

## DESCRIPTION OF THE INVESTIGATION PROCESS

The Children's Division has received a report of child abuse or neglect which involves you or a member of your family. The investigation is being undertaken by the Division pursuant to the requirements of chapter 210 of the Revised Statutes of Missouri (RSMo.) in response to a report of child abuse or neglect, which requires the Division to investigate reports of child abuse and neglect. Per 210.183 RSMo, the Division shall provide the alleged perpetrator a written description of the investigation process.

The identity of the person who reported the incident of abuse or neglect is confidential and may not even be known to the Division, since the report could have been made anonymously.

The primary purpose of this investigation is to determine by a "preponderance of evidence" whether child abuse or neglect has taken place and to assess whether the child or family may need social services which may be provided by the Division. Pursuant to Section 210.145, RSMo, the Division will notify the appropriate law enforcement agency upon receipt of any investigation in order to co-investigate. The Division's role is not to conduct a criminal investigation, although information uncovered in the investigation may be shared with law enforcement.

Investigations are a response to a report of child abuse or neglect when there is an identified need to collect physical and/or verbal evidence to determine if a child has been abused or neglected and to decide whether an individual should be listed in the Central Registry. Investigations primarily include reports of child fatality, sexual abuse, serious physical abuse, serious neglect and reports of child abuse or neglect involving institutions such as schools, residential facilities and child care centers.

Thorough investigations and assessments require hours of interviews and information collection, and usually include the major steps listed below:

- Contacting the reporter, if known, for additional information;
- Contacting appropriate law enforcement to request a co-investigation, if appropriate;
- Assessing child safety;
- Contacting the school district liaison if the victim is school-aged;
- Assessing the safety of all other children in the household;
- Consulting with the CD chief investigator;
- Contacting individual(s) with personal knowledge of the family or child (known as a collateral contact);
- Interviewing witnesses;
- Interviewing the non-offending parent;
- Interviewing the alleged perpetrator(s);
- Evaluating and documenting all information collected and observed;
- Concluding an investigation as substantiated or unsubstantiated for abuse or neglect;
- Evaluating a family's need for services and making appropriate referrals for needed services; and
- Notifying the child's parents, alleged perpetrator, school district liaison, and if applicable, the mandated reporter of the report conclusion and related findings.

At the end of each child abuse/neglect investigation, the worker reaches a conclusion. Possible conclusions are:

- **Preponderance of the Evidence:** Defined in statute as: "that degree of evidence that is of greater weight or more convincing than the evidence which is offered in opposition to it or evidence which as a whole shows the fact to be proved to be more probable than not. *Section 210.110 (13), RSMo.* This finding results in the perpetrator's name becoming part of the Central Registry. The "Central Registry" is a list of persons determined or found to have abused or neglected a child or who have been convicted or pleaded guilty to crimes enumerated in Sections 210.110 and 210.118 RSMo. Current law requires the Children's Division to retain final determinations of child abuse or neglect forever. Final determinations of child abuse or neglect may adversely affect eligibility for employment, licensure, and other matters for the rest of a person's life.

- Child Abuse/Neglect Present, Perpetrator Unidentified: This conclusion is reached when the elements of abuse or neglect are proven, but the perpetrator cannot be determined. The Children's Division retains information related to this finding forever.
- Child Abuse/Neglect Present, Perpetrator Deceased: This conclusion is reached when the elements of abuse or neglect are proven, but the perpetrator is deceased. The perpetrator will not be placed on the central registry, but the Children's Division will retain information related to this finding forever.
- Court adjudicated: This is a final judgment of a court that a specific individual is responsible for child abuse or neglect. NOTE: The term "substantiated" is used in some instances to refer collectively to findings of preponderance of the evidence and court-adjudicated findings; both findings will result in an alleged perpetrator's name being added to the Central Registry.
- Unsubstantiated-Preventative Services Indicated: A finding that insufficient visible signs, physical and/or credible evidence exist, but where the Children's Service Worker determines that indicators are present that, if unresolved, could potentially contribute to child abuse/neglect.
- Unsubstantiated: A finding that insufficient physical or credible verbal evidence of child abuse or neglect exists. The Children's Service Worker has not identified that a specific threat exists for the child.

Section 210.145 RSMo. instructs the Division to conclude investigations within 45 days, unless good cause for the failure to complete the investigation is documented in the information system. For cases involving a fatality or a near fatality, the case may remain open until the Children's Division obtains the evidence needed to inform the investigation conclusion.

If a child fatality or near-fatality is involved in a report of abuse or neglect, the CA/N Investigation shall remain open until the Division's investigation surrounding the child's death or near-fatality has been completed. Under Section 210.145 RSMo., the Division will attempt to complete this investigation within forty-five (45) days, unless good cause for delay exists. You will be notified once the investigation is completed.

You will receive a letter from the Division once this investigation is concluded. This letter will inform you of the conclusion of this report. If you are named the alleged perpetrator in the investigation, you may request to receive the disposition letter electronically. Please inform the Children's Division investigator that you wish to receive the disposition electronically and an e-mail address to send the letter to. You may also choose to receive the disposition letter by mail.

**State law requires *final determinations* of "preponderance of evidence" and "court adjudicated" to be retained by the Division forever. A final determination of "preponderance of evidence" of abuse or neglect or "court adjudicated" may affect employment decisions made by an employer or potential employer, if the employer or potential employer requests a background screening. If you have been identified as the Alleged Perpetrator and a determination of "preponderance of evidence" has been found, you will be informed of your right to an appeal at the conclusion of the report before the findings become final and you are placed on the central registry.**