

Multidisciplinary Protocol for the Investigation of Child Abuse

Maricopa County Children's Justice Project

*Commander Matthew Siekmann
Phoenix Police Department
Family Investigations Bureau*

Statement of Purpose

This Protocol, initially developed in 1995, is offered to coordinate the involvement and interaction of each agency in Maricopa County involved with providing care, treatment, and assistance to all children, whether victims or witnesses, where criminal conduct is suspected.

This Protocol serves to ensure each child is treated with dignity, fairness, and respect and protected from harassment, intimidation, or abuse, and to minimize the secondary trauma that can accompany investigations of criminal conduct.

Use of Advocacy Centers

The Protocol strongly supports and encourages the use of child abuse assessment/child advocacy centers.

These specially designed centers help reduce the trauma to the child victim and his/her family by offering investigative and victim service needs at one child-friendly location.

These services include, but are not limited to, police and Child Protective Service (CPS) investigations, child-friendly interviews, medical exams, county attorney consultation, crisis counseling, and referrals.

Advocacy Centers in Maricopa County

- Mesa Family Advocacy Center, Mesa, AZ
- Phoenix Family Advocacy Center, Phoenix, AZ
- Childhelp Children's Center of Arizona, Phoenix, AZ
- Glendale Family Advocacy Center, Glendale, AZ
- Scottsdale Family Advocacy Center, Scottsdale, AZ
- Southwest Valley Family Advocacy Center, Goodyear, AZ

LAW ENFORCEMENT PROTOCOL

The purpose of law enforcement's response to allegations of criminal conduct involving children is to determine if a crime has been committed and to bring to light those facts and circumstances necessary to successfully prosecute the perpetrator(s) and hold them accountable for their criminal conduct.

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 and their rights as victims of crime, as well as the responsibilities of other organizations involved in the treatment, support and recovery of the victim

- Coordination is mandated by law in cases of allegations involving criminal conduct.
- Police are required to coordinate their efforts with those of CPS, as well as the prosecuting agency.
- During an investigation, CPS and law enforcement investigators will, as soon as is immediately practicable, share relevant information, maintain ongoing contact and monitor and/or participate in forensic interviews conducted by their counterparts.
- When CPS receives information regarding an **in-progress** criminal conduct allegation that indicates a child is in danger, they shall immediately notify the appropriate law enforcement agency using 9-1-1 and follow all applicable provisions of this Protocol.
- When the information received by CPS indicates the child is **not in immediate danger** but nevertheless involves allegations of criminal conduct, CPS shall immediately contact the appropriate law enforcement agency dispatch/communications center and request notification be made to the on-duty supervisor or appropriate agency section

CHILD PROTECTIVE SERVICES PROTOCOL

Child Protective Services (CPS) is based in philosophy and law on the premise that a child(ren) has a right to grow up in an environment free from maltreatment.

CPS is responsible for investigating allegations when a person under the age of 18 is the subject of physical, sexual, or emotional abuse, neglect, abandonment or exploitation; in which a parent, guardian or custodian has inflicted, may inflict, permitted another person to inflict, or had reason to know another person may inflict harm to the child(ren).

MEDICAL PROTOCOL

Medical professionals have a complex role in child abuse cases. Evidence of child abuse may be detected during an examination or disclosures of abuse may be made to medical professionals.

Child abuse examinations must be performed by medical professionals who are competent in the forensic exam of children as well as in providing expert testimony in judicial proceedings.

In Maricopa County there are six (6) Child Abuse Assessment/Advocacy Centers staffed by physicians, nurse practitioners, and/or forensic nurse examiners with the necessary qualifications to provide child abuse examinations and, when medically appropriate, it is strongly suggested that these exams be conducted at one of the six (6) centers.

VICTIM RIGHTS AND SERVICES PROTOCOL

Advocates at the Advocacy Centers:

- The primary role of the advocate is to provide information and assistance to the victim and the victim's family.
- These services can include immediate intervention with a therapist, counseling services, housing services, access to community resources.
- The victim advocate does not discuss the facts of the case with the victim or the victim's family.

MARICOPA COUNTY
ATTORNEY'S OFFICE
VICTIM SERVICES
DIVISION

- Prosecutor based victim assistance program
- Advocates assigned to the major crimes bureaus and juvenile bureaus assist victims of child physical and sexual abuse during the course of prosecution.
- After a defendant has been charged or arraigned on a felony offense, a victim advocate is assigned to the case.
- Advocates provide criminal or juvenile justice system information and support, advocacy, and social service referrals to assist the victim's emotional recovery from the crime.

COUNTY ATTORNEY PROTOCOL

The sex crimes bureau prosecutes all sex crimes cases. (Separated East and West).

The family violence bureau prosecutes all child physical abuse cases. (Separated East and West).

All child homicide cases are prosecuted by the downtown office.

The sex crimes bureau will review all investigations submitted by law enforcement agencies involving sexual offenses.

The family violence bureau will review all investigations submitted by law enforcement agencies involving child abuse, child homicide, custodial interference or kidnapping for the possible filing of criminal charges.

JUDICIAL PROTOCOL

The goal of every court should be for all children to be treated with dignity and respect when they testify.

Judges should receive specialized training on the rights of victims of crime and the assertion of victim rights by child victims, developmental issues relating to child witnesses, child hearsay exceptions, closed circuit television and videotape testimony, propensity testimony, child pornography, child exploitation, cycle of domestic violence, DNA and other medical or scientific evidence, the use of experts as witnesses, and other acts committed by the defendant.

MENTAL HEALTH INTERVENTION PROTOCOL

- Mental Health professionals should be advocates for victims and children. As such, they may provide primary therapeutic intervention, support to families, information, and be a source of referral for child abuse allegations because of their contact with children and their families.
- The therapist's primary goal is to facilitate healing in the child who has been victimized. This may include working with family members to negotiate changes in the child's environment, assisting the family in aligning with the victim to provide emotional support and protection, and assisting in minimizing secondary trauma during the legal process.
- The therapist should delay primary trauma intervention until after the forensic interview and investigation has been completed by the appropriate agency. In the interim, supportive therapy should be provided.

OTHER AREAS OF PROTOCOL

1. School Protocol (page 67)
1. Juvenile Court Protocol (Page 74)
1. Adult Probation (Page 83)

Questions?