

Expanded Course Outline

Child Abuse Investigation for the First Responder

I. Introduction- (NOTE- the Learning Activities in this expanded course outline are specifically placed to support the instruction process)

A. Instructor

1. Employment history
2. Special certifications or training

B. Students

1. Self-introduction of students
2. Students will share their current knowledge of child abuse investigations

C. Course Objectives

1. Students will be able to identify the elements of child abuse related crimes
2. Students will be able to identify children who have been the victim of abuse
3. Students will learn techniques and skills to better write the criminal report once they have determined a child was the victim of a crime
4. Students will learn how to conduct a child abuse investigation to include; evidence collection, interview techniques, and mandated reporting requirements

II. Types of Abuse

LEARNING ACTIVITY #1: The students will work in groups. Each group will be given a Penal Code section that is common in child abuse investigation. The students will be able to use any other resources that are available to research the code and brief the class on the elements of the assigned crime.

A. Sexual abuse

1. Common Penal Codes

- a. PC288(a)- Lewd and Lascivious act with a child under 14 years old
- b. PC288(C)(1)- Oral copulation with a child under 14 years old
- c. PC288.59a)- Continuous sexual abuse of a child under 14 years old
- d. PC261.5(a)- Unlawful sex with a minor

2. How to identify if a child was sexually abused

- a. Disclosure
 - i. The child tells someone they were sexually abused

- ii. The suspect admits he/she sexually abused a child
- b. Sexual aggression towards others
- c. Inappropriate sexual behaviors in young children
- d. Inappropriate sexual knowledge in young children
- e. Unusual time spent with specific person, inappropriate relationship/attachment, inappropriate gifts (expense or volume), excessive amounts of attention or affections, aka grooming

B. Physical Abuse

1. Common Penal Codes

- a. PC273a(a)- Felony child neglect
- b. PC273a(b)- Misdemeanor child neglect
- c. PC273d(a)- Child abuse

2. How to identify an injury

a. Factors to consider

- i. Age of child
- ii. Mobility
- iii. Location of injury
- iv. Conditions or factors in the home that would explain the injury

b. Type of injury with potential cause

- i. Spiral fracture of the arm is possibly from suspect grabbing and twisting the child
- ii. fracture of the ribs is possibly from the suspect squeezing the child
- iii. Injuries to a small child's mouth are possibly from something being shoved in their mouths ie: bottle or pacifier
- iv. Concussion could be caused by hitting the victim in the head
- v. Burns, submerge lines, from a child being held under hot water
- vi. Pattern bruising, such as lines, grids and belt marks, can be caused by the child being hit with a specific object

LEARNING ACTIVITY #2: Students will work in their groups. Each group will be given a photograph of an injury with an explanation for the cause as provided by the "suspect." The group will evaluate the explanation and compare to the evidence provided and present their findings to the class.

3. Definitions

- a. Unjustifiable physical pain
- b. Inhuman corporal punishment
- c. Traumatic condition

C. Neglect

1. Common Penal Codes

- a. PC270- Failure to provide care to a child
- b. PC271- Abandoning a child under 14 years old

2. How to identify neglect

- a. Failure to provide necessities
- b. Untreated illnesses and physical injuries
- c. Frequently unsupervised or allowed to play in unsafe situations
- d. Does not have proper shelter
- e. Ill-fitting or filthy clothing, or clothing is inappropriate for the weather
- f. Poor personal hygiene (unbathed, body odor, dental issues, unwashed hair)

3. Definitions

- a. Necessities
 - i. Food
 - ii. Clothing
- b. Willful
 - i. Intentional
 - ii. Voluntary

LEARNING ACTIVITY #3: Students will work in a group. Each group will be given a scenario of a situation which could be criminal or non-criminal in nature. The students will review the information provided and determine if the issue rises to a criminal complaint of neglect.

D. Emotional

1. Child is excessively withdrawn

- a. Does not seem to be attached to parent or care-giver
- b. Overly anxious about doing something wrong

2. Child acts inappropriate to their age
 - a. Actions are too “adult-like”, such as caring for other children
 - b. Actions are too “infantile”, such as rocking, thumb sucking, and tantrums
3. Extremes in behavior
 - a. Compliant to demanding
 - b. Passive to aggressive

