

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL</b>	
	<b>Chapter 4: Assessment (Investigation)</b>	<b>Effective Date: July 2, 2007</b>
	<b>Section 29: Joint Assessments (Investigations)</b>	<b>Version: 1</b>

<b>POLICY</b>	<b>RELATED OLD POLICY: 210.1</b>
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- Upon receipt of a report of suspected child abuse or neglect the Indiana Department of Child Services (DCS) will contact the law enforcement agency in the appropriate jurisdiction to request a joint assessment (investigation).
- DCS will conduct joint assessments (investigations) with Law Enforcement Authorities (LEA) when child abuse/neglect (CA/N) allegations include, but are not limited to:
  - Child fatalities and near fatalities (see separate policy, Fatality and Near Fatality Assessments (Investigations))
  - Child sexual abuse (see separate policy, Statutory Definition of CA/N for legal definition of sexual abuse)
  - Allegations involving persons or entities acting as custodians of the child (licensed childcare homes or centers, residential childcare centers or schools) or employees or volunteers of those persons or entities.
- **[NEW]** DCS will not be deterred from initiating a CA/N assessment (investigation) within the necessary time frame due to a delay in LEA response, unless allegations indicate the child's home may be the site of a meth lab and an interview with the child at an alternate site is not practicable (see Indiana Drug Endangered Children Response Protocol).
- **[NEW]** During a criminal assessment (investigation) of CA/N, DCS will cooperate with the county or district prosecutor and LEA. However, DCS will not act as Law Enforcement by gathering evidence or interviewing persons for the sole purpose of a criminal assessment (investigation). The DCS focus will be on assuring the safety of children.

Code References

- IC 31-33-7-7 Law enforcement agency investigation and communication of information
- IC 31-33-8-2 Investigations by Law enforcement agencies
- IC 31-32-3-1 "Custodian"

<b>PROCEDURE</b>
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If LEA is able to respond within the assessment (investigation) timeframe required by DCS, the FCM will:

- Arrange a pre-interview conference with LEA to discuss the allegations and a plan for the interview and other assessment (investigation) activities.
- Cooperate with LEA to complete all steps necessary in a routine CA/N assessment (investigation). See separate policy, Conducting the Assessment (Investigation).

If LEA is unable to respond within the assessment (investigation) timeframe required by DCS, the FCM will:

- Document in the assessment (investigation) files the request that was made to LEA for a joint assessment (investigation) (date of request and to whom it was sent).
- Proceed with the assessment (investigation) as required.
- Anticipate that LEA may join the DCS assessment (investigation) at any time during the process.

FCMs will:

- Stay in regular contact with LEA, including providing copies of all pertinent CA/N assessment (investigation) files, when LEA and DCS are investigating the same family.
- Follow local agreements and protocols to resolve any conflicts between DCS and LEA about differing methods of assessment (investigation).
- Testify at criminal hearings when subpoenaed to do so.

## RELATED INFORMATION

### **Rationale for Joint Assessments (Investigations)**

Teamwork offers several benefits to both the alleged victim(s) and the professionals involved in the assessment (investigation). Coordinated responses can reduce the number of interviews a child undergoes. It can minimize the number of personnel involved in the assessment (investigation) and duplication of efforts. Teamwork can enhance the quality of evidence. A joint assessment (investigation) can expedite the provision of necessary assistance to the victim and/or family.

### **DCS Participation in Joint Interviews**

When conducting a joint interview with LEA, DCS will participate in the interview (vs. merely observe) to the extent practical given the circumstances.

### **Alleged Perpetrator in Police Custody**

If the alleged perpetrator is in police custody, the FCM must obtain authorization from the investigating police officer and the alleged perpetrator's attorney, if one has been appointed, to conduct the interview. This is necessary to ensure that the alleged perpetrator's rights under criminal law are protected. If the Officer or the Attorney does not allow the interview the FCM must immediately advise the FCM Supervisor and document thoroughly.

## FORMS AND TOOLS

- N/A