



State of Florida
Department of Children and Families

Ron DeSantis
Governor

Shevaun L. Harris
Secretary

DATE: January 17, 2024

TO: Child Protection Directors

FROM: Kate Williams, Assistant Secretary for Child & Family Well-Being *K. Williams*

SUBJECT: CFOP 170-5, Chapter 3: Investigation Response Times; and
Chapter 15: Interviewing Children

PURPOSE: The purpose of this memorandum is to provide notification of updates to Children and Families Operating Procedure (CFOP) 170-5, Chapter 3: Investigation Response Times; and Chapter 15: Interviewing Children. The modifications incorporate and clarify daily diligent attempts to make initial face-to-face contact with victims and other known children in the household of focus.

BACKGROUND: The Department has existing policies, CFOP 170-5, Chapter 3: Investigation Response Times and CFOP 170-5, Chapter 15: Interviewing Children, that guide face-to-face contacts and interviews with children, parents, and other subjects residing in the household. The referenced operating procedures lacked clarity pertaining to daily diligent attempts if initial contact is unsuccessful and child victims remain unseen.

NEW INFORMATION: CFOP 170-5, Chapter 3 updates provide clarity to definitions, related to response times and commencement timeframes. The modification extends the list of individuals to include CPI Supervisors or designees, according to the circuit or region processes and procedures, as points of contact for the Hotline relating to immediate response reports. The commencement timeframe and Hotline assignment definitions were clarified to reflect the intake decision date and time. Amendments were made to include conducting face-to-face interviews with siblings and other children, the parents, legal custodians, or caregivers all within the household of focus. If the investigator is unable to contact the alleged child victim(s) and/or other known children in the home after timely commencement, the investigator must make daily diligent attempts to make face-to-face contact.

CFOP 170-5, Chapter 15 updates incorporate the need for an initial face-to-face with other known children in the home within the assigned investigation response timeframe. The updates include the responsibility of the CPI to review the identification presented by household members involved with a child protective investigation, accurately document the actions in the case record, and guidance if there is no valid form of identification or if there is a refusal to provide the identification. Further clarification was provided around daily diligent attempts to make face-to-face contact with child victims and other children in the home. Lastly, if initial contact with the child occurs outside the home, the follow-up interviews with the rest of the family and other household members should take place the same day or within 24 hours after initial contact with the child.

2415 North Monroe Street, Tallahassee, Florida 32303

Mission: Work in Partnership with Local Communities to Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

ACTION REQUIRED: Please share this memorandum with all Child Protective Investigations staff.

CONTACT INFORMATION: If you have any questions regarding these updates, please contact Max Kruse, Policy Manager, at Max.Kruse@myflfamilies.com or 850-755-7195.

cc: Community Directors
Grainne O'Sullivan, Statewide Director, Children's Legal Services

Chapter 3

INVESTIGATION RESPONSE TIMES

3-1. Definition. Response time refers to the assigned timeframe for commencement of the investigation by the Child Protective Investigator (CPI). The commencement timeframe begins at the point the Hotline either assigns the report to the local Receiving Unit or makes contact with an “on-call” CPI, CPI Supervisor, or designee according to circuit or region processes and procedures.

3-2. Determining Response Time. The Hotline is responsible for determining initial response times based on their assessment of present or impending danger, as indicated by the information provided. Based upon having more complete or up-to-date information than initially collected by the Hotline, the CPI Supervisor may upgrade or downgrade the response time established by the Hotline.

a. An **Immediate Response** time established by the Hotline requires the CPI to attempt to make the initial face-to-face contact with the alleged child victim as soon as possible, but no later than within four hours of the intake decision date/time.

b. A **24 Hour Response** time established by the Hotline requires the CPI to attempt to make initial face-to-face contact with the alleged child victim(s), as soon as pre-commencement activities are completed, but no later than 24 hours following the intake decision date/time.

c. The CPI shall conduct face-to-face interviews with siblings and other children, the parents, legal custodians, or caregivers within the household of focus.

d. If the CPI is unable to make contact with the alleged child victim(s) and/or other known children in the home after timely commencement of the investigation, the CPI must make diligent daily attempts to re-visit the home or visit other known or suspected locations of household members (e.g., school, work, etc.) and attempt contact at different times of the day (e.g., early morning, evening hours, etc.), including weekends until contact has been made. All visits to the home should be unannounced until initial contact with the alleged child victim(s), other known children, and caregivers has occurred. To help maintain the family’s right to confidentiality, unannounced visits to a caregiver’s work site or other non-household location are discouraged unless concerns about a child’s safety justify contacting a subject of the report in a public location.

