

**Child Sexual Abuse, and Physical Abuse and Neglect**  
**Investigation Protocols**  
**For Whitman County**

March 3, 2015

(Promulgated by the Whitman County Prosecutor's Office)

**I. MISSION STATEMENT**

This protocol is intended as a general guide for all those who participate in the investigation of cases involving allegations of child sexual abuse, and should also be followed (where applicable) in investigations involving allegations of child fatalities, child physical abuse, and criminal child neglect. This includes, but is not limited to, prosecutors, law enforcement agencies, social workers for Division of Children and Family Services (DCFS), and victim advocacy / assistance organizations.

The purpose of this protocol is to help ensure thorough investigations and accurate conclusions in each case and to minimize the trauma to child victims by:

- (1) Establishing a working agreement among the various agencies responsible for investigating allegations of child sexual abuse and for providing support to victims.
- (2) Promoting well-coordinated, efficient, thorough and reliable investigations that benefit from the input of individuals with differing skills and experiences.
- (3) Fostering an attitude of mutual respect and understanding among participating agencies and an understanding of the general practices of each agency;
- (4) Ensuring that children involved in investigations are protected, supported, and treated with dignity and respect.

## **DISCLAIMER**

A failure to follow the procedures set forth in this protocol shall not constitute grounds for the dismissal of any charges or complaint arising from any reported incident. Similarly a failure to follow the procedures in this protocol shall not result in the suppression of any evidence or be construed as giving any rights, grounds for an appeal, post-conviction relief, or a civil claim. This protocol is not meant to mechanize investigations and it is recognized that actions in addition to or outside of these protocols may need to be taken given the unique demands of each case. A failure to follow these guidelines is not a reflection of an investigator's integrity or credibility.

## II. ROLES AND RESPONSIBILITIES

When a child has been sexually abused, physically abused (hereafter the term abuse includes sexual and/or physical abuse unless otherwise stated), or neglected, the reporter shall make a report pursuant to RCW 26.44.030 and 26.44.040 to the Department of Child and Family Services (hereafter DCFS) or law enforcement immediately (where practical), and in no case any longer than 48 hours after the reporter has reasonable cause to believe a child has suffered from abuse or neglect.

To ensure that the necessary communication between agencies takes place, each agency agrees to report cases of suspected abuse or neglect promptly. The report shall include the following information, if known, as required by RCW 26.44.040:

- (1) The name, address and age of the child.
- (2) The name and address of the child's parents, stepparents, guardians, or other persons having custody of the child.
- (3) The nature and extent of the alleged injury or injuries.
- (4) The nature and extent of the alleged neglect.
- (5) The nature and extent of the alleged sexual abuse.
- (6) Any evidence of previous injuries, including their nature and extent.
- (7) Any other information that may be helpful in establishing the cause of the child's death, injury, or injuries and the identity of the alleged perpetrator or perpetrators.

A. SCHOOL - When any professional school personnel has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report it to DCFS, preferably using the mandatory report form and may also report to law enforcement. School personnel may also notify school administration, but that notification does not relieve the person's duty to report. See RCW 26.44.030.

School personnel should not question a child about the abuse or neglect. While there is a need to be supportive, the details and facts regarding the abuse or neglect should be gathered by a trained investigator.

#### B. DCFS AND LAW ENFORCEMENT

DCFS and law enforcement shall coordinate as to interviewing the child. The interview may be conducted at school. If so, DCFS or law enforcement should determine if the child wishes a third party to be present for the interview. If so, DCFS or law enforcement will decide if a third person, including any school personnel, should be present for the interview. If school personnel are present, their role is to support the child, not to participate in the interview. If there are concerns about the interview, the school personnel should suggest taking a break, and discuss the concerns during the break outside of the child's presence.

DCFS and law enforcement shall determine when parental notification of the interview is made. It shall occur at the earliest point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation.

If a report is made by the school, DCFS and/or law enforcement shall normally provide a

timely report to the school as to the investigation. This includes whether a child is placed into protective custody, if any adult is prohibited from contacting the child, whether parents know of the investigation, and whether or when the child is to be interviewed.

