



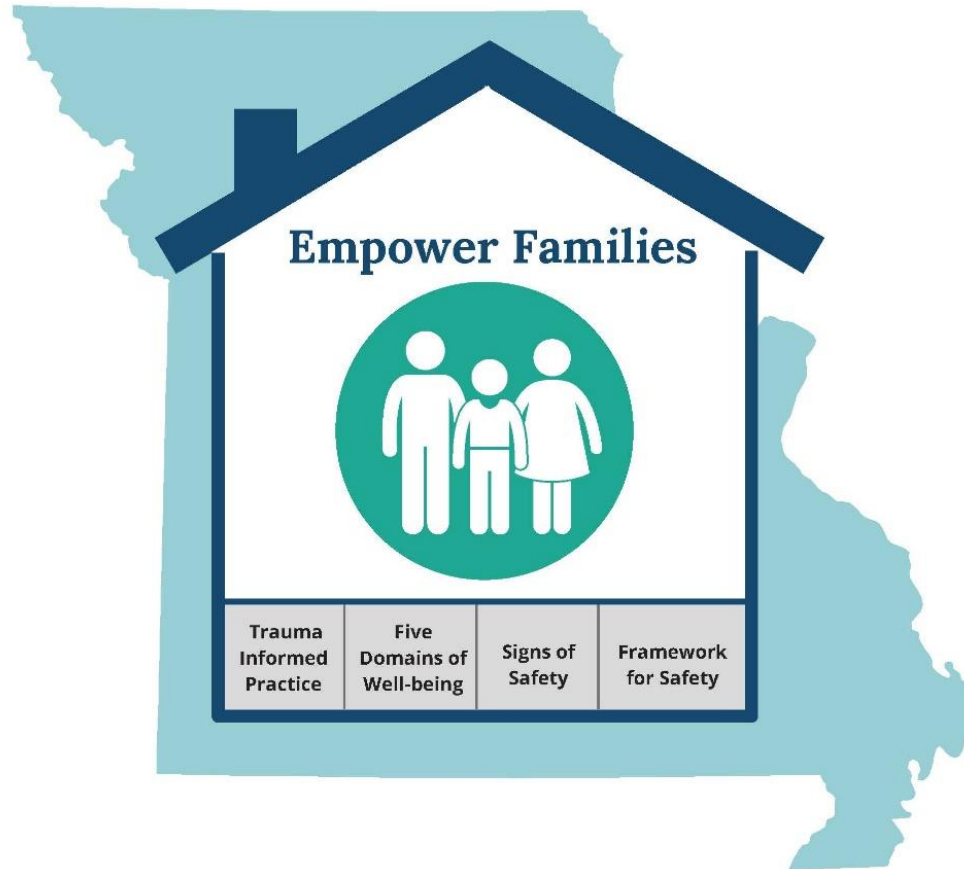
Investigations and Assessments

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Everyone Deserves a **SAFE** Place to Call Home



Data

- Total Number of all Reports FY20: 55,853
- Total Number of Investigations FY20: 20,492
- Of the total number of investigations in FY20, only 3,466 (6.2%) were substantiated.



Track Assignment

Investigation: When there is an identified need to collect physical and verbal evidence to determine if a child has been abused or neglected.

- Requires CD to co-investigate with law enforcement.
- Generally, there is a criminal component.
- Requires CD to make a determination whether the abuse/neglect act occurred.
- Burden of proof is preponderance of the evidence (POE).
- The alleged perpetrator has the ability to appeal the determination if POE is found
- Once a final determination of POE is made, the perpetrator is placed on a central registry.



Family Assessment:

Designed to help the family identify areas where they need assistance safeguarding their children. The Assessment response determines the family's need for services and refers the family to needed resources.

- Intended to provide a global assessment of the child and family;
- Determines if the family needs can be met by linking to community resources or if there is a need short term family-centered services from the Division;
- Does not typically involve law enforcement;
- Does not result in a determination that abuse or neglect occurred;
- Outcomes are whether the family is in need of services or not.