III. Investigation

A. Victim Background

1. Age of the victim
2. Victim’s living arrangement
 - a. Other family in the house
 - b. Foster care/Guardianship
 - c. Custody issues
 - i. Which parent/guardian has a legal right to the child
 - ii. Which parent/guardian the victim primarily lives with
3. Suspect’s connection to the victim
 - a. Accessibility
 - b. Grooming behavior
 - c. Victim allegiance to the suspect
 - d. Victim relationship to the suspect
 - i. Family member
 - ii. Friend
 - iii. Stranger
4. Who did the victim first report the abuse to
 - a. Name
 - b. Relationship
 - c. Circumstances
 - d. Who else knew
 - e. Who discovered the abuse if the victim cannot communicate/speak

f. When was the injury first noticed

LEARNING ACTIVITY #4: Students will work in their groups. Each group will be given a question regarding gathering information on the Victim's Background. Together, the students will create a list of questions they to know about the section and explain why they chose those questions. Each group will present their list to the class.

B. Medical Examination

1. If the victim currently needs medical attention, make the arrangement
 - a. Ambulance ride to the hospital
 - b. Appointment at the Children's Assessment Center
2. Where did the victim receive medical attention
 - a. Get a medical release form signed
 - b. Pick up the documents as soon as they are ready
3. Collect any other evidence from the medical facility

C. Witness Interview

1. Include all potential witnesses
 - a. Caretakers
 - b. Parents
 - c. Other family members
 - d. Guardian
 - e. EMT's
 - f. Doctor
 - g. Teacher
 - h. CPS worker

LEARNING ACTIVITY #5: Students will work in a group. Each group will be assigned a potential witness. As a group they will present questions they would ask and why they want to know that information from the witness. Each group will present their questions to the class.

2. Note the witness's demeanor toward the victim and suspect
 - a. Any unusual behavior between victim and suspect
 - b. Are there any other children who have been /are being victimized by suspect
 - c. Have the witness verify any facts given by victim or suspect

- d. Are there any motives for the victim to falsely accuse the suspect
- e. How were the injuries explained to the witness by suspect

D. Caretaker Interview

1. Victim information

- a. Medical and mental health history
- b. Prior abuses suffered by the victim
- c. Describe access of the suspect to the victim
- d. What was the suspected cause
- e. Responsibility of disciplining the victim
 - i. How is child disciplined
 - ii. Who is allowed to discipline the child

2. Action taken when injury was noticed

3. Health and safety of other children in the home

E. Victim Interview

1. Ideally the interviewer should already have knowledge of the case

- a. Victim history
- b. Interview with reporting party

2. Build rapport

- a. Confirm victim's knowledge of body parts to include their terminology
- b. Confirm victim's knowledge of time passage, amount, and special orientation
- c. Start with routine questions

3. Ask open ended questions leading into the investigation

- a. Do you know why you are here?
- b. Tell me about the problem you have with the suspect
- c. "Tell me more about _____"

4. Avoid correcting the victim's statements or terminology

5. Reassure the victim that he/she did not do anything wrong

6. Have the victim identify the suspect as accurately as possible, including when the victim is an infant or is non-verbal

LEARNING ACTIVITY #6 (Case study): Students will work in groups. Each group will be given background information on a case involving physical child abuse. The group will be tasked with moving through the investigation beginning with the victim interview. Each group will present how they want to set the stage prior to the interview, and move through the process of rapport building. The groups will then list open-ended questions that will move the investigation forward and encourage victim disclosure without leading the victim. The groups will present their process to the class.

F. Suspect Interview

1. Environment

- a. Private
- b. No barriers between the interviewer and suspect

2. Build rapport

- a. Ask open ended questions
- b. Evaluate the suspect's verbal and non-verbal behavior

3. Establish the relationship between the suspect and victim

a. Opportunity

i. How close does the suspect place himself to the victim in a situation that supports abuse?

ii. Compare suspect's statements to the victim's

iii. Evaluate reasonableness of suspect's denial or behavior

b. Access

i. Truthful people tend to describe a balanced relationship with victim

ii. Deceptive may describe an extreme, ie special or hostile

4. Remain non-accusatory

- a. Lock the suspect in to a statement
- b. Do not point out inconsistencies or known lies
- c. Maintain and objective demeanor

5. Address the allegations

- a. Tell the suspect what the victim disclosed
- b. Ask the suspect directly about the allegations

6. Possible excuses provided by the suspect

- a. The suspect was present when someone else injured the victim
- b. The victim caused the injury himself/herself
- c. The suspect accidentally injured the victim
- d. Under the influence of alcohol or drugs
- e. Stress
- f. Behavior or learning problems had by the victim

LEARNING ACTIVITY #7 (Case Study- continued): Students will work in groups. Each group will be given background information on a case involving physical child abuse. The group will be tasked with moving through the investigation at the suspect interview. Each group will present how they want to set the stage prior to the interview, and move through the process of rapport building. The groups will then list open-ended questions that will move the investigation forward and encourage suspect confession. The groups will present their process to the class.