### C. COUNSELORS

If a therapist or mental health professional has reasonable cause to believe that a child may have been abused or neglected, a report shall be made to DCFS and/or law enforcement using the report form.

When the child is a patient, the accompanying parent or caregiver should be informed that any disclosure of abuse or neglect has to be reported. Following a child's disclosure of abuse or neglect, the therapist should use his or her discretion in determining how to tell the child and parent/caregiver about the reporting requirement and the possible outcomes (if known).

The therapist should finish the session before making a report. The therapist shall decide what, if any, questioning should be done at the time of disclosure, based on the best interests of the child. The therapist should not ask any questions for any non-therapeutic reason, e.g., questions solely intended to gather information for an investigation.

The therapist should write down the relevant portions of the disclosure, including the questions by the therapist. This should be written as accurately as possible and if possible should be a verbatim, or near verbatim report.

Law enforcement and DCFS should not ask the therapist to obtain further information concerning the disclosure.

The therapist should allow DCFS or the investigating law enforcement agency to have access to all relevant records of the child in their possession, or their employee's possession concerning the disclosure, including notes, reports, and records. See RCW 26.44.030(14).

The therapist should inform DCFS or the investigating law enforcement officer of the next scheduled session with the child. DCFS and/or law enforcement should contact the therapist prior to that session to update the therapist on the investigation and provide guidance as to what the therapist should discuss with the family concerning the investigation.

#### D. HEALTH CARE PROVIDERS

If a child is brought to a hospital for a medical exam concerning possible abuse or neglect, the hospital should examine the child:

- (1) If the examining nurse or physician sees signs of sexual assault or sees that it is not a normal exam or is unsure if there are such signs, the examiner should decide whether to take pictures of the exam. A complete written description of the exam should be done, as pictures alone are not sufficient for a later review.
- (2) The examining nurse or doctor should interview the child for the purpose of medical diagnosis and treatment.
- (3) Contact law enforcement. The hospital may also call DCFS, but it is law enforcement's responsibility to contact DCFS if needed.
- (4) Contact Alternatives to Violence of the Palouse (hereafter ATVPA) for an on-call advocate.

(5) The hospital shall release medical information of the child, including copies of the medical record of the child to DCFS, and/or law enforcement upon their request. See RCW 26.44.030(14).

#### E. FOSTER CARE

If a foster parent receives information that a child may have been abused or neglected, a report shall be made to DCFS. DCFS intake shall forward the report to law enforcement. The licensor / foster parent should not interview any witnesses or conduct any investigation.

Foster parents should comply with law enforcement requests for information.

#### F. VICTIMS RIGHTS/CHILD ADVOCATES

Child victims and their non-offending family members shall be informed of their legal rights. Upon receiving a report of abuse or neglect, law enforcement shall inform the child / non-offending parents (if practical) of his or her rights under RCW 70.125.060 and provide information about ATVP to the child victim, parent, or guardian.

Upon receiving a child sexual abuse referral, the Prosecutor's Office Victim Witness personnel will contact the victim to ensure that the victim has been notified of the rights and to offer any needed services including filling out Crime Victim's Compensation forms, offering information about investigation progress and options for no contact, protection, and anti-

harassment orders.

The ATVP crime victim advocate provides emotional support to the child victim. The advocate never interviews a child or participates in the investigation other than as a support person to the victim. The advocate may also:

- (1) Accompany the victim to the hospital or other health care facility, police and prosecution interviews and court proceedings, when requested by the victim.
- (2) Help prepare a victim impact statement.
- (3) Provide information regarding sexual violence, therapy referrals and crime victim's compensation.
- (4) Make recommendations to the prosecuting attorney about the ability of the child to cooperate with prosecution and the potential effect of the proceedings on the child.
- (5) Inform the court of the child's ability to understand the nature of the proceedings.
- (6) Assist the child and non-offending family members in tracking their cases and requesting information.

