

I

LAW ENFORCEMENT PROTOCOL

The purpose of law enforcement's response to incidents of physical and sexual abuse involving children is to determine if crime has been committed and to bring to light those facts and circumstances necessary to bring the perpetrators into the Criminal Justice System. While pursuing the criminal investigation, law enforcement must be concerned with more than just statutory requirements and case law. Law enforcement personnel must be cognizant of the needs of the victim, as well as the responsibilities of other organizations involved in the treatment, support and recovery of the victim. (For Flowchart of System, See Appendix B) To this end, Police are encouraged to coordinate their efforts with those of Child Protective Services (CPS), as well as the prosecuting agency.

Effective investigation by law enforcement agencies hinges on the establishment of a specialized unit to investigate these violent crimes. Smaller agencies are encouraged to designate a "specialist" if the number of investigations does not warrant a unit. This specialized unit, whether it consist of one part-time or several full-time detectives 1) should be a voluntary assignment 2) should receive intensive training in the investigation of the neglect, physical, and sexual abuse of children 3) should meet minimum qualifications as set forth in Appendix A, the Interview Protocol for Children 4) should establish and maintain a close working relationship with CPS and Graham County Attorney's Office 5) the specialized unit or position should be a permanent component of the agency.

Child Sexual Abuse

I. Initial Report

A. Patrol Officers may establish the elements of the crime and jurisdiction.

1. Patrol officers may interview the reporting source, away from the victim, witnesses, or other reporting sources, in order to:
 - a. Obtain the facts of the reported crime
 - b. Cue questions to ask:
 - (1) What happened?
 - (2) Who did this?
 - (3) Where were you when this happened?
 - (4) When did this happen?
 - (5) Where do you go to school?
 - c. Determine if the child is in imminent danger
 - d. Determine if the victim may require medical attention
 - e. Determine jurisdiction
 - (1) If within departmental jurisdiction, continue per this Protocol
 - (2) If not within departmental jurisdiction, Patrol Officer will document their actions and coordinate with the appropriate jurisdiction.
2. A trained professional interviewer should conduct interviews of the victim utilizing the interview protocol (See Appendix A).

3. Patrol Officers should only interview the suspect if the suspect is present and aware of the investigation. If suspect is not aware of the investigation, the suspect should not be contacted without prior consultation with Detectives.
 4. Patrol Officer may interview witnesses. Dates of birth, social security numbers, and other biographical information including where child witnesses attended school will be obtained. It is recommended that child witnesses and any sibling or children within the home be interviewed by interview qualified Detectives or CPS Specialist.
- B. Once it is determined that a crime has been committed, Investigators will be contacted immediately.
1. Assess the need for immediate medical evaluation. Note that in cases of sexual abuse in which the incident occurred within the past 120 hours it is imperative that a Detective be contacted promptly. The victim should receive forensic medical exam.
 2. Assess the need for a search warrant. Investigators should contact the County Attorney's Office in regards to sealing the affidavit of the search warrant.
 3. Assess the need for immediate arrest if the suspect is present. The Detective should examine:
 - a. the suspect's risk of flight to avoid prosecution:
 - b. the suspect's danger to the community.Detectives may consult with the Deputy County Attorney, if necessary.
 4. Assess the need for scene preservation and/or photographs;
 5. Notify CPS by phone. The victim's need for shelter should also be assessed and recommendations made to CPS. CPS hotline number 1-888-767-2445.

II. Investigation

- A. The investigation should be conducted by a Detective. The Detective's responsibilities include:
1. Interviewing the reporting source to determine the circumstances of disclosure.
 2. Interviewing the victim:
 - a. Arrange an interview of the victim. The child's interview should be conducted per the Interview Protocol for Children, Appendix A.
 - b. Coordinate the interview with CPS if they are involved in the case. If a joint interview with CPS is not feasible and the circumstances dictate CPS involvement, the victim interview should be shared with CPS in order to ensure that there is only one victim interview conducted. This will eliminate unnecessary or multiple interviews of the child victim.
 - c. Arrange for a medical examination at an approved medical facility.