IV. Physical Evidence

A. Officer observations

1. Injuries
2. Appearance of pain
 - a. Favoring a body part
 - b. Moving slowly
 - c. Wincing or flinching
3. Emotional state
 - a. Crying
 - b. Overly subdued
 - c. Scared or fearful
 - i. Of the officer
 - ii. Of the suspect

LEARNING ACTIVITY #8: Students will work individually and list as many items of evidence they can that they would collect while investigating a child abuse case. The students will then work in their groups and share their answers. The group will combine the information into one list. Each group will present the findings to the class.

B. Photographs taken by the investigating officer

1. Distance photography

- a. Full body of the victim
 - b. Shows an overview of injuries
 - c. Assists in identifying the victim
2. Close-up photography
 - a. Multiple close-up photographs of the injury
 - b. Multiple photographs to include different angles
 3. Follow up photography
 - a. Bruises take time to develop
 - b. Ideally photograph at 24, 48 and 72 hours after the assault
 - c. Use a color card to compare bruise colors

C. Audio/Video

1. Record the victim's statements
2. Gather the 911 tape if the victim reported the incident
3. Use video to show injuries or pain in a victim
4. Video can also show demeanor of the victim
5. The victim can demonstrate how the injury was caused

V. Report Writing

LEARNING ACTIVITY #9: Each student will be given a child abuse crime Penal Code. The student will create a scenario that includes the elements of the crime code they were given and any evidence they would want to gather or look for while investigating the crime.

A. Elements of the crime

1. Which crime fits
2. Detail how the elements are met in the report
3. Multiple crimes may apply

B. Documentation

1. Observations
2. Injuries
3. Contacts/Interviews

C. Notifications

1. Child Protective Services- CPS
2. Children and Family Services- CFS
2. Parent or guardian
3. Suspected Child Abuse Report (SCAR) form

D. Interviews

1. Summarize the interview
2. Only use quotes when needed
3. Avoid rambling, verbatim statements

VI. Mandated Reporting

A. Penal Codes

1. PC11165.3- Definition of child abuse and neglect in regard to mandated reports
2. WI16509.1- Allows for spiritual healing in lieu of medical facilities
3. PC11165.7- Full definition of legal mandated reporting parties
4. PC11166.5(a)- Requires documentation that a mandated reporting party is aware of the status as a result of employment

B. Who was required to report- Mandated Reporting Parties

1. Teacher
2. Instructional Aide
3. Teacher's aid or teacher's assistant
4. Classified employees at a public school
5. Public assistance worker
6. Day care provider or employee
7. Social worker
8. Probation/Parole officer
9. Peace Officer
10. Fire fighter- except volunteers
11. Counselor, such as a psychologist
12. Medical examiner

C. Who was report made to

1. Local police or sheriff department
2. County probation department
3. County welfare or child protective services department

C. How to report

1. Over the telephone
2. In person
3. In writing
 - i. email
 - ii. fax

D. Reporting requirements

1. Must give name
2. Will remain confidential
3. Immunity granted for the mandated reporting party
 - i. If knowledge was acquired outside the scope of employment
 - ii. The reporter suspected the abuse outside of his/her professional capacity
 - iii. The suspected abuse is unfounded after the investigation
 - iv. The reporting party cannot be held civilly or criminally liable for false allegations if they were made in good faith
4. Consequences to failure to report
 - i. Misdemeanor
 - ii. Up to 6 months in jail
 - iii. Up to \$1,000 fine

E. Officer requirements for reporting

1. Suspected Child Abuse Report (SCAR) form
 - a. Must be completed within 36 hours
 - b. Fax to Child/Family Services (CFS)
2. Cross report to CFS
3. CFS is responsible for the protection of the victim

LEARNING ACTIVITY #10: Students will work in groups. Each group will be given a mandated reporting party. Together, the students will come up with information the reporter is likely to have reference the possible child abuse case and how the reporter most likely gained the information they are reporting. The groups will give their information to the group next to them. The next group will evaluate the information given and outline their action plan to investigate the case.

VII. Conclusion

A. Debrief

- 1. Open the class to question and answer based discussion**
- 2. Provide contact information for the instructors**

B. Close

- 1. Evaluations**
- 2. Certificates**