#### G. DCFS/LAW ENFORCEMENT PROCESS

DCFS, law enforcement and prosecution have different obligations. The following guidelines should be used to enhance cooperation during the investigation and to reduce the number of interviews with the child victim.

Law enforcement will be the lead agency in any investigation alleging criminal conduct.

Each participating agency should provide requested or required assistance during the investigation. Where a joint investigation is involved, DCFS should participate in the initial investigation with law enforcement as resources permit.

Whenever possible, the following types of investigation should be conducted jointly by law enforcement and DCFS:

- (1) Alleged abuse by a household member;
- (2) Alleged abuse in a licensed setting (the Division of Licensing Resources [hereafter, DLR] may substitute for CPS.) e.g.:
  - Licensed foster care facilities.
  - Licensed daycare facilities.
  - Licensed camps.
- Allegedly perpetrated by licensees or employees of a facility.

DCFS should seek the assistance of law enforcement in the following circumstances:

- (1) Where evidence of criminal activity is detected.
- (2) Where there may be a physical risk to the caseworker.
- (3) Where circumstances indicate that children may need to be placed in temporary custody.

### III. REPORTING

#### A. WHEN DCFS IS INITIALLY NOTIFIED/NON-EMERGENT CASES

Non-emergent cases are those that do not require an immediate field response and appraisal of safety factors for the alleged victim(s).

After the supervisor of DCFS investigations has assigned a worker, the DCFS supervisor will assess the allegations and determine whether the case requires co-investigation from the outset.

The supervisor will attach a note to the face of the law enforcement copy of the referral that reads: "LAW ENFORCEMENT ASSISTANCE REQUESTED AT START OF INVESTIGATION."

If law enforcement involvement at the start of the investigation does NOT appear necessary, the attached note will read: "DCFS WILL DO INITIAL CONTACTS. LAW ENFORCEMENT ASSISTANCE MAY BE REQUESTED LATER."

If the referral is a third party case, the attached note will read "THIS IS A THIRD PARTY CASE. DCFS WILL DO NO FURTHER INVESTIGATION."

All sexual abuse referrals taken by DCFS, with attached notes of appraisal, will be FAXED to the law enforcement agency having jurisdiction as soon as practicable [but within 24 hours].

Cases involving a fatality, abuse or neglect involving foster children, or that may have

occurred at a foster home, day care facility, or State licensed facility may also involve investigation by DLR, after law enforcement has been notified.

DCFS intake shall notify DLR when appropriate.

DCFS will furnish law enforcement with a current listing of DCFS investigators, phones numbers, and e-mail addresses to facilitate this process.

Each law enforcement agency will provide DCFS with the name, phone number, fax number and e-mail address of the command staff member who will assign DCFS and DLR cases. Law enforcement shall also provide a back up to that person. Each law enforcement agency will provide DCFS with a current listing of detectives, phone numbers and e-mail addresses.

In the event law enforcement command staff disagrees with the DCFS appraisal, contact will be made with the assigned DCFS investigator to advise them of the disagreement and a discussion will be held, as to how that particular investigation should proceed. It is also advisable to contact the prosecuting attorney and seek their advice regarding how the investigation should proceed.

## B. EMERGENT CASES

Emergent cases require an immediate response. They include, but are not limited to the following:

- (1) The child is in medical distress due to the abuse, or neglect.
- (2) The child's circumstances are about to change and there is a risk that no effective investigation could be accomplished unless it is immediately initiated.

(3) The child expresses fear of repercussions if he or she has to return home.

Priority should be given to the safety of the victim, and law enforcement should take an immediate lead role in the investigation.

The agency receiving the report will immediately notify law enforcement and send staff to the child's location. This will not be delayed in order to secure routine information for a referral.

The agency receiving the report will use the most rapid and effective means of communication available to notify other agencies that should be involved and arrange for their timely response to the child's location. Follow up with a written report shall be made as soon as possible, and no later than three business days.

Field staff on the scene will gather routine intake information for later input into the system.

The immediate focus of information gathering, including interviews of the child, will be focused on determining what needs to be done to provide safety for the child. Protective custody will be a primary consideration. Information as to other children who may be at risk will also be gathered and assessed.