Juvenile Assessment:

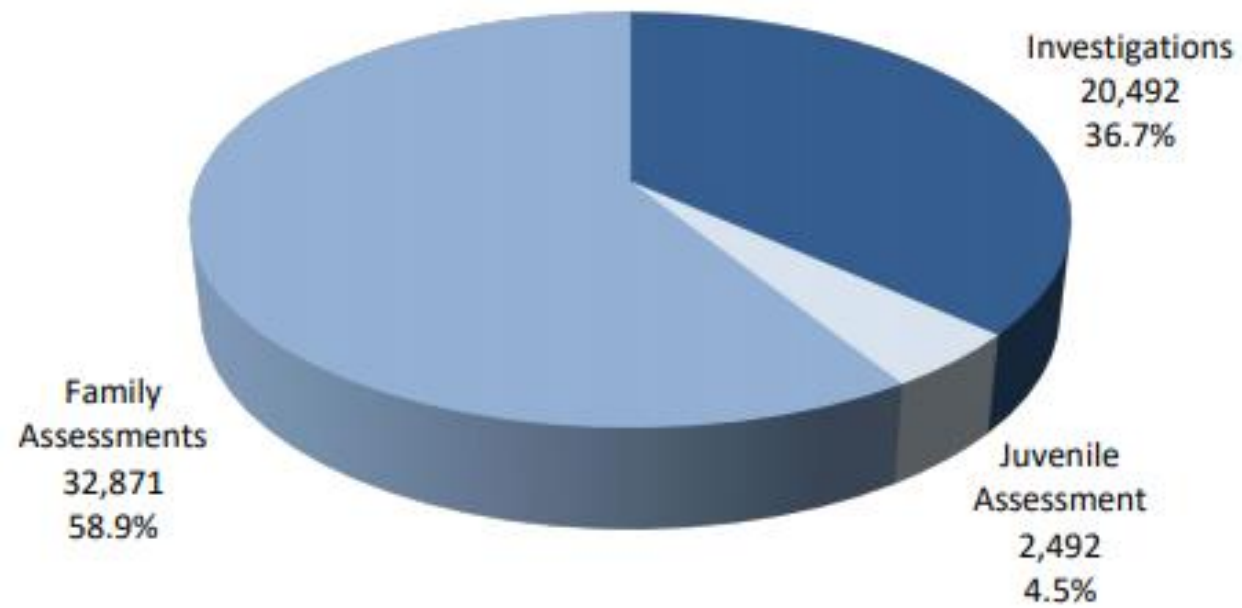
Section 210.148, RSMo. defines a juvenile with problem sexual behavior as ‘any person, under fourteen years of age, who has allegedly committed sexual abuse against another child’.

- Juvenile Assessments will be screened in by the Child Abuse and Neglect Hotline Unit when any child under the age of fourteen (14) is alleged to have committed an act of sexual abuse against any person under the age of eighteen (18).
- The Alleged Child Initiator (ACI) must reside in Missouri.
- Sexual behaviors must be age or developmentally inappropriate.
- Juvenile Assessments can be referred to the juvenile office under certain circumstances.
- Family Assessment and Services Approach is taken with the ACI and family
- Mandated reporters are required by state regulation to disclose the identity of the juvenile and victim child(ren) if known.



Data

FY 2020 Reports by Type of Response



Referrals

If the concerns reported do not meet criteria for an investigation or assessment, the hotline will determine if the concerns meet criteria for a referral.

Types of referrals:

- Non-Caretaker
- Newborn Crisis Assessment
- Preventative Service
- Non-CA/N Fatality

Referrals do not meet the statutory definitions of abuse or neglect, but are of such a nature that the Division should take some kind of action, depending on the nature of the referral.



What Happens Next?

Verifying Safety of
Children is our
#1 Priority!



Safety vs. Risk

Safe - A child can be considered safe when there are no threats of danger to a child within the family/home or when the caregiver's protective capacities within the home can manage or control the threats of danger.

Unsafe - A child is unsafe when a child is vulnerable to a threat of danger within a family/home and the caregiver's protective capacities within the home are insufficient to manage the threat thus requiring outside intervention.

