



Arizona Department of Child Safety

Janice K. Brewer
Governor

Charles Flanagan
Director

August 12, 2014

The Honorable Janice K. Brewer
Governor of Arizona
1700 West Washington
Phoenix, Arizona 85007

Dear Governor Brewer:

Arizona Revised Statute § 8-817 requires the Department of Child Safety (DCS) to prepare a report by August 15 of each year that contains the following information for joint investigations by DCS, local law enforcement and county attorneys, of allegations of abuse or neglect that contain criminal conduct allegations:

- The number of criminal conduct allegations investigated.
- The number of reports that were jointly investigated pursuant to the established protocols.
- The reasons why a joint investigation did not occur.

In accordance with this requirement, DCS is pleased to submit the enclosed report. If you have any questions, please contact me at (602) 542-5835.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Flanagan", written over a large, stylized circular flourish.

Charles Flanagan
Director

Enclosure

cc: The Honorable Andy Biggs, President, Arizona State Senate
The Honorable Andy Tobin, Speaker, Arizona State House of Representatives
Maricopa County Attorney Bill Montgomery, Maricopa County Attorney's Office
Joan Clark, Director, Arizona State Library, Archives and Public Records



DEPARTMENT OF CHILD SAFETY 2014 JOINT INVESTIGATION REPORTING REQUIREMENTS

Prepared by the Office of Child Welfare Investigations

Pursuant to A.R.S. § 8-817, the Department of Child Safety's Office of Child Welfare Investigations (OCWI) developed an annual report on joint investigations conducted during the fiscal year. This report provides data on criminal conduct cases that received a joint-investigation from DCS and the appropriate law enforcement agency, in addition to the reasons why a criminal conduct case did not receive a joint-investigation.

The Department of Child Safety (DCS) is required to develop, establish, and implement initial screening and safety assessment protocols in consultation with the Attorney General and statewide with county attorneys, chiefs of police, sheriffs, medical experts, victims' rights advocates, domestic violence victim advocates, and mandatory reporters. These inter-agency protocols are to guide the conduct of investigations of allegations involving criminal conduct. DCS has worked with the aforementioned agencies to comply with the requirements set forth in statute.

When a citizen calls the Centralized Intake Hotline with a concern of suspected abuse or neglect, the Intake Specialist will determine if the call meets the pre-established criteria for a report. Once the Intake Specialist has gathered all necessary information, they will generate a report for investigation and assign it to a field unit. The initial tracking characteristic is assigned by the Centralized Intake Hotline based on the information provided by the caller. A tracking characteristic is a circumstance that occurs in a report. It may occur independently of child abuse or neglect allegations or may carry a general description of a condition that exists in the family. Reports requiring a joint investigation with law enforcement have a tracking characteristic of Criminal Conduct (CC).¹ If during the course of an investigation, the Case Specialist determines a subsequent tracking characteristic applies, it may then be added to the case.

¹ "Criminal conduct allegation" means an allegation of conduct by a parent, guardian, or custodian of a child that, if true, would constitute any of the following:

- (a) A violation of section 13-3623 involving child abuse.
- (b) A felony offense that constitutes domestic violence as defined in section 13-3601.
- (c) A violation of section 13-1404 or 13-1406 involving a minor.
- (d) A violation of section 13-1405, 13-1410 or 13-1417.
- (e) Any other act of abuse that is classified as a felony.
- (f) An offense that constitutes domestic violence as defined in section 13-3601 and that involves a minor who is a victim of or was in imminent danger during the domestic violence.

Laws 2013, 1st Regular Session, Chapter 220 created the Office of Child Welfare Investigations responsible for investigating criminal conduct allegations, coordinating with DCS and law enforcement, establishing task forces for the investigations of criminal conduct allegations, and other duties as assigned by the Director. OCWI is the latest augmentation to Arizona's Child Welfare System and was created as a result of Governor Brewer's Child Safety Task Force. The primary goal of OCWI is to protect children by investigating criminal conduct allegations of child abuse or neglect within the State of Arizona. In May of 2013, OCWI implemented a more objective Criminal Conduct assessment tool at the Centralized Intake Hotline.

On May 1, 2013, OCWI formally began accepting reports of criminal conduct child abuse and neglect for DCS. Currently, due to limited staffing, OCWI responds to child fatalities and allegations involving criminal conduct of children age birth through five years of age (or under six years of age) in Maricopa and Pima Counties.

During fiscal year 2014, the DCS Centralized Intake Hotline received approximately 45,900 reports, a four percent increase over fiscal year 2013.

Number of Reports Coded as Criminal Conduct Allegations

The first data element in the table that follows is the number of reports generated for field investigation that contained a CC allegation (Table 1). As required by Department protocols, any report that contains a CC characteristic must be reported to the appropriate law enforcement agency and a joint investigation must occur.

TABLE 1: NUMBER OF REPORTS CODED AS CRIMINAL CONDUCT (CC) ALLEGATIONS RECEIVED BY THE DEPARTMENT

County	Number of Reports
APACHE	21
COCHISE	146
COCONINO	124
GILA	56
GRAHAM	40
GREENLEE	5
LA PAZ	19
MARICOPA	4,225
MOHAVE	200
NAVAJO	95
PIMA	1,288
PINAL	236
SANTA CRUZ	29
YAVAPAI	188
YUMA	152
Total	6,824

In fiscal year 2013, statewide there were 10,408 reports that contained a CC characteristic. In fiscal year 2014, there were 6,824 reports with a CC characteristic, which is a 34.5 percent decrease. As in previous reporting years, the majority of reports that contain the CC characteristic occur in Maricopa County. The next highest number of reports containing these characteristics occurs in Pima County.

