



## INDIANA DEPARTMENT OF CHILD SERVICES

### CHILD WELFARE POLICY

#### Chapter 4: Assessment

#### Section 09: Interviewing Children

**Effective Date:** July 1, 2024

**Version:** 10

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#### POLICY OVERVIEW

A timely, thorough, and thoughtful response to child safety concerns is critical in effectively protecting children. This response includes interviewing children to complete a comprehensive assessment of all reports of alleged Child Abuse and/or Neglect (CA/N). The interview provides the child an opportunity to share information which may assist in reaching an appropriate assessment finding.

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#### PROCEDURE

The Indiana Department of Child Services (DCS) will conduct or arrange an individual face-to-face interview with:

1. The alleged child victim;
2. All other children living in the home (including children who live in the home part-time due to a custody arrangement or who have visitation in the home); and
3. Any child not living in the home who was present at the time of the alleged incident, regardless of the allegation.

**Note:** For a child who is too young or unable to communicate, an interview will consist of face-to-face interaction with the child at a level that is appropriate given the child's age and/or developmental status.

A trained forensic interviewer (see Definitions for forensic interview) may conduct the interview if the child is an alleged victim of sexual abuse, severe physical abuse, human trafficking, or other circumstances that could lead to criminal charges being filed; however, DCS will be present during the interview. This interview may be conducted at a child advocacy center (CAC) (see Definitions).

The Family Case Manager (FCM) will:

1. Inquire about the household composition and identify all children who require a face-to-face interview, including children who live in the home part-time or have visitation in the home. If the child is not listed as a victim, the child should be interviewed as a witness;
2. Contact the appropriate law enforcement agency (LEA) to plan for a joint assessment if allegations of domestic violence (DV), sexual abuse, human trafficking, or other allegations of a criminal nature are reported (see policies 2.30 Domestic Violence [DV] and 4.29 Joint Assessments with Law Enforcement Agency [LEA]). DCS will conduct an

additional interview if the FCM is unable to assess the child's safety and well-being during the joint LEA interview;

3. Notify the child's parent, guardian, or custodian of the allegations listed on the Preliminary Report of Alleged Child Abuse or Neglect (310);

**Note:** If it is determined that a child who lives in the home part-time or has visitation in the home as a result of a custody arrangement is not a victim, the FCM should proceed with interviewing the child, but is not permitted to disclose details regarding the allegations of CA/N to the child's custodial parent. See Practice Guidance.

4. Obtain consent from a parent, guardian, or custodian prior to interviewing any child. See policy 4.05 Consent to Interview Child;

**Note:** If it is determined exigent circumstances exist and consent from a parent, guardian, or custodian will not be obtained prior to the interview, procedural steps outlined in policy 4.06 Exigent Circumstances for Interviewing Alleged Child Victims must be completed.

5. Staff the assessment with an FCM Supervisor and consider all relevant factors to determine when to video/audio record the interview with the alleged victim. The FCM should explain to the child, to the extent possible, if a decision has been made to record the interview. See Practice Guidance;
6. Schedule the interview with the child. See Relevant Information for additional clarification regarding what constitutes a contact versus an interview;
7. Conduct the interview in a nonthreatening and neutral location and/or setting (e.g., CAC or child's school) that provides privacy for the child, so the child may feel safe;

**Note:** Any information that impacts the safety of the child should be documented within the required timeframes (see policies 4.18 Establishing Initial Child Safety and 4.19 Safety Planning).

8. Honor a parent, guardian, or custodian's request to be present during the interview if the parent, guardian, or custodian's presence will not impede or influence the child's responses during the interview;

**Note:** The interview should never be conducted in the presence of, or within hearing distance of, the alleged perpetrator. In cases of suspected human trafficking, the child's parent, guardian, or custodian may be the child's trafficker or the trafficker may be dishonest and report being the child's parent, guardian, or custodian. In cases of suspected human trafficking, see policy 4.47 Human Trafficking (HT).

9. Develop rapport with the child and explain at the beginning of the interview what will happen with the information obtained during the interview and with whom the information will be shared;
10. Contact LEA at any time during the interview when there is an indication the child may be a perpetrator of a criminal offense or delinquent act. Any additional questioning of the child without the participation of LEA will be limited to the concerns that do not implicate the child as a possible perpetrator. See policy 4.11 Interviewing the Alleged Perpetrator for additional steps to follow regarding interviewing a child who is an alleged perpetrator;
11. Engage the child in the development of the Safety Plan if age and developmentally appropriate (see policy 4.19 Safety Planning);

12. Document all contacts, the child's interview, and any disclosed or immediately evident impact CA/N has had on the child in the case management system within three (3) business days of the child's interview.

The FCM Supervisor will:

1. Assist the FCM throughout the interview process through regular case staffing (see Definitions); and
2. Ensure information is entered timely in the case management system.

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## RELEVANT INFORMATION

### Definitions

#### Case Staffing

Case staffing is a systematic and frequent review of all case information with safety and risk, stability, permanency, and well-being as driving forces for case activities.

#### Child Advocacy Center (CAC)

A CAC is a child focused, trauma-informed community-based organization that:

1. Is recognized by the Indiana Chapter of National Children's Alliance and designed to collaborate on reports of CA/N;
2. Coordinates a multidisciplinary team; and
3. Facilitates forensic interviews.

#### Forensic Interview

A forensic interview is an interview in response to a report of CA/N conducted by a professional specially trained in a nationally recognized model using a multidisciplinary team approach.

