

313.7 CHILD ABUSE INVESTIGATIONS

- I. Discussion: Chapter 827, Florida Statutes, provides for the detection and prosecution of abuse or maltreatment of children who are under the age of eighteen. Such abuse or maltreatment includes any willful or negligent acts which result in neglect, malnutrition, sexual abuse, physical injury, mental injury, or failing to provide necessary services. Florida Statutes 39.201 through 39.206 detail requirements for persons having knowledge of suspected child abuse to notify the Department of Children and Families (DCF) immediately. Sections 39.301 through 39.308 outline the respective investigative responsibilities of different social service and law enforcement agencies.

To facilitate the medical portion of the investigation, the majority of sexual abuse examinations of children will be conducted by the Child Protection Team. Their facility, the Children's Advocacy Center, is located at 2806 N. Armenia Avenue, Suite 500; main telephone number during normal business hours is (813) 250-6670. During non-business hours the cell phone for the on-call Child Protection Team Member is answered 24-hours a day at (813) 388-0676.

II. Definitions:

A. Urgent vs. Deferred Medical Need:

1. Urgent medical need is defined as cases wherein a victim is suspected of having been in acute genital trauma and/or physical trauma.
2. Deferred medical care is defined as cases wherein the children are suspected of having been sexually molested, who have physical symptoms which may be associated with this complaint such as vaginal or penile discharge.

B. Acute vs. Delayed Cases:

1. Acute cases are defined, for these purposes, as those wherein the latest alleged incident occurred within 96 hours of the report.
2. Delayed cases are defined, for these purposes, as those wherein the latest alleged incident occurred greater than 96 hours prior to the report.

III. Procedures:

A. Physical and/or Sexual Abuse:

1. Officer's will investigate any allegations of physical and/or sexual abuse brought to their attention. If in the course of their normal duties, an officer encounters a child that they suspect is being abused or neglected, an investigation will be completed.

- a. Often, a Department of Children and Families (DCF) Child Protection Investigator (CPI) will be present on the call. They may have initiated the call for police services from information reported to the abuse hotline. There are two distinct investigations occurring. The investigating officer owns the criminal investigation on behalf of the Department and the CPI is responsible for the civil investigation as it pertains to the welfare of the child. The law enforcement officer is to take the lead in the criminal investigation and should be asking the questions to determine if a crime has been committed. The CPI's role in the investigation, is the immediate safety and further care of the child. They may also offer family services to those involved and help with placement if the child or siblings will need to be removed and placed in a foster setting.
 - b. CPI's shall not be listed as entities in the reports to protect their personal information from being accessible to the public. The officer shall obtain the name of the CPI on-scene and only include it in the body of the text.
 - c. If a crime has not been determined during the on-scene investigation, the investigating officer will document what took place on an Information Report – Child Abuse Investigation and route a copy to the Sex Crimes handle. The officer will not document that a crime has NOT occurred, as latent investigation could determine otherwise.
2. In all cases of suspected physical or sexual abuse the on-scene officer will notify DCF Abuse Registry at 1-800-96-ABUSE (1-800-962-2873) and document this in the report with the confirmation information. If immediate response from a CPI is not necessary, the officer can report the suspected abuse via the internet. A confirmation will not be given, so it is important that the officer document the date and time that the information was submitted. The link to the website to report abuse is as follows: <http://ReportAbuse.MyFLFamilies.com>
 3. If the investigating officer suspects physical or sexual abuse has occurred, they will notify their supervisor. The on-scene supervisor will be apprised of the circumstances and advise the shift commander. The shift commander will determine if and when to contact the Special Victim's Unit (SVU) Sergeant.

