

HB 1453: Questioning/Interviewing a Child

Section 211.059.3 of HB 1453 requires that the Children's Division comply with questioning restrictions of children in abuse/neglect situations.

Current Policy:

- When possible, children should be interviewed alone and away from parents, or other persons responsible for their care
- Young children may be interviewed with a person whom they trust and who will not obstruct the interview
- The Children's Service Worker should be sensitive to the child's feelings
- Children should be interviewed in a setting in which they feel comfortable

New Policy:

- At the time of a Child Abuse/Neglect report, interview the child(ren) using current policy
- If a Juvenile Officer or Law Enforcement Official takes temporary custody (using the CS-33) of a child and the child requests a parent, guardian or attorney be present, the interview shall cease until such time a parent, guardian or attorney is available. This only applies when the person asked for by the child is not the alleged perpetrator and that if the interviewer believes that the parent is protecting the alleged perpetrator they can be excluded from the interview. It is important the CD staff document exactly why they believe the parent is trying to protect the alleged perpetrator. Nothing shall prevent the asking of any questions necessary for the care, treatment, or placement of the child
- At the time a child is placed into the custody of the Children's Division, interviewing the child(ren) will be allowed using current policy

Expected Outcomes:

Compliance of 211.059.3 will continue the current effort of the Children's Division in an attempt to make a child being interviewed in an abuse/neglect situation to feel as comfortable as possible during the interview.