

Chapter 8

COORDINATION WITH LAW ENFORCEMENT

8-1. Purpose. The investigator is required by statute to notify law enforcement immediately when the alleged harm to the victim is the result of suspected “criminal conduct” by the child’s caregiver. How interviews are handled (e.g., which agency takes the lead and the sequencing of interviews, etc.) and how evidence is gathered must be carefully coordinated. When there are physical injuries or medical concerns, there must be coordinated teamwork with both law enforcement and the Child Protection Team (CPT). Based upon a review of the available information and/or discussion during pre-commencement case consultation activities, the investigator may also need to consult and coordinate with law enforcement in other situations such as when there are concerns about child safety or an investigator’s personal safety.

8-2. Procedures.

a. The investigator must immediately notify law enforcement when the alleged harm to the child is the result of suspected “criminal conduct.” These specific circumstances include any child suspected of being a victim of:

- (1) Child abuse or neglect as defined in s. [827.03](#), F.S.
 - (a) Intentional infliction of physical or mental injury;
 - (b) Intentional acts that could reasonably be expected to result in physical or mental injury;
 - (c) Active encouragement of any person to abuse or neglect a child;
 - (d) Lack of food, nutrition, clothing, shelter, supervision, medicine and medical services essential to the well-being of a child; or,
 - (e) Failure to protect a child from abuse or exploitation.
- (2) Aggravated child abuse as defined in s. [827.03\(1\)\(a\)](#), F.S.
 - (a) Aggravated battery on a child;
 - (b) Willfully tortures, maliciously punishes, cages a child; or,
 - (c) Willful abuse that results in great bodily harm, permanent disability or permanent disfigurement.
- (3) Sexual battery or sexual abuse as defined in ss. [827.071\(1\)\(f\)](#) and [39.01\(67\)](#), F.S., respectively.
 - (a) Oral, anal, or vaginal penetration;
 - (b) Intentional touching of genitals or other intimate body parts (clothed or unclothed);
 - (c) Masturbating in the presence of a child;
 - (d) Indecent exposure in the presence of a child; or,

(e) Sexual exploitation (allowing, encouraging, or forcing a child to solicit or engage in prostitution, sexual performance or participate in child sex trafficking (by any adult).

(4) Any abuse or neglect occurring by employees in institutional settings as defined in ss. [39.01\(33\)](#) and [39.302\(1\)](#), F.S., respectively:

- (a) Private or public school;
- (b) Public or private day care center; or,
- (c) Residential home, institution, facility or agency.

(5) Human trafficking as provided in s. [787.06](#), F.S.

(a) Sexually exploiting a child for financial gain, benefits or anything of value; or,
(b) Exploiting a child through labor or services for financial gain, benefits or anything of value

(6) Any child suspected of having died from abuse or neglect.

b. While law enforcement is authorized to take the lead in conducting a joint investigation; the investigator shall take the lead in determining if a child is in present danger and in implementing the appropriate safety interventions.

c. The investigator also needs to consider the “facts of the case” as reported in the intake to determine if an immediate consultation with law enforcement is appropriate under the following circumstances:

(1) Life Threatening Circumstances. When an investigator has credible information indicating an active (occurring now) danger threat is placing the child’s life in immediate danger.

(2) Present Danger. When the investigator has information indicating a child may have suffered significant injuries or extreme deprivation and is currently in immediate danger.

(3) Restricted Access To Child. When the alleged harm is severe (i.e., significant impairment or need for medical treatment) and the investigator has information the family may not allow the investigator to observe the alleged victim or other children in the home.

(4) Protective Custody. When the investigator has information a child may need to be placed in protective custody.

(5) Worker Safety. When the investigator has information indicating the family behavior, circumstances, situation or environment (i.e. dangerous animals) could pose a danger to the investigator.

(6) Joint Response. When the investigator needs to determine if a joint response is necessary and feasible to coordinate investigative activities, including but not limited to:

- (a) To avoid multiple interviews of a child;
- (b) To decide if the alleged maltreating caregiver is going to be interviewed jointly or separately;
- (c) To protect or maintain physical evidence; or,

(d) Per local inter-agency agreements.

d. When there is a joint response involving the Department and law enforcement and the investigator is asked not to interview the alleged maltreating caregiver until law enforcement personnel have initiated or completed their investigation, the investigator is still responsible for ensuring child safety and completing all required safety assessments according to the timeframes and parameters established by child welfare practice. Consideration will be made to ensure that the assessments and response by child protective investigators will not compromise the criminal investigation.

e. Local law enforcement “call-out” records shall be requested by the investigator when family or domestic violence is alleged in the report or suspected by the investigator. The investigator should request “call out” records for the past two years from law enforcement for the residence of the household under investigation. If the alleged mal-treater or any other household members with significant caregiving responsibility have resided at additional locations over the previous two years those addresses should also be checked.

8-3. Supervisor. When initiated, discussions are provided to affirm:

a. The investigative activities are being carefully coordinated in conjunction with the ongoing criminal investigation.

b. The identification and resolution of potential jurisdictional issues related to the geographic location of the potential crime scene versus the child’s current location (e.g., *most likely to occur between law enforcement agencies and responders when the alleged maltreatment occurred in one county’s jurisdiction, but the child is in another jurisdiction, possibly in a hospital or other emergency placement*).

c. The investigator’s understanding and adherence to local protocols.

d. Actions necessary to resolve jurisdictional issues that impede the investigator’s safety assessment or initiation of safety actions.

8-4. Documentation.

a. The investigator will document that an intentional determination was made regarding the need for inter-agency consultation and consideration of a joint investigation with law enforcement in case notes within two business days.

b. The investigator will document the actions taken to resolve jurisdictional issues with law enforcement in case notes within two business days.

