



INFORMATION PACKET

# SUPPORTIVE COMMUNITIES

## Are there good examples of how child welfare agencies are collaborating with law enforcement?

One of the most important partnerships child welfare agencies can build is a meaningful collaboration with their local police departments. Historically, child protection agencies have either not worked with law enforcement at all or done so in a very limited data sharing capacity. These traditional models prohibit law enforcement from meeting its mandate to protect and serve and places children and the agency at risk of harm. We can do it better and differently. A true partnership with clarity about roles and responsibilities is essential to improving child safety.

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Responding to child abuse requires varying degrees of partnership between agencies, as no single entity has the training, personnel, resources, or mandate to intervene effectively in every instance. In response to concerns about the conflicting demands placed on social service agencies, some child welfare jurisdictions have developed different models of responding to allegations of child maltreatment through different types of partnership with law enforcement (LE). This document describes three distinct models for this collaboration, including jurisdictional examples of implementation and any relevant data and information regarding effectiveness.

## Models of collaboration

Child welfare jurisdictions have developed models for responding to allegations of child maltreatment that rely on varying degrees of partnership with LE. As noted in the sections that follow, research on the best structures for investigations, as well as the impact of LE involvement in child abuse investigations, is both limited and inconsistent. For example, the literature includes arguments outlining the benefits of a hybrid model that combines LE and child protective services (CPS),<sup>1</sup> as well as arguments questioning the role of LE in the context of child protective investigations.<sup>2</sup> While preliminary findings in Florida suggested that including LE in investigations conducted by CPS yielded a modest benefit when compared to those conducted by LE

alone, findings 10 years later indicated nearly identical performance on timeliness and outcome measures (see section on Model 3).

An examination of collaborations between CPS agencies and LE in several jurisdictions highlights three models but only a small number of studies comparing implementation and outcomes of the various models. The three models fall into three main categories:

**Model 1: Minimal law enforcement involvement or coordination.** This is the traditional model for CPS. There may be a formal or informal agreement between LE and CPS to share information and to notify each other about reports of child abuse and neglect, but the agencies do not participate in joint activities for reports or investigations. Both agencies may investigate the same case, but each retains its own jurisdictional responsibilities.

**Model 2: Joint collaborative child abuse and neglect investigations.** In this model, LE plays a more routine, more collaborative role by participating in joint investigations with CPS. The coordination may involve a statute that prescribes CPS and LE cooperation in investigations, a Memorandum of Understanding (MOU) between LE and CPS that guides coordination between the two agencies, or a multidisciplinary team (MDT) or a Children's Advocacy Center (CAC).



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## **Model 3: Sole law enforcement investigation responsibility.**

LE is solely responsible for investigation of a substantial portion of cases, usually determined by the seriousness of the case (e.g., all serious physical and sexual abuse cases, all cases that are not solely neglect, etc.). In this model, social services' responsibility is triggered, usually after the investigation, if services and/or placement are warranted. LE also makes decisions about whether the child should be removed from the home and carries out those functions. Within this model, there are differing degrees of LE control, such as for all cases, certain cases, or discretionary as requested by the child protection agency.

An American Humane Association study<sup>3</sup> of these models found that there are practices that support CPS and LE collaboration, regardless of the model, as well as common issues to address. Some of these challenges include:

- *Culture clash*
- *Limited resources*
- *Different statutory mandates or statutory mandates that are not clearly defined or supported*
- *Lack of cross-training*
- *Ensuring that an appropriately trained police officer responds*
- *Entrenched methods*
- *Delays caused by technology*
- *Differing mandated time frames for completing an investigation and differing standards of proof*

Many of these challenges can be mitigated by improving policies and practices:

- *Interagency communication*
- *Time efficiency of coordinated investigations*
- *Statutory mandate for cooperation between CPS and LE*
- *Written protocols that set forth the specifics for collaboration*
- *A clearly stated interagency commitment to work together, along with broad stakeholder buy-in to that commitment*

- *Specifically stated requirements and mechanisms for interagency cooperation*
- *Flexible assignment of investigation responsibility*
- *Information sharing*
- *LE accompaniment for CPS worker safety*
- *Joint interviews*
- *MDT meetings*
- *Co-location of CPS, LE, and other disciplines such as medical or therapeutic personnel*
- *Videotaping of interviews*
- *Centralized LE response*

## **Jurisdictional examples**

### **MODEL 1**

The most basic level of coordination between CPS and LE involves the routine sharing of information and notifying each other about reports of child abuse and neglect but does not go so far as joint reporting or collaborative investigative activities.