### C. WHEN INITIAL REPORT IS TO LAW ENFORCEMENT

Patrol officers/Town Marshals may take initial complaints from witnesses and victims to determine the nature of the allegations and to assess the level of risk facing the victim(s) and witnesses.

(1) The crime scene shall be handled by law enforcement as per the individual law enforcement agency's departmental guidelines.

(2) If necessary, the investigating law enforcement agency shall contact other local and state agencies with the appropriate jurisdiction to assist in the investigation.

(3) The investigator should consult with the prosecutor's office as early as possible in the investigation or as legal issues arise.

(4) The investigator will provide the victim with a victim's rights packet.

The primary investigating law enforcement agency, DCFS (as appropriate), and the prosecutor's office should coordinate their assistance.

When law enforcement receives a report of child abuse, it shall notify DCFS intake as soon as possible (in any case no later than 24 hours after receiving the report) when it meets the criteria for joint investigations.

#### D. PROCEDURES FOR SERIOUS AND VERY SERIOUS ABUSE

Very Serious Abuse includes, but is not limited to the following:

(1) Cases where a victim is hospitalized for injuries

(2) Head injury

(3) Broken bones

(4) Burns

(5) Where perpetrator used a weapon or other instrument to cause harm

(6) Death

Serious Abuse also includes:

- (1) Occult or healing fractures
- (2) Significant bruising
- (3) A pattern of scarring
- (4) Chronic physical abuse (including imprisonment)
- (5) A lower level injury plus a previous history of abuse and/or neglect

Hospital Response in Very Serious Cases:

- (1) Pullman Regional Medical Center, or the Whitman Medical Center shall notify both law enforcement and DCFS immediately.
- (2) If the PRMC or the WMC become aware of a child being evaluated at, or hospitalized at another medical facility or by another medical provider within Whitman County they shall notify them of the guideline to notify law enforcement and DCFS immediately.
- (3) Hospital staff should avoid extensive interviews with parents or children regarding the cause of injuries once their concern of abuse rises to the level of suspicion that would lead to a DCFS/CPS report. Following medically necessary interviews, hospital staff should defer to law enforcement and DCFS regarding investigative steps and placement decisions.
- (4) Upon a report DCFS should take steps to notify ATVP so that a victim's advocate is available if desired.
- (5) DCFS should also inform the victim or non-offending parent or guardian of

any additional services that may be necessary.

Law enforcement response:

- (1) Immediately respond including, whenever possible, by a detective in addition to other appropriate law enforcement.
- (2) Contact the Prosecuting Attorney's office.
- (3) Ensure that DCFS has been notified as soon as possible; in any case within 24 hours of initial law enforcement response.
- (4) Assume the lead in the investigation.
- (5) Share appropriate, available information with DCFS as it becomes available.
- (6) If the injured child will be released from the hospital, be aware of decision-making regarding placement. During initial stages of investigation, law enforcement investigative process takes precedence over DCFS investigation.
- (7) Consider removal of other children in the victim's home, the institution, etc.
- (8) Arrange for a forensic interview of the child/victim by a trained child interviewer as appropriate considering the child's age, medical condition, etc.
- (9) Notify appropriate victim service agency where needed.

DCFS Response

- (1) Defer to law enforcement in very serious cases.
- (2) Share appropriate, available information with law enforcement as it becomes available.
- (3) Provide DCFS history to law enforcement immediately, at a minimum within

24 hours of initial law enforcement response.

(4) If the injured child is released from the hospital, coordinate placement plan with law enforcement. Placement with relatives/non-offending family members is to be considered only when law enforcement approves.

(5) Consider removal of other children in home or facility with law enforcement assistance.

(6) In cases of serious abuse an initial case plan assumes that a Dependency petition will be filed that includes a no contact order between the child and suspected abuser.

#### E. SERIOUS CASES

##### Law Enforcement Response:

(1) Respond immediately, where practical, and within 24 hours at a maximum.

(2) Share information with DCFS and coordinate investigative response.