3-3. Supervisory Approval to Change Response Time.

a. A CPI Supervisor may downgrade an immediate response report to a “24 hour response” time when:

(1) Additional information is obtained from the reporter or other reliable collateral source, which indicates the “real time” circumstances have changed as initially reported to the Hotline and the present danger threat is no longer active (e.g., law enforcement has responded to a situation and noted there is no immediate danger, etc.).

(2) The CPI has reliable information that the alleged child victim has been threatened or warned by a parent or alleged maltreater not to talk with or disclose personal or family information to child protection services and waiting to interview the child at a different location away from the source of threats would significantly enhance disclosure of information by the child. In regard to allegations of sexual abuse or other severe maltreatment, this would include consideration of waiting until the alleged perpetrator leaves the premises where the child is currently located to facilitate the interview process.

b. A CPI Supervisor and/or designee may upgrade a report to an “immediate response” time when it is determined after sufficient review of the report that the allegations contain present danger

threats to the child, **or** the local unit has additional information on the family circumstances to warrant an upgraded response time priority.

c. A present danger threat is defined as an immediate, significant, and clearly observable family condition that is occurring in the household.

3-4. Documentation. If the Supervisor determines that the response time should be changed, the Supervisor will complete the following documentation in a case note within one business day:

- a. Record the revised response time.
- b. Document the rationale for the change.

Chapter 15

INTERVIEWING CHILDREN

15-1. **Purpose.** The purpose of the face-to-face contact and interview with the alleged victim, siblings, and other children living in the household is to gather firsthand information regarding the alleged maltreatment incident, collect additional information for all information domains to the extent possible, and determine whether the children are vulnerable to an identified danger threat(s).

a. Investigators use both direct observation (what they see) and interviewing (what they hear) to assess the children's immediate safety and collect information related to child and adult functioning on a day to day basis, general parenting practices, and disciplinary and behavior management practices likely to reveal the presence of present or impending danger in the household.

b. Additionally, since children are typically one of the more reliable information sources, the investigator can corroborate information learned from other sources related to any domain (e.g., reconcile disciplinary practices, etc.).

c. The decisions that result from information collection and the initiation of appropriate safety interventions are discussed separately in '**Determination of Findings**' (Chapter 22 of this operating procedure) and '**Develop and Manage Safety Plans**' (CFOP [170-7](#)) respectively.

15-2. **Procedures.**

a. The investigator must attempt an initial face to face contact with the alleged child victim(s) and other known children in the home within the assigned investigation response timeframe.

b. The investigator must complete the following introductory activities during the initial contact with the child's parent(s) or legal guardian(s) when the initial contact with the child occurs in the child's home:

(1) Present identification to the family at the beginning of the interview, and provide a business card or other document containing the investigator and supervisor's names and telephone numbers to the parent(s) and caregiver(s). Provide the "Child Protection: Your Rights and Responsibilities" pamphlet (CF/PI [175-32](#), available in DCF Forms) to the parent or legal guardian, and explain the child protective investigation process.

(2) Inform the parent(s) or legal guardian(s) of the purpose of the investigation and the ways the information may be used by the investigator, including the possible outcomes and identifying possible services as a result of the investigation.

(3) Encourage the parent(s) or legal guardian(s) to work in partnership with the investigator.

(4) Inform the parent(s) or legal guardian(s) of their rights pursuant to s. [39.301\(5\)\(b\)](#), F.S., and as outlined in the Rights and Responsibilities pamphlet. [NOTE: If the parent(s)/legal guardian(s) chooses not to allow an interview with themselves or their children, the investigator still needs to complete other collateral contacts and, to the extent practical, assess for present and impending danger, and take any necessary safety actions until such time that the parent(s)/legal guardian(s) makes such arrangements.]

(5) Inform the parent(s) or legal guardian(s) of the duty to report a change in address or the location of the child until the investigation is closed.

(6) Obtain from the parent(s) or legal guardian(s) the names of persons who can provide relevant information about the family.

(7) Ask the parent(s) or legal guardian(s) to sign a release authorizing the Department to obtain confidential information from physicians, mental health providers, school employees, or other service or treatment providers.