#### Safety Plan

A Safety Plan is a voluntary, non-legally binding written agreement with the family, which identifies interventions to address the safety of the child and specifies family supports and/or community services that will be utilized.

### Forms and Tools

- Indiana Human Trafficking Screening Tool - available in the case management system
- Preliminary Report of Alleged Child Abuse or Neglect (SF 114) (310) - available in the case management system
- [Safety Plan \(SF 53243\)](#)

### Related Policies

- [2.30 Domestic Violence \(DV\)](#)
- [4.05 Consent to Interview Child](#)
- [4.06 Exigent Circumstances for Interviewing Alleged Child Victims](#)
- [4.11 Interviewing the Alleged Perpetrator](#)
- [4.18 Establishing Initial Child Safety](#)
- [4.19 Safety Planning](#)
- [4.29 Joint Assessments with Law Enforcement Agency \(LEA\)](#)
- [4.47 Human Trafficking \(HT\)](#)

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## LEGAL REFERENCES

- [IC 5-26.5-1-3: "Domestic violence"](#)
- [IC 31-9-2-14.2: "Child advocacy center"](#)
- [IC 31-9-2-47.1: "Forensic interview"](#)
- [IC 31-25-2-14.5: Child advocacy centers; duties; confidentiality; civil immunity](#)
- [IC 31-33-18-2: Disclosure of unredacted material to certain persons](#)
- [IC 31-34-13: Chapter 13. Child Videotape Testimony in Child in Need of Services Proceedings](#)
- [IC 34-6-2-34.5: "Domestic or family violence"](#)
- [IC 35-42-3.5: Chapter 3.5. Human and Sexual Trafficking](#)

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## PRACTICE GUIDANCE- DCS POLICY 4.09

*Practice Guidance is designed to assist DCS staff with thoughtful and practical direction on how to effectively integrate tools and social work practice into daily case management in an effort to achieve positive family and child outcomes. Practice Guidance is separate from Policy.*

### **Contact versus Interview**

A contact can be any communication or an in-person observation. An interview occurs when a person is individually questioned about the allegations of a CA/N report. Best practice is that children are not interviewed in the presence of family members or other witnesses. A contact is not always considered an interview.

A contact includes, but is not limited to the following types of communication:

1. Face-to-face at the home, office, or other location;
2. Telephone;
3. Fax;
4. Email;
5. Voicemail;
6. Written correspondence; and/or
7. Virtual correspondence (e.g., video conferencing and Facebook).

### **Interviewing Children Who Have Visitation or Reside in the Home Part-Time**

A child who lives in the home part-time or has visitation in the home requires a face-to-face interview. The FCM should stress the importance of the interview by advising the parent that the child may have witnessed an incident or have information that was disclosed by another child and the information may affect child safety.

### **Nonverbal Communication During Forensic Interviews**

Using means other than verbal communication is often a critical component of interviewing alleged victims of sexual abuse. In many cases, what children will demonstrate with objects or drawings is far more compelling than what they may say. The interviewer may ask a child to draw pictures of the home and/or the family, or to communicate using blank figure drawings or anatomically detailed dolls and doll houses.

### **Number of Interviews**

While it is best practice to conduct only one (1) interview with a child, an FCM may have to conduct additional interviews with a child if the FCM was unable to gather sufficient information in the initial interview to assess child's safety and well-being.

### **Types of Questions to Ask During an Interview**

Open-ended questions should be used as much as possible during an interview. Multiple-choice or yes and no questions should only be used if the FCM is unable to elicit any information from the child. The more open-ended the question, the greater confidence the FCM may have in the child's response. The following examples show how the FCM may use open-ended questions to gather information regarding the who, what, when, where, and how of the alleged CA/N:

**Who questions:** These questions are important in identifying the parties involved and who is aware of what has happened.

*Who did this? Who was there? Who knows about this besides you?*

**What questions:** These questions ask for descriptive statements or observations. The worker may need to ascertain whether the child was threatened, tricked, bribed, or otherwise coerced to cooperate with a perpetrator (e.g., in a sexual abuse incident) or to maintain secrecy after any incident of CA/N. For instance, a child who has divulged that the perpetrator “told me not to tell” should be asked, “*What did he say?*”

**When questions:** These questions are used to determine the most recent occurrence as well as the duration of the CA/N. In physical abuse cases, “when” questions are used to determine if the degree of healing of the injury is consistent with the time frame the child is describing.

*When mommy left, what was on TV? When mommy came home, what was on TV?*

**Where questions:** These questions are used to determine the location of the CA/N as well as the whereabouts of other family members at the time of the occurrence.

*Where were you hit? Where were mommy and daddy at the time you were hit?*

**How questions:** These questions help children expand their responses. For instance, when a child says, “He hit me,” the worker might say, “*How did he hit you?*” or “*Tell me about that.*”

### **Video/Audio Recorded Interviews**

Video/audio recordings should be utilized in situations when allegations of sexual abuse, severe physical abuse, human trafficking, or other unique cases could lead to criminal charges being filed. Recording interviews may reduce the number of times an alleged child victim must be interviewed. It may also reduce the necessity for the alleged victim to provide further testimony if the case goes to court.

Decisions regarding how to record an interview should be made based on the circumstances of the report and the location of the interview. Written notes should always be taken during the interview (preferably by someone other than the assigned FCM when possible, such as LEA or another FCM). All information should be reviewed and clarified with the child to ensure the interviewer has an accurate understanding of what the child said.

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