(3) Arrange forensic interview of victim. Consult with prosecutor.

(4) Notify appropriate victim service agency where needed.

#### F. DCFS RESPONSE

(1) Fax or otherwise send a referral to law enforcement within 24 hours of receipt.

(2) Contact supervising law enforcement officer to confirm receipt of referral and assigned investigator.

(3) Share information with law enforcement investigator and coordinate investigative response.

(4) Arrange a medical consultation if necessary.

(5) Ensure that appropriate victim service agencies are involved.

#### G. VICTIM SERVICE RESPONSE

(1) Provide services to victim and/or non-offending family members to include: process for obtaining protection order; counseling; relocation; safety planning; legal advocacy.

#### H. MULTI-JURISDICTIONAL REPORTING

When a report is received indicating that more than one law enforcement jurisdiction may be charged with investigating the report, the following procedure applies:

(1) A report should be made as soon as practicable to the DCFS and law enforcement agencies in the State and County where the acts allegedly occurred so that appropriate coordination of the investigation can take place.

(2) A report should be made as soon as practicable to the DCFS and the law enforcement agency in the State and County where the victim is currently located.

(3) A report should be made as soon as practicable to the DCFS and law enforcement agency in the State and County where the suspected perpetrator(s) is / are located.

(4) The reports referenced above should be sent by the law enforcement agency and DCFS to their counterparts in the other jurisdictions.

#### IV. INTERVIEWS OF SUSPECTS AND WITNESSES

Law enforcement should always attempt to interview suspects.

In cases where DCFS is involved and required to interview a parent or guardian who is also a suspect, or anyone who is the subject of an investigation, DCFS and law enforcement should coordinate to avoid interference with the criminal investigation and allow both agencies to meet their policy and statutorily imposed guidelines.

The interviews of suspects, particularly in abuse cases, should be conducted by members of the investigating law enforcement agency who are *trained and experienced* in conducting such interviews. The primary investigating law enforcement agency should contact other law enforcement agencies with the appropriate jurisdiction or a mutual aid agreement for assistance with the interview if their agency does not have an officer trained in such interviews. Agencies with officers trained in child interviews should attempt to contact those officers as soon as possible and have them conduct the child interview.

If the suspect is in custody, law enforcement should do the interview.

Law enforcement should obtain a signed medical release form as soon as possible from any victim or their parent/guardian.

Law enforcement and/or DCFS should make an immediate determination of the need for a medical forensic examination of the victim.

Law enforcement should interview the person to whom the initial report of abuse or neglect was made, and any other people who have talked to the child about the allegations.

These interviews should include:

- (1) The circumstances under which the report occurred.
- (2) What precipitated the report or child's statement.
- (3) What each party said including any questions of the child.
- (4) The demeanor of the child during the report or statement.
- (5) Those who were present during the report.

All other people who might have information pertinent to the investigation should be interviewed, including non-offending household members, siblings, and possible witnesses such as neighbors. The lead agency will determine who and when to interview such persons, after consultation with the other agencies. All participating agencies will make reasonable efforts to assist in conducting interviews if necessary.

Interpreters should be provided if the victim and/or witnesses do not speak English.

Where there are other children in the household, facility, or institution where the alleged sexual abuse occurred, and/or where there are allegations of abuse or neglect and there are other children to whom the alleged perpetrator has had access, those children should be interviewed to determine whether they have been victims or have any knowledge of the abuse or neglect of any others. These interviews should be carefully planned and the agencies should discuss what steps should be taken in the interviewing process to avoid undue trauma to the child(ren) and to avoid contamination of possible victims and witnesses. The agencies should also discuss other steps that can be taken to avoid cross-contamination (undue influence upon the child) of the child by the caregiver, the suspect, other victims, or individuals.

The primary law enforcement investigating agency should assume the primary responsibility for the collection, packaging, processing and preservation of physical evidence. Whoever asks the questions during an interview shall have the primary responsibility for documenting the questions asked and recording the answers in a verbatim, or near verbatim manner. The agency to which the interviewer belongs shall take the primary responsibility for any recording, photographs, videos, diagrams, etc., that are taken or made during the interview.