(8) Ask for and review the identification presented by caregivers and household members involved with a child protective investigation. This identification verification should be completed with each adult, and age-appropriate child (15 years or older) and must be accurately documented in the case record. If the household member involved in the investigation does not have a valid form of identification or refuses to produce a valid form of identification, the CPI must consult with his/her supervisor immediately and document the refusal/inability to produce the identification in the Comprehensive Child Welfare Information System, along with the supervisor consult decision. This supervisor consultation should consider the impact the inability to verify household members' identities has on child safety (present and impending danger) and if law enforcement assistance is needed. If the child remains in the home without verifying household members' identification, the CPI must make diligent efforts to verify household members and document those efforts in the Comprehensive Child Welfare Information System.

c. If it is not possible during the initial attempt for the investigator to make face-to-face contact, the investigator must continue to make daily diligent attempts at a minimum, at varying hours and locations, including weekends, until contact has been made. If daily diligent attempts were not completed, the investigator must document why attempts were not made. Daily diligent attempts shall continue until all victims and children in the home are seen. If all efforts to locate and interview the children, parents/caregivers and other household members have been exhausted, refer to Chapter 25 (paragraph 25-4) of this operating procedure when determining how to proceed.

d. The investigator will make diligent efforts to notify the parent(s) or legal guardian(s) of the investigation and the child having been interviewed outside the home immediately, but no later than 24 hours following initial contact, unless notification could compromise the child's safety, or law enforcement personnel specifically request a delay in parental notification due to a criminal investigation. Ideally, this notification will occur in conjunction with the non-maltreating and maltreating parent being interviewed by the investigator as timely as possible after the child interview was conducted.

e. When the investigator contacts the child at home and the parent(s) or legal guardian(s) is present, the child should be interviewed outside of the parent's/legal guardian's immediate presence.

(1) The investigator will conduct interviews in a manner that ensures the child's privacy. The interview setting should ensure the child can speak without being heard or seen by others during the interview.

(2) When the alleged maltreatment involves sexual abuse or severe physical abuse, the interview with the child should not be conducted in the room where the abuse is alleged to have or likely occurred. To the extent possible, the investigator should interview the child out of the home altogether, in a less threatening, safer setting.

f. If the parent(s) or legal guardian(s) insists on observing the interview with the child in order to allow it to occur, the investigator should try to address the parent's or legal guardian's immediate concerns by reiterating how the information may be used and how the parent(s) or legal guardian(s) will be appropriately informed regarding what is discussed during the session upon conclusion of the interview. If the parent(s)/legal guardian(s) refuses to allow the child to be interviewed outside of his or her immediate presence, the investigator has several options:

(1) Determine if the non-maltreating parent or legal guardian would likely maintain the integrity of the interview by agreeing to remain silent while listening to the interview from another room or sitting behind the child unobserved.

(2) Seek an appropriate court order to interview the child outside the immediate presence of the parent(s) or legal guardian(s).

g. Once the parent(s) or legal guardian(s) explicitly expresses the child is not to be interviewed by the investigator outside the parent's or legal guardian's presence, the investigator is not to contact that child at a secondary setting (e.g., school, daycare, etc.) to circumvent the parent's or legal guardian's instructions.

h. When the parent(s) or legal guardian(s) refuses to speak with the investigator and access to the child is denied outright, the investigator should immediately discuss the situation with his or her supervisor and determine the most appropriate response, which typically includes one or more of the following:

(1) Persist in attempts to gain cooperation from the family or caregivers by addressing, to the degree possible, the parent's issues and specific concerns.

(2) If the intake indicates there is immediate danger to a child's health or safety, seek local law enforcement assistance in intervening with the parents or legal guardians as part of a criminal investigation.

(3) If the family is already under the supervision of the court, seek a protective custody order from the dependency court.

(4) If the intake does not indicate immediate danger to a child's health or safety, discuss with supervisor whether to pursue a staffing with Children's Legal Services as to possible legal options, such as filing a Motion to Compel/Order for Access and/or seeking possible dependency action.

i. When the investigator contacts the child at home and a parent, legal guardian or adult household member is not present:

(1) The investigator should immediately discuss with his or her supervisor regarding the need to contact law enforcement to enter the home to assess the child's safety in the following circumstances:

(a) The child is inadequately supervised based upon the child's stated or reported age, observed maturity or developmental condition.

(b) There is reasonable cause to believe the child's health or safety is endangered by the conditions of the dwelling.

(c) The maltreatment allegations, if true, involve severe harm or life threatening conditions or circumstances.

(2) If the intake does not indicate any immediate danger to the child's health or safety and the child is mature enough to be home without adult supervision, the investigator should conduct the interview with the child while standing outside the home. Under no circumstances should the investigator enter the home because a child issues an invitation to do so.

(3) If there are no signs of present danger and the child is unwilling to talk with the investigator, and the investigator has no grounds to believe the child's immediate safety is compromised, the investigator should wait until the parent or legal guardian is contacted prior to interviewing the child.

(4) If the child appears mature enough to be home without adult supervision but the investigator determines parental notification will likely compromise child safety, the investigator should attempt to re-interview the child in a school or other location setting where the presence of another adult may make the child feel comfortable enough to talk with the investigator.

j. For any school-aged child, if the interview takes place at school, ask the child if he or she would be more comfortable having an adult who has an established relationship with the child (i.e., teacher, guidance counselor, etc.) sit in on the interview.