### **Implementation Examples**

#### *Cross-System Reporting*

#### **United States**

All 50 states, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands have statutes specifying procedures that state agencies must follow in handling reports of suspected child abuse or neglect. In most states, these procedures include requirements for cross-system reporting and/or information sharing among professional entities. Typically, reports are shared among social services agencies, LE departments, and prosecutors' offices.<sup>4</sup>

### **MODEL 2**

In a Model 2 approach, collaboration between the CPS and LE agencies are formalized through an agreement, policy, or statute, which may or may not stipulate the level of integration or joint response required. Collaboration can range from low intensity to a highly structured, intensive partnership. Key to this model is

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that each agency retains its own jurisdiction during the collaboration, but there is joint, integrated response.<sup>5</sup>

Model 2 can be as straightforward as an MOU between CPS and the local LE agency that delineates such responsibilities as:<sup>6</sup>

- *How the two agencies should initiate and share reports of abuse with each other*
- *How joint investigations should be conducted*
- *What oral and written information should be shared*
- *What the protocol is for any planning meetings for follow-up on investigations or service delivery*

Model 2 may also reflect highly structured forms of collaboration, such as MDTs and CACs. While they function slightly differently in every jurisdiction, CACs collaborate to conduct joint investigations and assessments for criminal child maltreatment cases, and generally follow the framework offered by the National Children's Alliance.<sup>6</sup> CACs offer:

- *MDT response*
- *Child- and family friendly-facilities*
- *Forensic interviewing services*
- *Victim advocacy and support*
- *Specialized medical evaluation and treatment*
- *Specialized mental health services*
- *Training, education, and support for child abuse professionals*

- *Community education and outreach*

Using data from the National Survey of Child and Adolescent Well-Being, Cross, Finkelhor, and Ormond (2005) conducted an analysis comparing child abuse investigations that involved LE with those that did not.<sup>6</sup> The outcomes examined were that (1) alleged abuse would be found credible; (2) the child would be placed out of the home; or (3) services would be provided. Their analysis revealed that the **presence of a police investigation increased the likelihood that the child maltreatment referral would be deemed "credible" and that services would be provided. Service provision also increased when LE was involved in case planning and when an MDT was used.** The involvement of LE did not appear to affect out-of-home placement, except in cases of neglect where an MDT was involved in case planning. The authors concluded that "Overall, police do not appear to hinder CPS effectiveness and may, in fact, promote it."<sup>7</sup>

### Implementation Examples

*Joint agency coalition, where CPS and LE agencies engage in concurrent investigations, joint training, and deeper levels of communication, cooperation, and collaboration*





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## Alaska

The Alaska Children's Justice Act (CJA) Task Force is a statewide, multidisciplinary group established in 1999 to comply with the federal Child Abuse Prevention and Treatment Act. The Task Force promotes enhancements or changes to the state's systems, including training, policies, procedures, and laws, to improve how Alaska responds to children and families. The CJA Task Force members represent multiple disciplines and are employed in state, private, and tribal agencies. Alaska supports multiple CACs, which bring together LE, CPS workers, prosecutors, child and family advocates, tribal representatives, and medical and mental health professionals. This is part of a collaborative team approach to investigating child sexual abuse and other forms of maltreatment, as well as providing necessary, follow-up services. The Task Force also developed *Guidelines for the Multidisciplinary Response to Child Abuse in Alaska* to support the multidisciplinary response.<sup>8</sup>

## Arizona

Arizona's Multi-Disciplinary Protocol for the Joint Investigation of Child Abuse sets the standard of care and practice for agencies involved in a countywide, interdisciplinary team approach. The protocol establishes guidelines for conducting a competent and compassionate investigation and successful prosecution of cases when children are determined to be the primary victims or critical witnesses.<sup>9</sup>

## Oregon

A police department in Keizer, Oregon, is partnering with the state's Department of Human Services in a pilot project aimed at changing the culture of engaging families. The project places two CPS case managers at the police station, and when a call comes in about alleged abuse or neglect, the CPS case manager and a police officer make the visit together to interview the parents.<sup>10</sup>