Risk - Risk is the likelihood or probability that child maltreatment will occur or reoccur in the future.



- If a child is found to be unsafe, the investigator completes a safety plan to reduce the threat of danger.
- If it is not possible to implement a safety plan, then we look at removal.
- Risk is what helps guide decisions to open cases & level of intervention.
 - Safety=Here and now Risk=Future
- In every intervention (removal, opening cases) CD must strive to be the least intrusive possible while balancing CD's authority to protect children with the constitutional rights of parents and children.



Verifying Safety of Children

- Worker will assure the safety of the victim child(ren) in person, face to face within the response priority timeframe.
- Multi-disciplinary team members may be used to verify safety, but worker required to see child(ren) face to face within 72 hours.
- Worker will interview the child in a safe place and alone (if possible).
- Worker will verify safety of non-victim child(ren) within 72 hours.
- Worker may refer child(ren) to a Child Advocacy Center (CAC) for a forensic interview when necessary.



What if a Child has been Determined Unsafe?

If a child is determined to be unsafe, but can either remain with a parent/caregiver (i.e. if the alleged perpetrator leaves the household) or the parent/caregiver agrees to place the child with a non-residential parent, staff complete an Immediate Safety Intervention Plan.

Enhanced policy on background checks for parents and adult household members

- Walk through, CA/N checks, case.net, sex offender registry
- Identified in the regulation specific crimes that CD cannot agree to
- Staffing process to agree to any other crime against a person, substantiated/significant CA/N history, drug/alcohol related offenses



Other Worker Responsibilities:

Contact Reporter	Contact law enforcement (if an investigation)
Review Prior History	Interview Alleged Perpetrator
Complete a Risk Assessment	Interview Non-Offending Parents
Complete Home Visit	Interview Household Members
Complete Safety Assessment and or Safety Plan as Needed	72 Hour Chief Investigator Consult with Supervisor
Contact Relevant Collaterals	Collection of Evidence
Document all Contacts	Assess for Needs and Services
Attend CAC Interview if One is Needed	Follow-up Visits as Necessary



Conclusion Outcomes:

Assessments:

- Agency Responded No Concerns Found
- Agency Responded Concerns Addressed
- Agency Responded Services Provided Agency Responded
- Refer to FCS or AC Case Opened
- Family Declined Services, Child Safe



Investigations:

- Unsubstantiated
- Unsubstantiated, Preventative Services Indicated
- Already investigated
- Preponderance of the Evidence
- Child Abuse/Neglect Present, Perp Unidentified
- Court Adjudicated

Other Conclusions for either Assessment or Investigation:

- Inappropriate report
- Located out-of-state
- Home schooling
- Unable to locate



Preponderance of the Evidence

“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.”
(§210.110.13, RSMo)

Standards of Evidence:

- Probable cause
- Preponderance of the evidence
- Clear, cogent, and convincing evidence
- Beyond a reasonable doubt



**Beyond a
Reasonable
Doubt**

Prosecutors

**Clear, Cogent, &
Convincing**

Juvenile Office

Preponderance of Evidence

Children's Division

Probable Cause

Law Enforcement

Reasonable Cause

Mandated Reporters



There has to be a preponderance of the evidence for EACH element in order to make a finding of abuse/neglect.

Abuse

1. The child was under 18
2. The alleged perpetrator had CCC
3. There was physical injury, sexual or emotional abuse
4. That was not an accident
5. And that was not a form of reasonable discipline.

Neglect

1. The child was under 18
2. The alleged perpetrator had CCC
3. The alleged perpetrator failed to provide the proper or necessary support, education as required by law, nutrition, or medical, surgical, or any other care necessary for the alleged victim child's well-being.



Central Registry

- The Central Registry is contained within the Division's Information System.
 - It contains only those persons where the Division's finding is "preponderance of evidence", "probable cause" or "court adjudicated."
 - The Central Registry includes the names of individuals who have pled guilty or been found guilty of crimes found in Chapters 565, 566, 567, 568, and 573, RSMo. (See Section 210.110, RSMo. for the specific crimes).
 - Placement on the Central Registry is forever.