(1) Per statutory direction (s. [39.301\(18\)](#), F.S.) the child must request or consent to the presence of the adult and the investigator must determine the adult's presence would contribute to the success of the interview. The investigator makes this decision, not school personnel.

(2) When an adult does participate in the interview at the request of the investigator or child:

(a) The investigator should have the individual sign a written acknowledgment stating that: "I understand that anything the child discloses throughout the interview is confidential information and may not be shared with any other individual pursuant to s. 39.202, Florida Statutes."

(b) Inform the individual that by participating in the interview he or she may have to testify in court in regard to what the child discloses during the interview.

k. Observe the child for injuries or signs of neglect. The investigator may need to remove a child's clothing to make adequate observations and, in the event this is necessary, the investigator should:

(1) Attempt to acquire parental consent and assistance, if it does not compromise child safety.

(2) If the parent or legal guardian is not present, the investigator shall request the presence of another investigator or other support person, who is the same gender as the child, when assessing injuries to any part of a child's body covered by clothing.

(3) Prior to observing alleged injuries to school-aged children involving the buttocks of either sex, or breast area of females, the investigator needs to assess each individual child's sensitivity to disrobing in front of the investigator. If the child appears hesitant, displays obvious discomfort, or verbally expresses reluctance to having an article of clothing removed, the investigator may utilize the assistance of a school nurse or take the child to a medical professional for the required observation.

(4) The investigator must facilitate an examination by a medical professional if the alleged abuse or neglect involves injury to the genitalia of any child. Please see CFOP 170-5, [Chapter 9](#), "Coordination with Child Protection Team (CPT)," for more specific details.

l. Reassure the child he or she is not in any trouble and answer any questions the child may have about the interview/observation process.

m. Assess the child's physical and verbal responses to the interview process, specifically looking for signs the child is upset or worried about talking about what happened and/or expresses fear of reprisal for talking with the investigator.

n. If the investigator takes a picture of any injuries to the child, a ruler or measuring tape should be placed next to the observed injury to provide a contextual framework for the size and shape of injuries photographed.

o. The investigator must gather information from the child as developmentally appropriate through interview(s) and observation in the information domains. Please see CFOP 170-1, [Chapter 2](#), paragraph 2-4, "Information Domains (Family Assessment Areas)," for more specific details.

p. To the extent practical, the investigator shall also attempt to interview the child's siblings, other children in the home, parents/legal guardians, other household members, and alleged maltreating caregiver during the same visit.

q. If the initial contact with the child occurs outside the home, the follow-up interviews with the rest of the family and other household members shall, to the extent practical, take place the same day or within 24 hours after initial contact with the child(ren).

r. Upon identification of a present danger threat, the investigator shall determine if the child's safety can be managed through an in-home safety plan, release of the child to the other parent, placement of the child with a relative/non-relative, or in licensed out-of-home care as determined to be necessary by the investigator as outlined in CFOP 170-7, [Chapter 2](#): Develop Present Danger Safety Plan.

15-3. Supervisor. When initiated, the Supervisor Consultation should affirm:

a. The investigator asked appropriate questions or shared information with the child based on the child's age and developmental status.

b. To the extent possible, the investigator's interview of the child should contribute to providing information on all information domains.

c. The investigator has accurately assessed and sufficiently addressed issues likely to cause anxiety for the child as a result of the investigative/interview process:

(1) How the child feels talking about the maltreatment (i.e., sharing "family business").

(2) Fear of retaliation or further abuse in the home.

(3) Informed the child on likely "next steps" (relative to child's level of understanding and comprehension).

(4) Spent sufficient time with the child to reduce the trauma associated with a removal episode.

d. Daily diligent attempts were completed when the victim(s) and/or other children in the home were not seen at initial contact.

15-4. Documentation. The following actions must be completed by the investigator using the Comprehensive Child Welfare Information System functionality within two business days:

a. Document the initial face-to-face contact with the alleged victim (commonly referred to as the “victim seen” date) and other children in the home. To record a “victim seen” time for a deceased child, the child protective investigator may enter the date and time a medical professional (e.g., coroner, ER physician, EMT personnel, etc.) or law enforcement office was contacted and verified the child’s death.

b. Document each attempted face-to-face contact made to see the alleged child victim and other children in the home, and:

(1) Provide an explanation as to why contact was not made; and,

(2) Indicate if local law enforcement services are or were required in locating and/or gaining access to the child victim.

c. Document same-day notification to parent(s)/legal guardian(s) if the child was interviewed prior to their knowledge.

d. Document if same-day notification to the parent(s)/legal guardian(s) was delayed an additional 24 hours because it was determined child safety might be compromised by such notification.