3. Conducting crime scene(s) investigation and evidence processing.
4. Interviewing the family and other witnesses. Obtain dates of birth, social security numbers, and other biographical information including where child witnesses attends school.
5. Obtaining a copy of the medical examination report and interview medical personnel. Send a copy of the medical examination report to CPS, upon request
6. Conducting investigative research on:
 - a. Prior convictions of the suspect
 - b. Prior police reports involving the suspect, victim(s) or witness(s)
 - c. Prior unreported allegations involving the suspect, victim(s) or witness(s)
 - d. Current and prior CPS reports
7. Interviewing the suspect.
 - a. The suspect interview should be conducted by law enforcement personnel
 - b. CPS should be aware of the content of the suspect interview
 - c. The interview should be videotaped or audio taped, if possible
8. Determining the need to arrest the suspect based on:
 - a. The risk of flight to avoid prosecution
 - b. The danger to the community
 - c. A crime was committed
9. Conducting any other necessary investigation.

III. Case Presentation

- A. Submit the complete case package consisting of a complete copy of the police report: a copy of audio tapes, tapes of 911 calls, any photographs, all medical records of the child, CPS files on the child and family, prior police reports involving violence and any other information obtained during the investigation.
- B. If the case is referred back to law enforcement for further investigation by the Graham County Attorney's Office:
 1. Requests for further investigation should be answered within thirty (30) days.
 2. The Graham County Attorney will be consulted if the Law Enforcement Agency if unable to meet the request for further investigation.

Child Physical Abuse

I. Initial Report

- A. Patrol Officers may establish the elements of the crime of physical abuse or neglect and jurisdiction.
1. Patrol Officers may interview the reporting source, away from the victim, witness, or other reporting sources, in order to:
 - a. Obtain the facts of the reported crime
 - b. Determine if the child is in imminent danger
 - c. Determine if the victim may require medical attention
 - d. Determine jurisdiction
 - (1) If within the departmental jurisdiction, continue per this Protocol
 - (2) If not within departmental jurisdiction, Patrol Officer will document their actions and coordinate with the appropriate jurisdiction.
 2. Patrol Officers may interview the child victim, only if the child is verbal and has not spontaneously provided the following information about the abuse. Only these specific questions should be asked:
 - a. What happened?
 - b. Who did this?
 - c. Where were you when this happened?
 - d. When did this happen?
 - e. Where do you go to school?Patrol Officers should document the child's demeanor and any spontaneous statements.
 3. Patrol Officers may interview witnesses. Dates of birth, social security numbers, and other biographical information including where child witnesses attend school will be obtained. It is recommended that child witnesses and any siblings or children within the home be interviewed by a trained professional interviewer.
 4. If the suspect is at the scene and:
 - a. The child is not taken to the hospital, the Patrol Officer may conduct an initial interview of the suspect or ensure that a detective does so immediately. Obtain the suspect's version of what happened (e.g., determining if it was a discipline measure; if a weapon or instrument was used; or if it was an alleged accident).
 - b. The child is admitted to the hospital, a decision as to whether or not the Patrol Officer may interview the suspect and/or caretaker should be made in consultation with Investigations. The Patrol Officer should not disclose any medical information to the caretaker(s) regarding the condition of the child or possible mechanisms of injury. The Patrol Officer should also encourage the medical personnel not to disclose this information until they consult with Detectives.

- B. Once it is determined that a crime has been committed, Patrol Officers then continue the initial case preparation by:
1. Assessing the need for medical intervention and ensuring that the child is taken to a hospital if necessary. If the child is admitted to a hospital, and in any case requiring medical attention, Investigations Unit should be notified immediately. It is recommended that Patrol Officers consult with Detectives on all child abuse cases to assess the need for a forensic medical exam.
 2. Assessing the need for scene preservation and/or evidence collection. Consult with Investigations regarding search warrants and/or consent searches. If the child or suspect gives information regarding a weapon, instrument, or mechanism of the injury, a search warrant or consent form should be obtained.
 3. Documenting any physical injury to the child with digital or 35 mm photographs. Photographs should depict the child's entire body and face, not just the external manifestations of abuse. Photographs should include ruler and color bar where possible. In cases of severe physical abuse and/or severe neglect, a consent form or search warrant should be used to obtain photographs or video of the entire household.
 4. Contacting Child Protective Services to file a report, even if the suspect is booked into jail. This shall be documented in the police report. If the status of the child is unresolved at the time the report is written, this should be noted in the report. The Officer shall assess the need to shelter the child and shall make recommendations to CPS, who will make the decision where to place the child.
 5. Even when no crime is found, a referral to CPS should still be made. Initial Officer to call CPS and victims notification.

