

CITY OF BARSTOW

CALIFORNIA

POLICIES and PROCEDURES MANUAL:

POLICE

Subject:

CHILD ABUSE INVESTIGATION

INTRODUCTION

It is the policy of the Barstow Police Department to complete thorough and accurate investigations of child abuse and neglect. To set forth investigative guidelines specifically related to child abuse and neglect, the Department has developed the following procedure.

INVESTIGATIVE PROCEDURE

1. Victim interview

A. Avoid hurried interview

(1) Obtain preliminary statements from other pertinent sources (reporting party, parents, teachers, doctor, witnesses, etc.) prior to talking with victim.

(2) Tape recorded interview is preferred.

B. Interview should be private (officer and victim)

(1) If it is necessary to have another person present, it should be a neutral party, not the parents.

(2) If the parents insist on being present, have them sit to the rear of the victim.

C. Beginning the interview

(1) Determine the personality of the victim and adjust yours to match it.

(2) Ask personal questions to put the victim at ease, i.e., age, grade in school, names of family members, etc.

(3) Ask questions to rate maturity and concept of time.

a. Community activities, available recreational and educational facilities, etc.

b. Television schedule, holidays, months not in school, etc.

c. Indicate in report the victim's ability to judge time in relationship to offense.

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- D. Ask questions to help determine veracity of victim.
- (1) Have victim state in own words what "telling the truth" means.
 - (2) Ask younger victim reverse questions, such as "What happens to a person who tells a lie?"
- E. Do not ask leading questions
- (1) Do not put words in victim's mouth (is one reason not to have parents present).
 - (2) Allow victim to tell story in his/her own words.
 - a. Use these words when questioning the victim.
 - b. Indicate in report the words which the victim used to describe parts of the body.

2. Medical examination of the victim

- A. Should be arranged in most cases of physical abuse or molestation involving alleged vaginal or anal penetration.
- (1) Use Barstow Community Hospital Emergency Room.
 - (2) If parents are unable or unwilling to provide consent for exam, Child Protective Services should be contacted to arrange for the necessary Court Order.
- B. Physician can often provide statements relative to the consistency between the victim injury and explanation for same; injuries at various stages of healing which indicate previous assaults, medical history of victim, etc. Obtain a written statement. Successful prosecution often relies greatly on physician's testimony.
- C. Depending upon the circumstances, consideration should be given to requesting a full series of victim x-rays. X-rays are often the most significant method of exploration in identifying past or partially healed injuries, injuries at different stages of healing, or certain types of fractures which are typical.

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D. Color photographs should be obtained of all victim injuries.

3. Neglect

A. Investigation will focus on factors related to the victim's environmental conditions and provisions.

- (1) Food (type, condition, amount)
- (2) Clothing (quality, cleanliness)
- (3) Sanitation and cleanliness of living quarters.

(a) Presence of rodents, insects, spoiled food or garbage, human/per waste matter.

(b) Lack of utilities, such as water, gas and electricity.

(c) Health hazards about the home (refrigerators, raw sewage, etc.)

(4) Absence of appropriate child care.

(5) Victim's continual exposure to vice conditions.

B. Color photos should be obtained when indicated.

4. Suspect interview

A. Obtain any available suspect information prior to interview

(1) Check departmental files for previous contact with suspect.

(2) CII Central Child Abuse Index (916) 739-5109.

(3) 290 PC registrant files.

(4) San Bernardino Sheriff's Office and Department of Social Services records.

B. Interview should take place at Police Department with distractions avoided. The interview should be tape recorded.

C. Physical proximity is important. Do not talk across table, if possible.

D. Impress upon the suspect that you are interested in his welfare.

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E. It is often relevant to question the suspect regarding specific personal information, such as:

- (1) Nature of discipline received as child.
- (2) Attitude towards their child at the time of birth.
- (3) Level of expectation for child.
- (4) Emotional/financial stress.

5. Temporary protective custody pursuant to Section 305 WIC.

A. The victim should be taken into custody whenever there exists reasonable cause to believe that the child is dependent as described in Section 300 WIC.

- (1) No booking is required. Information should be documented in the body of the report taken.
- (2) The victim should be placed in custody even when continued hospitalization is required.

B. Contact the Department of Social Services, Child Protective Services, to arrange for shelter care placement.

- (1) Monday - Friday, 0800-1700 hours: 256-3546
- (2) During other hours contact Victorville Office 243-2280 or, if no answer, contact San Bernardino Office 885-0938

C. Immediately file an application for Juvenile Court Petition with the Department of Social Services. Department of Social Services must file a petition in Juvenile Court within 48 hours.

6. Reporting (Central Index)

State law requires that all reports be forwarded to:

Child Abuse Unit, Bureau of Identification
State Department of Justice
P.O. Box 13417
Sacramento, CA 95813

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