Any evidence collected should be packaged and labeled such that the collector and date of collection can be identified. The person collecting the evidence should prepare a report documenting where and when the evidence was found, its condition, and the surrounding circumstances. In all cases, the evidence shall be collected, documented and preserved in a manner consistent with the respective agencies procedures. Evidence shall be preserved in a manner that records the chain of custody and preserves it for forensic testing or for use in trial.

Where the sexual abuse is suspected to have occurred in the last 14 days, special attention should be given to identifying, securing, preserving and sampling the crime scene, the suspect's and victim's clothing and other areas where bodily deposits or transfers could still exist, and any other items of evidentiary value.

#### Photographs

- (1) All physical injuries should be photographed and described in reports.
- (2) Where there is an allegation of physical abuse, or injuries from sexual abuse, photographs should be taken of the alleged victim to document the presence or absence of injuries. If there are specific injuries detailed photos should be taken

of them. In neglect cases, if an investigator is lawfully within the premises, photos should be taken of the victim's home including living space, kitchen, bathroom, etc.

(3) The investigator shall photograph or videotape the crime scene and/or location where the abuse and/or neglect took place.

#### Diagrams and Measurements

(1) Diagrams and measurements of rooms, building or residences should be taken by law enforcement to document the scene where appropriate.

Other Evidence that may be relevant could include, but is not limited to:

- (1) Diaries, letters, notes, family calendars.
- (2) Lotions, sex devices, and related items.
- (3) Movies, magazines, photographs, computers, disks.
- (4) Other items used in the crime grooming process.
- (5) Bedding, clothing, towels, paper towels, etc..

## V. CHILD INTERVIEW

A child interviewer should make all efforts to conduct a thorough and open minded interview that enhances free recall while keeping in mind the child's developmental level and emotional well-being, and the interviewer should adhere to the accepted standards and practices of child interviewing.

### A. PARENTAL NOTIFICATION OF THE INTERVIEW

Parental notification of the interview should occur at the earliest possible point in the investigation. Parental notification may be delayed if it is determined that such notice would jeopardize the safety of the child and/or the investigation. Victim interviews may be conducted without parental notification or consent when necessary to protect the integrity of the investigation. Examples of this include instances where the alleged perpetrator is a parent, an adult with an intimate relationship with the suspect parents, or where the parent is, or may be, antagonistic towards the child. See RCW 26.44.030(14).

DCFS and law enforcement will communicate their intentions with one another as to the timing of parental notification in a manner that is consistent with these guidelines and other applicable laws, rules, policies and regulations. Where applicable, input from school personnel is encouraged but school personnel or policies should not control the decision regarding notification.

## B. CONDUCT DURING THE INTERVIEW

When a child suspected of being a victim of abuse and/or neglect is interviewed, the interviewer should be trained in, and adhere to the current accepted standards and practices of child interviewing. If the responding officer has not been trained as a child interviewer, he or she should attempt to contact an officer or deputy in their agency who is, or request an agency assist in order to find an adequately trained interviewer.

## C. PERSONS PRESENT DURING THE INTERVIEW

Prior to commencing the interview, the lead agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes, so long as the presence of the third party will not jeopardize the course of the investigation.

## D. LOCATION OF THE INTERVIEW

Interviews should be conducted in a setting where the child will feel comfortable and protected. It should take place away from any suspected perpetrator and away from any location where the alleged abuse occurred if at all possible.

With the consent of school or daycare administrators, and provided safeguards are available to protect the privacy of the victim, victims may be interviewed at school or daycare when necessary.

#### E. Video Recordings

If possible and practical, interviews of child victims should be recorded by audio and video and preserved as evidence. All persons present shall be informed that a recording is being made.