II. Investigation

A. Non-hospitalized children

(Note: This list is not in any priority order.)

1. A detective reviews the initial report and continues the investigation by interviewing the family, siblings, other witnesses, etc. as dictated by the facts of the case. If the child victim is interviewed, it should be conducted per the Interview Protocol for Children, Appendix A.
2. If not already done and if appropriate, 35 mm or digital photographs are taken to document the abuse. A detective should ensure that additional follow-up photographs are taken as needed.
3. CPS should be contacted to obtain prior reports and to determine what action CPS is taking on the referral. If CPS is involved, Law Enforcement shall share information with them.

4. The suspect's prior police history should be determined, paying particular attention to assault and domestic violence contacts.
 5. The Investigations Unit should obtain relevant medical records on the child and interview appropriate medical personnel.
 6. A Detective should interview the suspect if not already interviewed. If the suspect has not invoked his/her rights, re-interview to complete his/her account of the events. If the suspect has not already been booked, the detective shall assess the risk of flight to avoid prosecution and determine if the suspect should be arrested in light of all the information obtained.
 7. The need for a medical exam should be assessed.
- B. Children Requiring Hospitalization
(Note: This list is not in any priority order.)
1. The Deputy County Attorney on call for physical abuse cases shall be notified as soon as possible on all cases where a child is admitted to a hospital or dies as a result of suspected child abuse.
 2. The Investigations Unit shall assume responsibility for the investigation of all hospitalized child abuse cases as soon as they are notified by the Patrol officer.
 3. The Investigations Unit should ensure that the scene (s) is (are) identified and secured pending issuance of a search warrant or signed consent.
 4. A Detective shall obtain an initial statement from the most qualified physician (not the intern or resident on duty) as to time frames, mechanisms of injury and symptoms the child would be expected to show, given the injury sustained.
 5. Interviews should be conducted with all caretakers, suspects and witnesses, including specialized physicians (e.g., neurosurgeons, pediatric radiologists, etc.). Interviews of the caretakers shall focus not only on the current injury, but also on a thorough background of the child's health and upbringing.
 6. All medical records including recent and previous hospitalizations, doctor or Emergency Room visits by the child should be requested for the investigation.
 7. Search warrants are to be utilized, where appropriate, to ensure a thorough scene investigation. Investigators should contact the County Attorney's Office regarding sealing the affidavit of search warrant.

III. Case Presentation

- A. The case file should include a complete copy of the police report; a copy of audio tapes; videotapes; photographs; tapes of 911 calls; all medical records of the child; Child Protective Services files on the child and family; prior police reports involving violence;

and any other information obtained during the investigation. It is expected that the deputy county attorney will have maintained involvement in the case prior to formal submittal.

- B. If the case is filed and goes to preliminary hearing, the Detective or Investigating Officer will be required to testify.
 - 1. The case goes to preliminary Hearing, the Detective or Investigating Officer may be subpoenaed.
- C. If the case is declined, victim notification shall be the responsibility of the County Attorney's Office. The victim's representatives as well as CPS should be notified of the turndown.
- D. If the Deputy County Attorney refers the case back to the Law Enforcement Agency for further investigation:
 - 1. The case should be returned to the original case agent if possible; and
 - 2. The requested information should be obtained within 30 days. If it is not possible to do this, the Deputy County Attorney should be notified as to the reasons for the delay.
- E. Joint Investigation
 - 1. See Attachment I Law Enforcement Subgroup.

