

## Chapter 2

## NO JURISDICTION, DUPLICATE AND FALSE REPORT CLOSURES

2-1. Permitted Exceptions to Completing an Investigation. An investigation may be discontinued when an investigator, in consultation with his or her supervisor or designee, determines the following circumstances have been clearly identified, validated, and documented.

a. The report meets criteria for a closure disposition of “No Jurisdiction”, as set forth in Rule [65C-30.001](#), Florida Administrative Code (F.A.C.), which includes:

(1) The alleged victim is not a child, as defined in section [39.01](#), Florida Statutes (F.S.).

(2) The alleged maltreating caregiver does not meet the statutory definition of caregiver or other person responsible for a child’s welfare as defined in section [39.01](#), F.S.

(3) The allegations are of harm or threatened harm to a child residing and located in another state at the time of the report. “Residing” is defined as the alleged child victim has been out of the state of Florida for 30 consecutive days or longer and is not expected to return to Florida at any time within the next thirty (30) calendar days. This exclusion does not apply to summer visitation schedules.

(4) The allegations are of harm or threatened harm to a child residing on federal property, such as housing located on a military base or installation, or to a Native American child residing on tribal lands (unless there is an agreement with the appropriate federal authorities or Tribe to grant jurisdiction to the Department).

b. A supplemental report that contains information on a household with a current, open investigation which **does not** provide any new information on additional child victims, additional maltreating caregivers, additional subjects, new evidence, or additional allegations or incidents to the open investigation.

c. The report can be classified a “duplicate” if it was previously investigated by the Department and does not contain:

(1) New information or evidence related to the maltreatment previously investigated.

(2) New alleged child victim(s).

(3) New alleged maltreating caregiver(s).

(4) Additional subjects needed to be interviewed as collateral contacts, unless the maltreatment was verified in the prior report.

(5) New allegations or additional incidents of the previously investigated harm.

d. During the course of the investigation, if the investigator, in consultation with his or her supervisor or designee, determines that the investigation was conducted as a result of a false report, the investigation may be discontinued. All investigations discontinued based upon the determination of being a false report must be referred to local law enforcement.

## 2-2. Procedures.

a. If a report does not require investigation, the investigator must:

(1) Provide a detailed explanation in FSFN of why the report should be reclassified or the investigation closed.

(2) Obtain supervisory approval prior to discontinuing investigative activities.

b. If the reporter requested notification of the outcome of the investigation per section [39.202\(5\)](#), F.S., the investigator must:

(1) Notify the reporter by phone that an investigation did not occur as a result of the report made.

(2) Document in FSFN the date and to whom the notification was made.

c. To inform the reporter that an investigation will not be commenced, the investigator shall take the following measures to ensure reporter confidentiality is not inadvertently compromised.

(1) Calls should only be initiated from phones which will not display "State of Florida" on the caller's incoming message screen.

(2) The investigator shall not initially disclose his or her professional role to the person answering the call, but will simply provide his or her name and request to speak with the reporter such as, "*This is John Smith calling for Ann Johnson,*" and not "*This is John Smith, Child Protective Investigator, calling for Ann Johnson.*"

(3) When the investigator begins the discussion with the party believed to be the reporter, the introductory comments should be of a general, non-specific nature. For example, "*I'm a child protective investigator and I am calling in response to a report on the Smith family.*" The objective is to get the individual to acknowledge he or she is the reporter so the investigator can feel confident information is being shared with the right individual.

2-3. Supervisor. A supervisor consultation will be provided prior to any report being closed out as a 'Duplicate' or with a closure determination of 'No Jurisdiction' to ensure:

a. The investigator has provided sufficient information to identify jurisdictional issues.

b. The investigator has provided adequate rationale for the 'No Jurisdiction' closure reason selected.

c. The investigator has provided adequate rationale to show the report was previously investigated by the Department and should be closed as a 'Duplicate' report.

## 2-4. Documentation.

a. The investigators will document the rationale justifying use of a Duplicate or No Jurisdiction closure and the follow-up contact with the reporter, if required, in case notes within two business days.

b. The supervisor will document the consultation in FSFN using the supervisor consultation page hyperlink in the investigation module within two business days.