Joint Investigations

The second data element reported is the number of cases that are jointly investigated according to the protocols (Table 2). As stated above, all reports that contain the CC allegation are intended to be jointly investigated by DCS and the appropriate law enforcement agency.

TABLE 2: NUMBER OF CHILD SAFETY REPORTS CATEGORIZED AS CC JOINTLY INVESTIGATED ACCORDING TO THE PROTOCOLS

County	Number of Reports
APACHE	16
COCHISE	100
COCONINO	51
GILA	32
GRAHAM	30
GREENLEE	5
LA PAZ	13
MARICOPA	2,415
MOHAVE	119
NAVAJO	73
PIMA	759
PINAL	156
SANTA CRUZ	28
YAVAPAI	111
YUMA	126
Total	4,034

Some reports classified as CC are not jointly investigated. The statewide percentage of reports classified as CC that were jointly investigated for fiscal year 2013 was 48.7 percent. The percentage increased to 59.1 percent in fiscal year 2014. The increase is likely at least partially attributable to the creation of OCWI, with its focus on involving and coordinating with law enforcement when necessary. The table below illustrates that 90.8% of investigations conducted by OCWI were jointly investigated according to the protocols. The Department and OCWI continue to work with law enforcement to identify barriers and strengthen relationships to improve on the number of reports requiring a joint investigation that are jointly investigated.

TABLE 3: NUMBER OF CC REPORTS JOINTLY INVESTIGATED BY OCWI ACCORDING TO THE PROTOCOLS.

Agency Conducting Investigation	Total of Number Criminal Conduct Reports	Number of Criminal Conduct Reports Not Jointly Investigated	Number of Reports With a Joint Investigation Conducted	Percentage of Reports with a Joint Investigation Conducted
DCS INVESTIGATIONS	5,449	2,663	2,786	51.1%
OCWI INVESTIGATIONS	1375	127	1,248	90.8%
Total	6,824	2,790	4,034	59.1%

There are several reasons why a joint investigation between DCS/OCWI and law enforcement may not occur. The main reasons are:

- **Child Not Available:** At the time of the initial contact by DCS, OCWI, or law enforcement, the alleged child victim is not available to be interviewed. This occasionally happens, for example, if a report is received and the alleged child victim is located in another state at the time of the investigation.
- **DCS Not Available:** At the time of the initial contact by law enforcement, or during subsequent interviews with the alleged victim or perpetrators, the DCS case manager is unable to be present to participate in the investigation. An example is when a report is called in by the Victims Witness Advocate Office to report abuse or neglect of a child, where police interviews and the investigation have already occurred before DCS was notified.
- **Law Enforcement Disagrees:** When the DCS case manager receives a report requiring joint investigation, contact is made with the appropriate law enforcement agency to make a police report and request the joint investigation. Law enforcement officials sometimes decline to accept the information as meeting criminal conduct standards and inform the DCS case manager to conduct the investigation without law enforcement present. In these situations, DCS follows up with an additional report to law enforcement if during the investigation further information indicates criminal activity.
- **Law Enforcement Unavailable:** When the DCS case manager contacts law enforcement prior to the initial contact, there are times that due to other incidents, law enforcement is unable to provide an officer or detective during the course of the investigation. In these situations, DCS follows up with an additional report to law enforcement if the initial contact further indicates criminal activity.
- **No Jurisdiction:** If the alleged victim or perpetrator lives on either a federal military installation or Native American reservation, DCS does not have jurisdiction and the case is transferred to the appropriate agency.

TABLE 4: REASONS WHY A JOINT INVESTIGATION DID NOT OCCUR

REASON THAT THE JOINT INVESTIGATION WAS NOT CONDUCTED						
County	Child Not Available	DCS Not Available	Law Enforcement Disagrees	Law Enforcement Unavailable	No Jurisdiction	Total
APACHE	0	0	2	3	0	5
COCHISE	2	3	15	10	0	30
COCONINO	4	1	53	12	2	72
GILA	0	0	1	3	0	4
GRAHAM	0	2	6	1	0	9
GREENLEE	0	0	0	0	0	0
LA PAZ	0	0	1	5	0	6
MARICOPA	12	75	434	92	1	614
MOHAVE	2	1	31	16	0	50
NAVAJO	2	0	8	1	0	11
PIMA	6	13	146	62	0	227
PINAL	0	12	34	1	0	47
SANTA CRUZ	0	0	0	0	0	0
YAVAPAI	4	1	49	4	0	58
YUMA	1	1	17	4	0	23
Total	33	109	797	214	3	1,156

The number of joint investigation reports identified where a joint investigation did not occur significantly decreased to 1,156 in fiscal year 2014 compared to 2,977 in fiscal year 2013. It is anticipated that the number of CC reports jointly investigated according to the protocols will continue to rise as OCWI hires to its authorized staffing levels to meet statewide demand. Continued partnerships between law enforcement, DCS, and OCWI provide opportunities for identifying and addressing systemic issues between the agencies.

There continues to be regular collaboration and communication with the agencies involved in the investigation of criminal conduct including DCS, OCWI, law enforcement, prosecution, medical, victim advocates, and Advocacy Centers to strengthen the successful outcome of the investigation and provide comprehensive services. This is accomplished through regular Multidisciplinary team meetings, case reviews, and collocation opportunities with law enforcement. Additionally, partnerships are being established in counties that do not have regular Multidisciplinary team meetings or case reviews.