I

Law Enforcement Subgroup

A PROCESS FOR CONDUCTING JOINT INVESTIGATIONS ON EXTREMELY SERIOUS CONDUCT ALLEGATIONS

What Constitutes a Joint Investigation

- I. All Law Enforcement and CPS should do a joint investigation of “extremely serious conduct allegations,” pursuant to A.R.S. 8-801(2), which essentially refers to those allegations which if determined true, would constitute felonies. Those include:
 - A. Sexual conduct with a minor
 - B. Sexual Abuse
 - C. Sexual Assault
 - D. Molestation of a child
 - E. Incest
 - F. Child prostitution
 - G. Commercial sexual exploitation of a minor
 - H. Sexual exploitation of a minor
 - I. Child abuse (physical abuse and severe neglect)
 - J. Death of a child
 - K. Certain domestic violence offenses that rise to the level of a felony (pursuant to A.R.S. 13-3601).

- II. Timeframes
 - A. If the allegations were reported within a 100 hours of the incident, it will be acted upon immediately due to:
 1. Evidence
 2. Danger
 3. ?

Guidelines for What Constitutes a Joint Investigation

- I. Upon receipt of report alleging extremely serious conduct allegations, the appropriate official (CPS or law enforcement) who is assigned or receives the report promptly notifies an appropriate official at the other agency via telephone or in person. This would include reports classified initially as lesser or lower priority-type cases by CPS or law enforcement, but then turn out to involve extremely serious conduct allegations. As promptly as possible, both officials confirm the next steps to be taken to begin coordination of the investigation.
 - A. CPS and law enforcement investigators:
 1. Promptly share relevant information during the course of the investigation.

2. Maintain ongoing contact during the course of the investigation to discuss its status and any steps needed to further fact-finding efforts and ensure the safety of children.
3. Monitor and/or participate in forensic interviews conducted by their counterparts.
4. There is an agreed-upon team (CPS and law enforcement) approach to investigating serious cases of child abuse and/or neglect which includes a written agreement between agencies.
5. Efforts to coordinate investigators are clearly documented in reports prepared by law enforcement and CPS investigators.

When a Joint Investigation is required

- I. In moderated physical abuse cases may not result in immediate assignment of detectives, the responding patrol officer still has to contact CPS.

Provisions for those occasions when a joint investigation is not possible

- I. CPS and applicable law enforcement agency should conduct an appropriate review of the circumstances surrounding the case, determine what resources and or/steps are needed to support a joint investigation of similar cases in the future, and report the findings of this review to the county attorney's office.

Interagency Notification

- I. Interagency notification should occur via phone or in person, with email or fax notification as backup confirmation.

STANDARDS FOR CONDUCTING JOINT INVESTIGATIONS

Guidelines for First Responders

- I. First responders (ex. Patrol officers) should limit their questioning of children to four basic questions:
 - A. What happened?
 - B. When did it happen?
 - C. Where did it happen?
 - D. Who did this?
- II. The first responder should not ask any more questions of the child(ren) beyond these four questions and should promptly contact the appropriate detective or supervisor to ensure that a trained forensic interviewer will conduct a forensic interview of the child(ren).

Forensic Medical Exams

- I. Forensic Medical Exams of children alleging abuse and/or neglect should be conducted by highly qualified trained medical professionals. These highly trained professionals may include physicians, physician assistants, nurse practitioners, and/or nurse examiners.

Forensic Interviews

- I. The forensic interviews of children alleging abuse and/or neglect should be conducted by persons who have received extensive training and who have demonstrated the ability to perform fact-based interviews of children that do not contain leading questions and/or other ill-advised practices. "Extensive training" should include completion of at least 40 hours of nationally recognized advanced training curriculum.
- II. Forensic interviews should participate in periodic peer reviews that include reviews of actual videotaped forensic interviews. If possible, peer reviews should use the standardized review criteria developed by the Arizona CJTF.
- III. Whenever possible, forensic interviews should be conducted in child-friendly environments that are suitably equipped to videotape and audiotape the interviews. This would include Arizona's child and family advocacy centers. Whenever possible, interviews should be monitored by an appropriate party to ensure that the content and methods used in the interview reflect best practices.