Due Process

Prohibits CD from depriving a person of 'life, liberty, or property' without first providing due process of law.

Why does this apply to POE findings?

- Being placed on the central registry can have a direct impact on employment.

When the investigator makes a POE finding of abuse or neglect, this is only a **preliminary** finding and the alleged perpetrator is **not** immediately placed on the registry.



Appeal Steps

Child Abuse/Neglect Review Board (CANRB)

- CANRB consists of nine members each, who are designated by the governor and are not employed by the agency.
- An administrative hearing is held during which the alleged perpetrator and CD each have 20 minutes to present.
- The alleged perpetrator does not have to be present.
- Only after the CANRB upholds the POE finding is the finding changed to final and the perpetrator is placed on the registry.



De Novo Judicial Review:

If the alleged perpetrator disagrees with the decision of the CANRB to uphold the POE finding.

The alleged perpetrator must file a petition in Circuit Court within sixty (60) days of notification of the CANRB's decision.

‘de novo’ means “anew”, therefore, the facts and evidence of the case must be heard and judged as if it were brand new case. Witnesses may be subpoenaed to testify except the victim or reporter.

OR....

Direct Judicial Review:

The alleged perpetrator can waive the right to the administrative review process and file a petition for a de novo judicial review within 30 days of their notification of the preliminary POE finding.

The alleged perpetrator is immediately placed on the Central Registry pending the outcome of the de novo review.



Out of Home Investigations

The Out of Home Investigation Unit (often referred to as OHI) is a specialized investigations unit that handles child abuse/neglect investigations when the child is in an out of home setting.

OHI primarily investigates four general areas 1) licensed and licensed exempt daycares, 2) licensed and licensed exempt or accredited residential facilities, 3) public, private, and charter schools, 4) resources providers (foster homes). Other out of home settings may include hospitals, youth programs, recreation programs, Children's Division employees, etc.



Critical Event Review

- Fatality or Near Fatality of:
 - Any child in state custody, including serious physical injury due to CA/N
 - Any child whose family had a CD case within the past three years to include:
 - Parent/caretaker in the home
 - Siblings
 - The alleged perpetrator (regardless of familial relationship)
 - Any child whose death is a result from alleged or substantiated CA/N
 - Any child at the Department or Division Director's discretion
- Collaboration with the National Partnership on Child Safety



— WEBINAR SERIES —

Department of Social Services – Children's Division

You are invited to join us for a webinar series focused on exploring how the Children's Division works, its programs, and mission of keeping kids safe.



How to Connect: Click on the "join" link for the webinar, then on the meeting screen, choose how you would like to connect audio (ex: call me, call in, or computer), then enter your access code if prompted. To call in, dial 650-479-3207.

Organizational Structure, Positions & Responsibilities

Aug 31 from 9-10 am

Join: tinyurl.com/CDWebinar831

Access Code: 177 285 6871

Child Abuse & Neglect Hotline

Sep 2 from 3-4 pm

Join: tinyurl.com/CDWebinar92

Access Code: 177 814 3785

Investigations & Assessments

Sep 7 from 10-11 am

Join: tinyurl.com/CDWebinar97

Access Code: 177 457 2815

TAPA Implementation & Family Centered Services

Sep 9 from 3-4 pm

Join: tinyurl.com/CDWebinar99

Access Code: 177 622 8572

Alternative Care

Sep 14 from 9-10 am

Join: tinyurl.com/CDWebinar914

Access Code: 177 030 3306

Foster Care Licensing & Homes

Sep 16 from 9-10 am

Join: tinyurl.com/CDWebinar916

Access Code: 177 228 5717

Children's Division Data, Budget & FACES System

Sep 21 from 9-10 am

Join: tinyurl.com/CDWebinar921

Access Code: 177 411 1750

Family First Prevention Services Act

Sep 23 from 9-10 am

Join: tinyurl.com/CDWebinar923

Access Code: 177 966 5743

If you need help connecting or have questions, call 573-526-6009.