## VI. MEDICAL EVALUATIONS, EVIDENCE AND TREATMENT

Whenever there are allegations of child abuse and/or neglect, the agency having initially received the report should take steps toward ensuring that the reported victims will receive a medical examination if it is deemed necessary. The victim's family should be consulted where appropriate. ATVP should be contacted by either law enforcement or DCFS. An ATVP advocate should be contacted by either law enforcement or DCFS. An ATVP advocate should be sent to the hospital where the examination is to take place. The non-offending parent and/or guardian of the child may either accept or reject advocacy services.

### A. EXAMINER

The medical treatment provider / examiner of an abuse and/or neglect victim should document, if known, or if ascertained for medical or forensic diagnostic purposes, the following information:

- (1) The time frame of the incident.
- (2) Whether the present situation is an acute or chronic case.
- (3) When the last incident occurred (if applicable).
- (4) The nature of the sexual abuse alleged.
- (5) The family's ability to protect the child victim or other children in the home.

NOTE: The examiner is not a forensic interviewer and should not purposefully engage in an interview of the victim, except as is necessary for diagnostic or treatment purposes.

When the circumstances suggest that a medical examination would provide relevant evidence of abuse or neglect, the lead agency should immediately consult with a physician or

nurse examiner in conducting forensic examinations to determine the timing and nature of an examination. If it is determined that special equipment is necessary in the investigation of the case, and is not available locally, the appropriate appointments should be made as soon as possible for the child to see an examiner at the Sacred Heart Children's Hospital in Spokane, WA.

The prosecuting attorney victim services unit or ATVP shall assist the victim in applying for Crime Victims' Compensation to cover medical examinations, treatment and care.

The lead agency should secure medical release forms and obtain copies of pertinent medical history of the child, medical records and photographs of the examination, and records relating to treatment for the alleged abuse or neglect.

The prosecutor victim services, ATVP, DCFS, and if necessary and appropriate, Whitman County Juvenile Services, shall assist the child and family in obtaining other referrals for counseling and additional services as appropriate.

Reports prepared by medical personnel should be shared with the investigative agency, when necessary for the agency's investigation, and/or to protect the child.

## B. PRIVACY

Priority shall be given to maintaining the privacy of the victim. All releases and medical information shall not be gathered or disseminated in violation of applicable confidentiality laws.

## VII. PROCEDURES FOR COMPLEX CASES

Complex cases include, but are not limited to the following type of cases:

- (1) Cases involving multiple jurisdictions.
- (2) Cases involving multiple victims.
- (3) Cases involving multiple suspects/perpetrators.
- (4) Cases within an institutional setting where:
  - (a) A group, organization, or facility has care of the victim(s).
  - (b) The suspect is an employee volunteer, member, participant, or otherwise formally associated with the institution.

The investigation of complex cases should be coordinated by a team consisting of:

- (1) The Sheriff, and/or chief of police or their designees.
- (2) The lead investigating officer.
- (3) A DCFS supervisor.
- (4) A DCFS investigating social worker.
- (5) The prosecutor or his designee
- (6) A victim assistance specialist
- (7) Others as appropriate on a case by case basis such as school counselors or medical personnel.

The team should convene immediately when a case is deemed to be complex and shall be convened by any representative of the team membership. Each member agency shall independently designate a member of their agency who has the authority to convene complex case meetings. The meeting should occur no later than 24 hours after receipt of the referral, and shall occur regardless of the perceived merits of the case. The lead law enforcement investigator shall be contacted after it is determined that a meeting should convene, and he or she shall be responsible for contacting team members and designating a time and place to meet.

Upon receipt of a complaint, appropriate personnel will be assigned by DCFS and law enforcement to investigate the complaint. The assigned law enforcement investigator and social worker should immediately coordinate with one another and in considering the risk of harm to the victim(s) determine whether immediate action is necessary to prevent any further harm. All other action should take place after the team meeting.

The team will initially meet to:

- (1) Determine who will take the lead in the investigation.
- (2) Determine which agency will be responsible for each task to be performed.
- (3) Determine the general sequence of the investigation.
- (4) Identify child interviewers.
- (5) Identify potential victims and the order in which they will be interviewed.
- (6) Identify a media spokesperson
- (7) Identify support services for the victim(s).
- (8) Coordinate information sharing.