TRAINING

Procedures for local mandated reporter and protocol training

- I. In 1994, Graham County formed a multi-disciplinary team to conduct regular trainings for mandated reporters and other appropriate persons. Local training should focus on Arizona's mandated reporting statutes (A.R.S. 13-3620), and other applicable reporting requirements. This training should provide guidelines for persons making reports of suspected child abuse or neglect to CPS and/or law enforcement. Similarly, training on local protocols should be offered to appropriate agencies and professionals. Whenever possible, local training teams should be comprised of representatives from the county attorney's office, law enforcement, CPS, the medical profession, a local school district, and the county's Children's Justice coordinator (where applicable) or equivalent.

Cross-training between CPS and law enforcement

- I. Graham county has a process in place to provide initial and ongoing cross-training between CPS and law enforcement officials who investigate child abuse and/or neglect. This may include but should not be limited to training that covers each discipline's applicable policies and practices, regular workshops, as well as

interagency “ride-along” programs that allow professionals from one agency to accompany and observe their counterparts perform their respective jobs. Prosecutors should also participate in local cross-training efforts, whenever possible.

Forensic interview training

- I. All investigators who interview alleged victims of child abuse or neglect complete the appropriate training programs. However, due to high demand, resource limitations, and other factors, some investigators may not be able to complete training as promptly as others. In situations when the demand for training exceeds available training space, Graham county will prioritize who should receive training first. Nevertheless, because the forensic interview is such a critical piece of the fact finding process, all protocols should contain the goal of having selected investigators complete appropriate training as promptly as possible.

PROCEDURES FOR MULTIDISCIPLINARY RESPONSE AND COORDINATION

Sharing Information

- I. Sharing of information can be in person, via telephone, or fax (if sending by fax, there needs to be prior notification of the fax to the receiving agency).

Ongoing notification of case status

- I. Encourage periodic notification of case status across agencies to reinforce the importance of interagency collaboration and communication and to ensure the best interests of the child are being served.

Co-location

- I. If co-location is not feasible, due, for example, to limited resources, officials should regularly interact during the course of applicable investigations. This may include periodic visits to each other’s work locations to coordinate investigative efforts until a Family Advocacy Center can be established.

A PROCESS FOR ENSURING PROTOCOL COMPLIANCE

Procedures for tracking protocol compliance

- I. It is recommended that regular interagency case reviews that are constructive and non-accusatory, and that focus on ongoing improvement of protocol compliance.

Periodic reviews of and updates to local protocols

- I. It is recommended that local protocols be reviewed annually to ascertain the need for periodic updates due to ever-changing circumstances. Protocols should be viewed as “living documents” that should reflect changes in applicable statutes, resource shifts, and other factors. Local protocols become ineffective when they are not actively reviewed, with particular attention paid to the extent of local compliance.

PROCEDURES FOR LOCAL (COUNTY) ANNUAL REPORT

County annual report contents

- I. A representative from each law enforcement agency, CPS and the county attorney’s office shall meet before June 30th to compile data necessary for the annual report. Representatives will provide data for their respective organizations as follows:
 - A. Number of cases involving extremely serious conduct allegations that were jointly investigated using the criteria set for on the guidelines that constitute a joint investigation by law enforcement and CPS.
 - B. Number of cases involving extremely serious conduct allegations that were not forwarded by law enforcement to CPS for a joint investigation.
 - C. Number of cases involving extremely serious conduct allegations there were not forwarded by CPS to law enforcement for a joint investigation
 - D. A summary of barriers encountered that prevented joint investigations.
- II. Law enforcement/Prosecution data elements
 - A. Number of cases involving extremely serious conduct allegations that were not reported to law enforcement and referred/submitted for prosecution.
 - B. Number of cases involving extremely serious conduct allegations that were submitted by law enforcement and were charge by prosecution after referral/submittal.
 - C. Number of cases involving extremely serious conduct allegations that were submitted by law enforcement, charged by prosecutors, and resulted in convictions (plea or trials).
- III. Other suggested data elements included in county annual reports, if available:
 - A. Number of cases placed in diversion program.
 - B. Number of cases “carried forward” without dismissal or transfer.
 - C. Number of pleadings and trials.
 - D. Number of convicted persons incarcerated.