## Texas

The goal of the Advanced Child Abuse Investigation Training Program is to improve the response of LE and CPS to cases of child abuse and neglect, including child sexual abuse and exploitation cases. The program, with input from a statewide, curriculum development committee, created the Law Enforcement & CPS Joint Training, which is intended to train both LE and CPS on the specifics of joint investigations involving crimes against children. The program provides free and comprehensive training on the proper investigation of these crimes, a space for both disciplines to meet and discuss current crime trends, and the means for enhancing the future collaboration and communication.<sup>11</sup>

*Retired or experienced LE officers working in CPS, where those with specialized investigative and information-gathering skills mentor and train CPS workers to improve the quality of investigations*

## New York

New York City's Instant Response Teams (IRTs), the results of which have been promising,<sup>12</sup> were initially created in the 1990s in response to a number of high-profile cases that pointed toward a lack of communication between the New York Police Department and the Administration for Children's Services (ACS). The lack of effective collaboration led to additional trauma for families due to multiple interviews and lost evidence. IRTs were created to improve the quality of investigations, where Investigative Consultants (ICs) model forensic skills to ACS workers, such as how to press for the truth when encountering resistance. The program initially consisted of 20 ICs, who were retired LE officers. ICs are trained side-by-side in the ACS academy to offer them an understanding of the role and expectations of ACS and to give them the chance to build relationships with ACS workers. ICs are placed in ACS field offices and work alongside ACS workers. Typically, ICs will conduct site visits with the worker in cases of fatalities, sexual abuse, severe physical abuse, or missing children.<sup>13</sup>

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## Texas

In 2004, Texas received funding for 430 Special Investigator (SI) positions, which allowed people with LE experience to work alongside CPS workers, serving in a mentoring role for investigations and providing trainings for staff.<sup>14</sup> SIs completed the CPS Basic Skills Development training to help them understand CPS values and what the investigators were learning. As a result of the SI program, CPS improved their response and case closure times. In addition, “unable-to-complete” investigations, which often included families who moved to evade CPS, have significantly decreased. Although CPS already had a diligent search process in place, SIs’ access to specialized information systems improved the agency’s ability to locate families.<sup>15</sup>

*CPS consultation with LE, where experienced CPS workers are called upon to provide a social work perspective for LE investigations that may require child removal.*

## California

San Diego County sought to address a trend where half of children removed by LE were taken to emergency shelters.<sup>16</sup> In order to keep these children in a more familiar environment and in their local school district, agency managers created a new position, Law Enforcement Liaison. Staff in this position would ask LE to contact them any time a child removal was considered during an investigation. Staff would be available to LE 24 hours a day and would meet LE at the scene, conduct a CPS investigation, and discuss the removal decision with LE. If a decision was made to remove, then the LE Liaison would place the child in one of the county’s specialized “way station” homes. Criteria for calls to the LE Liaison were expanded to include drug-endangered children and domestic violence cases. The LE Liaison team members operate not as a separate unit but as emergency response workers in CPS units who carry regular caseloads.

## MODEL 3

In a Model 3 approach, LE agencies are mandated to investigate allegations of child maltreatment, with CPS tasked with the responsibility of providing follow-up services to children and families.

### Implementation Examples

*Law enforcement as mandated investigative entity, with CPS as provider of follow-up services*

## Florida

The Florida Department of Children and Families (DCF) has been authorized to enter into contracts with county sheriffs to provide child protective investigations since 1998. Currently, the department is responsible for performing child protective investigations in 61 counties statewide, while sheriff’s offices are responsible for performing child protective investigations in the remaining six counties: Broward, Hillsborough, Manatee, Pasco, Pinellas and Seminole.<sup>17</sup> These counties encompass metropolitan areas where more than a quarter of the state’s child population resides. In state fiscal year 2015–2016, the six counties where sheriffs’ offices handle investigations conducted 53,639 (25.10 percent) of the state’s investigations.<sup>18</sup>

While earlier evaluation administrative data indicated a slightly higher rate of maltreatment recurrence following child protective investigations by LE,<sup>19</sup> current analyses and evaluations noted that, on average, sheriffs’ offices perform as well as DCF on timeliness measures and outcomes; this may be due to their having some advantages for conducting investigations because of the respect afforded LE and the additional resources provided, although DCF investigations are slightly less costly.<sup>17,20,21</sup>

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