglect cases opened by DHS, the victim will not be interviewed in-depth until all Investigative Team members are available to observe and the child is in a comfortable, non-threatening atmosphere. This will occur within 24-48 hours of the initial intake/investigation. A forensic interviewer may be used in this situation if needed or desired.

*Sexual abuse cases-* In all sexual abuse cases opened by DHS, the victim will not be interviewed in-depth, but instead will be referred in for a forensic interview at the local Advocacy Center when possible within 24-48 hours of the initial intake. If forensic interviewing is not available, a joint interview should be conducted in a child friendly environment.

*Location of interviews-* When the Investigative Team responds to an emergency at a hospital it will be the objective of the Team to get the facts and provide victim support and services information. In-depth interviews should not be conducted at the hospital, but should be conducted later in a child friendly environment.

*Order of interviews-* The Investigative Team will decide on a case by case basis in which order it will interview the child/children, alleged perpetrator, siblings, parents (non-familial cases), non-offending parent (familial cases) and other witnesses.

*Interview with alleged child victim-* The Investigative Team will determine how the child interview will be conducted. The in-depth interview will take place within 24-48 hours of the initial intake/investigation. The Investigative Team should decide who will take the lead in the interview, what interview techniques will be utilized, and who will document the interview.

*Interview with siblings/other possible victims/possible child witnesses-* Investigative Team members should interview siblings, teachers, child care providers, or others who may have observed behavioral or physical changes in the child or may have heard statements made by the child which may support, explain, or provide additional information for follow-up interviews with the alleged victim, non-offending parent, or alleged perpetrator.

*Interview with non-offending parent-* The non-offending parent should be informed of the allegations, particularly the child's account of the events. If the Investigative Team has reason to believe the child was abused, it needs to know if this parent is able and willing to protect the child and how this will be accomplished. The parent should be given the

names of the Investigative Team and information on how to make contact with the members of the Team as well as telephone numbers for crisis and support services.

*Interview with the Alleged Perpetrator-* The Investigative Team will decide who should take the lead in the interview. The law enforcement member of the Investigative Team is usually best prepared to do this. If unique case factors dictate otherwise, or law enforcement or DHS will not be able to interview the alleged perpetrator within a reasonable time frame, the DHS social worker or law enforcement officer will need to proceed, keeping the other members of the Investigative Team informed as soon as possible, providing relevant information. The lead interviewer will need to be familiar with the facts of the case, the statements of others, and any conflicts in prior statements of the alleged perpetrator, including defects in an alibi, if previously offered. In an interview situation where the custodial status of the alleged perpetrator is unclear, the DHS social worker ought to be present if possible. If the interview occurs in a custodial setting, unless otherwise decided by the Investigative Team, the DHS social worker will not be present during the interview but will be provided access to a copy of the perpetrator's statement and the law enforcement report of the matter.

*Forensic Medical Exams/Psycho-social Evaluation & Counseling-* Reasons for obtaining:

1. General health and mental status
2. Evidence gathering
3. Opportunity for disclosure
4. Reassurance

*Forensic Medical Exams-* The Investigative Team must decide early in the investigation whether a medical examination will be required. If the child has not already been referred to a medical facility, the Investigative Team should have the child examined as soon as possible if needed.

*Psycho-social Evaluation/Counseling-* Referral for psycho-social evaluation or counseling may be made at any point in the investigative or case review process. In cases the Investigative Team wishes to refer for a psycho-social evaluation or counseling with a mental health therapist, the parent should be informed and the purpose and the psycho-social evaluation should be explained.

*Crime Scene-* While DHS investigators are not directly involved in search and seizures, it is important that they understand the rules of procedure in this area in order to be alert to possible objects that should be listed in the search warrant and sought by law enforcement.

The District Attorney's Office will be notified of all cases within 48 hours.

**Substantiation decision making-** Once all the evidence has been gathered, the Investigative team needs to decide if it believes the child was abused, and if so, by whom.

This process, called substantiation decision making, pulls all the evidence together, including that which supports and refutes the allegation. Ultimately DHS is responsible for making this decision. The decision should be based on seven classes of evidence:

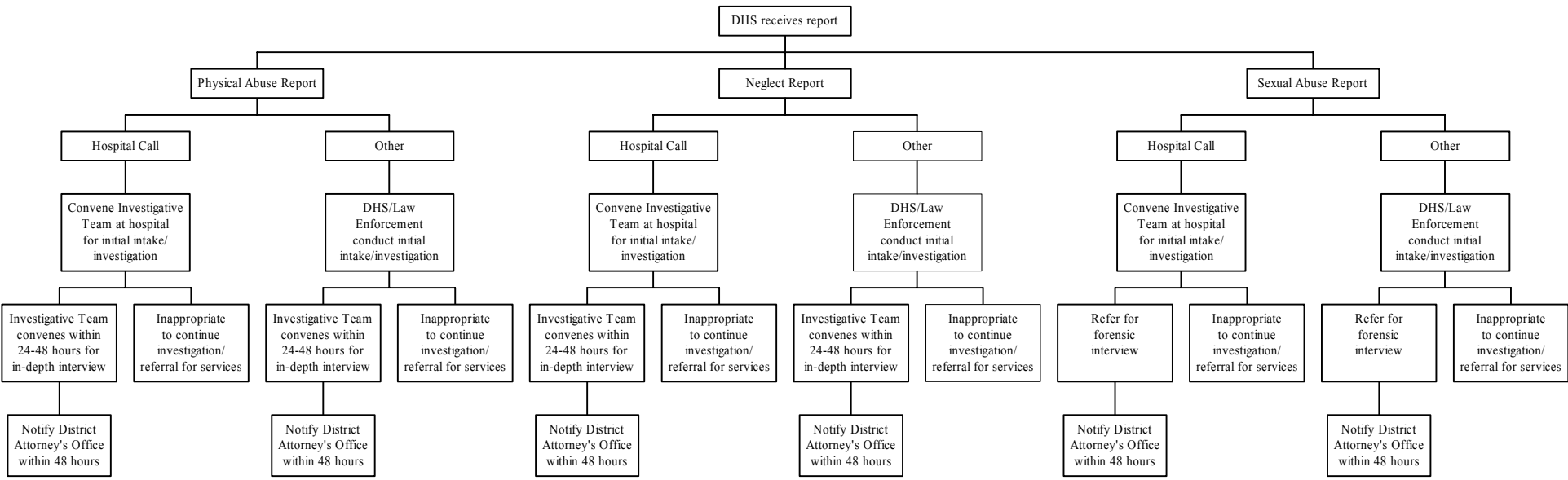
1. The child's statement
2. Statements of other witnesses including other children, non-offending parents, teachers, other professionals and adults
3. Medical findings
4. Physical evidence
5. Behavioral indicators
6. Any relevant psychological information involving the child, family, or alleged perpetrator
7. The statement of the alleged perpetrator<sup>16</sup>

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<sup>16</sup> Based on the "CAC Protocol for Child Abuse Investigations" Child Advocacy Center-Mobile, AL. January, 1996.

# Protocol For Intervention

## Organizational Chart



\*The Investigative Team is a subcommittee of the Multi-disciplinary Team, which consists of representatives from DHS, Law Enforcement and a Child Advocate