A process for resolving interagency conflict

- I. Problem resolution should first be attempted to be resolved between those directly involved in the dispute. Such resolutions should focus on the needs of the various individuals in their respective responsibilities to assist children. Only if the dispute cannot be resolved among the parties should the immediate supervisors be involved in the resolution process.
- II. In all instances, dispute resolution should focus on the needs of the particular case or children so as not to hinder the prosecution of cases or the well being of children.
- III. If the dispute arises out of conflict of policies between agencies then resolution of the disputes should be addressed by the policy makers in the respective organizations.

II

CHILD PROTECTIVE SERVICES PROTOCOL

Child Protective Services (CPS) is based in philosophy and law on the premise that children have a right to be protected from physical abuse, sexual abuse, neglect, abandonment and exploitation. CPS is primarily responsible for investigating in-home abuse.

CPS staff believe that children should be maintained in their own homes, if at all possible. The Adoptions and Safe Families Act of 1997 (P.L. 105-89) requires the child's health and safety be the paramount concern within assessing risk of harm and making placement and permanency planning decisions and in providing services. Parents or caretakers maybe found unwilling, unable, or so dysfunctional that they do not assume responsibility to protect children from harm or provide them with the necessities of life. The obligation then devolves to the state, and by laws in Arizona, to CPS within the Arizona Department of Economic Security.

CPS Specialists are required, by laws, to receive reports of child neglect and/or abuse twenty-four (24) hours a day, seven (7) days a week and to initiate prompt investigation. (See Appendix D, A.R.S. 8-802 and Appendix C, A.R.S. 13-3620.)

CPS Specialists, working with the CPS Hotline, receive telephone calls at 1-888-767-2445 or TDD 1-800-530-1831 and written reports at: P.O. Box 44240, Phoenix, AZ. 85064-4240. These workers screen incoming communications by using "cue questions" (See appendix E, CPS Hotline Cue Questions). Reporting sources do not need to have answers to all cue questions. Reports are written and the responses that are needed are prioritized (See appendix F, CPS Hotline Prioritization of Action Guidelines) before being promptly forwarded to CPS Field Units. The unit supervisor determines the assignment of CPS Specialists to investigate reports and serve clients. CPS Hotline and field staff coordinate closely, twenty-four (24) hours each day, particularly to assure prompt action with crisis or high priority reports.

CPS actions rarely result in removal of children from the home of the parents. Less than 10% of CPS investigations result in removal of the children from their homes. More often CPS workers offer resources and information to families when these could benefit the family and close the case. When there are concerns about a child's safety in their home, CPS attempts to engage the child's family to the greatest extent possible in planning for voluntary interventions that minimize intrusion to the family while insuring the safety of the child. These alternatives include: providing additional resources or safeguards to the family so a child can remain in the home; and assisting the parent, guardian or custodian in identifying a relative or friend who can care for the child temporarily, or entering into a Voluntary Foster Care Placement Agreement while services are being arranged.

When children are suffering or will imminently suffer abuse, or have no parent/guardian willing or capable of providing safe care, CPS or law enforcement has the authority to remove them for up to seventy-two (72) hours excluding weekends or holidays. (They may also remove a child for up to twelve hours to obtain a medical/psychological evaluation in order to make a determination if maltreatment has occurred).

To obtain continuing legal authority to control the care of a child, beyond seventy-two hours, CPS must file a dependency petition with the Graham County Juvenile Court. A Superior Court Judge must sign this petition, declaring the child a temporary dependant ward of the court placed in the care of the Arizona Department of economic Security. The Attorney General's Office advises CPS as to the existence of a legal basis for instituting a dependency petition.

Whether the Court takes custody of the children, a Voluntary Foster Care Placement Agreement is signed, or other safety actions taken. CPS has the responsibility of providing counseling and supportive services to the family. The primary focus is, first, to ensure the safety of the child, and, second, to help the family provide improved safety for the children. (See Appendix D, ARS 8-802).