- a. In sexual abuse cases, refer to SOP 314 for information on notification of the SVU Sergeant.
 - b. In physical abuse cases, the S V U Sergeant need only be called if there is some aspect of the case that requires a detective, e.g., the immediate necessity for latent investigation in cases such as excessive corporal punishment, suspected head trauma, infants with broken bones, burn cases, child drownings, or various other serious injuries.
4. An officer of the same gender will visually inspect the child's body for any possible signs of abuse. The officer will ensure that sufficient photographs are taken of the child.
- a. When noticeable injury or abuse are observed, a crime lab will be utilized to take digital photographs of the abuse, injury, and/or environment. BWC photos and/or video will not be an acceptable means of documenting a visible injury on a child. A crime lab must be utilized.
 - b. If no visible injury or abuse is observed, a squad camera will be utilized to take digital photographs. Keep in mind that injuries do not always become visible immediately; by taking photographs, this supports the officer's documentation that no injury was visible at the time and can assist with facts of the child abuse at a later time.
 - c. The investigator will remain with the identification technician while all photos are taken. The officer will provide direction as to what photographs are needed for evidentiary purposes.
 - d. Injuries resulting from sexual abuse, i.e., sexual organs will not be photographed except in homicide cases.
 - e. Photographs of areas of the body that are not normally exposed will be taken by an identification technician and observed by an officer, both of the same gender as the victim. It is appropriate to take photographs of the buttocks where the injury is present.
5. Physically abused children who are in need of non-emergency medical treatment will be taken to the Child Protection Team located at 2806 N. Armenia Avenue for assessment and treatment during normal business hours, Monday through Friday, 0800 to 1700 hours. This will be arranged by the assigned detective.
- a. For after-hours emergency assessment and treatment, the child will be taken to the Tampa General Hospital Pediatric Emergency Room.

6. Sexually abused victims will be examined by the Child Protection Team located at 2806 N. Armenia Avenue, Suite 500, (813) 250-6670, Monday through Friday, 0800 to 1700.

NOTE: Contact numbers change frequently, contact communications if telephone numbers are no longer in service.

- a. The Child Protection Team will perform sexual abuse examinations of juveniles under the age of 18, which do not meet the acute case criteria and do not require urgent medical care.
 - 1) Appointments for this type of examination will be made and carried out by the assigned case detective as part of the latent investigation.
 - b. In acute cases, the Child Protection Team will perform sexual abuse examinations on juveniles under the age of 13, which meet the acute case criteria and where no apparent trauma or complaint of trauma exists, during normal business hours Monday through Friday, 0800 to 1700 hours. After hours, the Child Protection Team will perform acute case examinations by notifying them on their 24-hour emergency cell phone at (813) 388-0676.
 - c. If the case is acute (within 96 hours), and the victim (male or female) is 13 years or older, they will be transported to the Hillsborough County Crisis Center, Nurse Examining Office located at 1 Crisis Center Plaza on Bearss Avenue.
 - d. Officers should call the Child Protection Team facility at (813) 250-6670 or contact communications and they will call the 24-hour emergency cell phone, (813) 388-0676, to notify them of their imminent arrival and request an examination room and staff. A quiet, private room is available for law enforcement/child protection investigator to interview the child.
 - e. The officer should note in the original police report that the exam has been conducted and forward the exam forms to the Criminal Investigations Division – Special Victim’s Unit, with the report number written on the envelope. **Exam forms will not be placed into evidence with the exam kit. Do not scan child protection team exams or any medical records into Versadex.**
7. Victims are to be examined at Tampa General Hospital Pediatric Emergency Department (24 hours a day) when acutely assaulted victims are requiring urgent medical care.

8. Abused children who are in need of emergency medical care will be taken to the nearest practical treatment facility. The attending physician will be apprised of the situation and requested to conduct a complete examination to determine the extent of physical abuse.
9. Additional examinations may be conducted at the discretion of the assigned latent investigator.

B. Neglected Children:

1. When it has been determined that a child has been neglected, the investigator will notify Department of Children and Families Abuse Registry at 1-800-96-ABUSE (962-2873) and document this in the report.
2. The investigating officer will ensure sufficient photographs are taken of the child's environment, as well as any photographs necessary to show physical abuse if it has also occurred. Physical abuse photos will be handled as outlined above.
3. If the investigating officer believes that some aspect of the case requires the immediate presence of a latent investigator, they will notify their supervisor. The on-scene supervisor will be apprised of the circumstances and advise the shift commander. The shift commander will determine if and when to contact the SVU Sergeant.

C. Child Deaths:

1. The Homicide Sergeant will be notified in all child death cases, except where a physician will sign the death certificate. The Homicide Sergeant will notify the Special Victims Unit Sergeant of the child death when necessary and both will determine the course of the investigation.

Supersedes SOP 313.7, dated 12/22.