(9) Determine how the investigation will proceed if a victim reports details that may have a bearing on other potential victims, or if other potential victims are revealed.

(10) Determine if potential victims should be kept from speaking with other potential victims, and if so, how will that impact their well-being.

(11) How should parents, guardians and others who may have been at risk of victimization be notified, and who will notify them.

(12) What other resources or agencies, if any, should be contacted.

(13) Coordinate medical evaluations if needed.

At the first meeting the team should schedule for future meetings as needed. These meetings shall be conducted to review the progress and requirements of the cases, determine what, if any, additional action is necessary, and determine whether additional resources and/or agencies should be utilized. Each meeting should end by scheduling the next meeting until the investigation is complete. Termination of a team shall be by the consensus of the members. At the final meeting members should discuss whether or not there are any areas of the team that could have been improved and how this improvement might be achieved.

## VIII. INFORMATION

Investigative information should be freely and timely shared among involved agencies within the constraints of the investigation and any governing laws. Initial complaints of suspected abuse or neglect should be exchanged within 24 hours. In most circumstances, and where it will not negatively impact the investigation, the initial investigative reports should be exchanged within 48 hours of their completion.

Otherwise, information should be shared pursuant to the guidelines set forth in this protocol, to the extent it is authorized by each agency's departmental policies and to the extent it is authorized by statute.

## **IX. METHODS OF PROTECTING VICTIMS DURING INVESTIGATIONS**

A top priority shall always be the health, welfare and safety of the victim. All reasonable steps should be taken to prevent unnecessary trauma to the child during an investigation. In determining whether additional interviews shall be conducted, consideration will be given to the emotional welfare of the victim and/or the input of a child victim's parents or guardians (to the extent that they are not suspects or seeking to protect possible suspects).

Investigators shall seek the least intrusive protective measures for a child victim. All criminal justice agencies will, where practical, provide written information regarding victim's services, or resources to the victim at the time of the report of the crime.

Because of the potential trauma to a child and its family, children should be taken into temporary custody when it reasonably appears that there is a continuing risk to the child's health and/or safety, and where other less intrusive measures will not protect the child.

## **X. TRAINING AND QUALIFICATIONS OF CHILD INTERVIEWERS**

(1) Primary interviewers are those who have primary responsibility for child interviewing.

They include:

- (a) Properly trained law enforcement;
- (b) DCFS workers who have been properly trained and assigned to investigate allegations of child abuse and/or neglect.

(2) Training of all primary and designated child interviewers shall be according to the following:

- (a) All primary child interviewers should complete the minimum statutory training required by the State of Washington.
- (b) The Harborview training model or its equivalent is encouraged training for all primary child interviewers.
- (c) Any designated child interviewer should receive the Harborview training or its equivalent prior to being selected as the designated child interviewer or assuming that role.

(3) Training Goals

- (a) Primary interviewers shall have the requisite statutory training and should attend the yearly refresher Harborview training or its equivalent, when possible.
- (b) Each law enforcement agency shall make efforts to send personnel to the Harborview training or its equivalent annually.

- (c) Interviewers are encouraged to meet on a regular basis (at least two times a year) to discuss current interview trends and research issues. These meetings shall be convened and the agenda set by the designated child interviewer of the Whitman County Sheriff's Office, or the Whitman County Sheriff.
- (d) The prosecutor's office should make efforts to present yearly training in child sexual assault investigations and interviews to all local law enforcement.

## XI. CASE CLOSURE

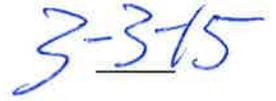
A decision to decline to prosecute shall be made by the reviewing prosecutor with written notice provided to the investigating law enforcement agency and written notice to the named victim, when appropriate.

Each law enforcement agency and/or DCFS shall close cases in accordance with their agency's protocol with appropriate notification to the named victim as per agency guidelines.

ADOPTED BY:

Whitman County Prosecutor

A handwritten signature in blue ink, appearing to read "Dentrey", written over a horizontal line.

A handwritten date "3-3-15" in blue ink.