A Joint investigation of a case contains two or more of the following components:

- a. Upon receiving report alleging extremely serious conduct allegations, the appropriate official (CPS or law enforcement) who is assigned or receives the report promptly notifies an appropriate official at the other agency via telephone or in person. This would include reports classified initially as lesser or lower priority-type cases by CPS or law enforcement, but then turn out to involve extremely serious conduct allegations. As promptly as possible, both officials confirm the next steps to be taken to begin coordination of the investigation.
- b. CPS and law enforcement investigators promptly share relevant information during the course of the investigation.
- c. CPS and Law enforcement investigators maintain ongoing contact during the course of the investigation to discuss its status and any steps needed to further fact finding efforts and insure the safety of children.
- d. CPS and law enforcement investigators monitor and/or participate in forensic interviews conducted by their counterparts.
- e. There is an agreed-upon team (CPS and law enforcement) approach to investigating serious cases of child abuse and/or neglect which includes a written agreement between agencies.
- f. Efforts to coordinate investigations are clearly documented in reports prepared by law enforcement and CPS investigators.

CPS Specialists are assigned by their Unit Supervisor to investigate reports of child maltreatment. CPS Specialists adhere to the following procedures:

I. Pre-interview Protocol

- A. The CPS Specialist shall coordinate the investigations with law enforcement. Coordination will be stressed when the report alleges or the investigation indicates the child is a victim of sexual abuse and/ or a criminal investigation of the alleged child maltreatment is in progress or anticipated. Extremely serious conduct allegation reports, as designated in Appendix F, shall be handled with joint Law Enforcement/ CPS Investigations. Other CPS reports may be handled with joint Law Enforcement/ CPS Investigations requested by either agency.
- B. Extremely serious conduct allegation reports, as designated in Appendix F, shall immediately be reported by telephone to the responsible law enforcement agency.
- C. All other CPS reports will be reported to law enforcement by telephone contact or by forwarding the police version of the CPS Report Summary within twenty-four (24) hours.
- D. The CPS Specialist will gather information from law enforcement reports, sources of the current report, prior CPS records and others as availability and time allow.

II. CPS Interview Protocol

- A. The following is the sequence for interviewing:
 - 1. Talk with the source of the report if possible.
 - 2. Alleged victim if the child's age and intellectual/ emotional functioning permit;
 - 2. Siblings/other children in the home;
 - 3. School/day care provider, medical provider;
 - 4. Non-abusing spouse/caretaker
 - 5. Alleged abusive caretaker; and
 - 6. Neighbors, relatives, and others with knowledge of the abuse.
- B. Child Interviews
 - 1. The CPS Specialist will work in conjunction with Law Enforcement whenever applicable.
 - 2. The alleged abusive parent, guardian or custodian shall not be present during the investigative interviews with alleged child victims.
 - 3. Initial interviews are generally unannounced to maximize the gathering of relevant facts.

4. First responders should limit their questioning of the children who allege abuse and/or neglect to the following four questions:
 1. What happened?
 2. When did it happen?
 3. Where did it happen?
 4. Who did this?
5. To eliminate the need for multiple interviews of the child victim, the CPS Specialist will arrange for:
 - a. A joint interview of the child victim coordinated between CPS and law enforcement; or
 - b. A joint interview of the child victim by a specially trained professional coordinated with law enforcement; or
 - c. If a joint interview is not feasible, information from the victim interview should be shared with law enforcement and the County Attorney's Office.
6. Interviews of extremely serious conduct alleged child abuse victims will be videotaped and audiotaped in a child friendly atmosphere whenever possible. Interviews should be monitored by an appropriate party to ensure that the content and methods used in the interview reflect best practices whenever possible.
7. Forensic interviewers should participate in periodic peer reviews that include reviews of actual videotaped forensic interviews. If possible, peer reviews should use the standardized review criteria developed by the Arizona CJTF.
8. The CPS Specialist shall:
 - a. Introduce and identify him/herself as a CPS Specialist, while effecting an interview in private, safe and neutral location.
 - b. Develop and maintain rapport and a helping relationship with the child by demonstrating respect for the language, dialect, communication style, and culture of the child. Language skilled staff or translators will be assigned as needed.
 - c. Inform the child of the agency's mandate to investigate, the agency's goal to provide needed services, and answer any of the child's questions.
 - d. Allow and encourage the child to express emotional reactions to the investigation and help resolve his/her feelings.
 - e. Inform the child that CPS has the responsibility to complete the investigation, including interviewing other members of his/her family.
 - f. Assess the need for immediate forensic medical examination or treatment and arrange for this, seeking caretaker cooperation as appropriate. (See Medical Protocol for sexual or physical abuse.)

- g. Assess the need for immediate shelter/foster care of the child. The CPS specialist will consult with his/her supervisor prior to taking the child into protective custody.

C. Parent/Caretaker Interviews

1. The CPS specialist will work in conjunction with law enforcement whenever applicable.
2. Initial interviews are generally unannounced to maximize the gathering of relevant facts. Arrangements should be made so that the interview is conducted privately.
3. Provide parents/caretakers the same information and afford the same considerations as listed in the children's interviews protocol.
4. Initiate contact the same day with the parent caretaker in situations when a child has already been interviewed. If parental contact can not be made the same day, the reasons for lack of contact must be documented.
5. Initiate immediate contact with parent/caretaker in all situations when the child is taken into temporary custody. This includes advisement of legal rights in writing (see temporary Custody Notice, Appendix G), the agency's authority to take such action necessary to protect the child, and the parent's right to recommend a relative to temporarily care for the child(ren).
6. Offer services and information on resources to family members, whether children are removed from the home or not, when the family could benefit from these services.

III. Case Management Protocol

The CPS Specialist will:

- A. Obtain a medical examination of the child victim following guidelines of the medical evaluation protocol. (see Medical Protocol)
- B. Gather and record information from the CPS Specialist's own observations and through interaction with collateral sources and professionals involved with the investigations.
- C. Consult with the CPS Unit Supervisor and/or other agency personnel to determine the need to remove the child from the family based upon the information gathered and the risk of harm to the child. In an emergency, the CPS Specialist will consult with a supervisor immediately after taking temporary custody of the child, and obtain supervisory approval.
- D. The CPS Specialist will make a determination as to the findings. If the report of abuse/neglect/dependency is proposed to be substantiated findings will be sent to the Protective Services Review Team, who will notify the alleged perpetrator of the rights.
- E. Provide periodic case status updates at the monthly multidisciplinary meetings to reinforce that importance of interagency collaboration and

communication and to ensure that the best interests of the child are being served.

- F. Participate in regular interagency case reviews that are constructive and non-accusatory and that focus on ongoing improvement of protocol compliance.
- G. Meet annually with the County Attorney's office in June to compile data necessary for the annual report. CPS will provide the following data:
 - 1. Number of cases involving extremely serious conduct allegations that were jointly investigated.
 - 2. Number of cases involving extremely serious conduct allegations that were not forwarded by CPS to law enforcement for a joint investigation.
 - 3. Summary of barriers encountered that prevented joint investigations.
 - 4. Number of calls made to the CPS Hotline and the number of those calls taken as reports (per county)(listed by priority level)
 - 5. Number of extremely serious conduct allegations that resulted in investigations that resulted in: 1) "substantiated findings and 2) removal of children (listed by priority level)
 - 6. Number of CPS-only investigations that resulted in submittals for criminal prosecution.
 - 7. Number of dependency petitions filed
 - 8. Number of adjudicated dependency cases
 - 9. Number of termination of parental rights filings (motion or petition)
 - 10. Number of termination of parental rights cases resulting in severance of parental rights.
 - 11. Number of active/open dependency cases during the reporting period (e.g., average or mean number of active cases, low and high range, monthly counts, etc.)
 - 12. Number of dependency cases that closed during the reporting period.
 - 13. Number of dependency cases that "reactivate". (by child or family)
- H. All CPS case workers shall follow the CPS policies related to ICWA cases.

Conflict Resolution

- A. Problem resolution should first be attempted between those directly involved in the dispute. Such resolutions should focus on the needs of the various individuals and their responsibilities to assist the children. Only if the dispute can not be resolved among the parties involved should immediate supervisors become involved in the resolution process.
- B. In all instances, dispute resolution should focus on the needs of the particular case or children so as not to hinder the prosecution or well being of the children.
- C. If the dispute arises out of conflict of policies between agencies then the resolution of the dispute should be addressed by the policy makers in the organizations that are involved in the dispute.