



# POLICY & PROCEDURE

## STOUGHTON POLICE DEPARTMENT

SUBJECT: **REPORTING OF CHILD ABUSE**

SCOPE: All Department Personnel

DISTRIBUTION: Policy & Procedure Manual

REFERENCE: WI State Statutes: 48.02(1) (b) to (f),  
48.981

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STANDARDS: 6.6.7

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INDEX AS: Child Abuse/Neglect

**PURPOSE:** The purpose of this Policy & Procedure is to provide procedures for Stoughton Police Department personnel who encounter suspected cases of child abuse and/or neglect. The young of our society are its future and as they may be defenseless in the face of danger, members of the Department shall follow the policy and procedures established below when dealing with child abuse and/or neglect.

This Policy & Procedure consists of the following numbered sections:

I. POLICY

II. PROCEDURE

I. POLICY

- A. The City of Stoughton Police Department, along with the Dane County Human Services, has shared responsibility in the investigation of abuse and neglect, and because all abuse and neglect investigations are reported to Human Services, every attempt to coordinate the investigations will be made.

Mandatory arrest procedures are utilized when required by the facts of the situation.

- B. Pursuant to an interagency agreement, the Dane County Department of Human Services is expected to refer cases under the following circumstances to the Department where the nature of abuse or neglect reported indicate that criminal charges may be considered:
1. All sexual abuse cases (including sexual contact, exploitation and prostitution).
  2. All cases with evidence of severe physical abuse (broken bones, burns, internal injuries, severe bruising, etc.)
  3. Neglect cases in which allegations are serious enough to warrant consideration of emergency custody.
- C. The Dane County Department of Human Services may request the assistance of the Department in cases where there is:
1. A safety concern because:
    - a) Knowledge of the family indicates an investigating worker may be at risk (the family is unpredictable or has threatened violence).
    - b) The investigation will be conducted after 9:00 p.m.
    - c) The interview will take place in a high crime area.
    - d) There is reason to believe there is violence in progress.
    - e) There is reason to believe there may be retaliation against the child after the interview.
  2. Difficulty in gaining access to family members because:
    - a) The worker has been denied access to the child or entry to the home.
    - b) There is reason to believe the caretaker or perpetrator may flee.
    - c) The family's lack of cooperation has made it impossible to conduct a meaningful investigation.
  3. A need to utilize the skills and/or authority of law enforcement because:
    - a) Protective custody of a child may be necessary.
    - b) There is a need to enforce a court order.
    - c) Assistance in gathering or preserving evidence is needed

## II. PROCEDURE

A. Receipt of Complaints. Complaints may be received from numerous sources, including relatives, nurses, physicians, teachers, neighbors, the child involved, or they could be initiated by the police officers themselves. Complaints should be recorded with all information available from the complainant.

### B. Validation of Complaints

1. Complaints of child abuse are investigated as soon as possible, not only to protect the child, but for the purpose of obtaining evidence. All cases may be referred to the Dane County Department of Human Services 24 hours a day, including weekends and holidays by contacting Dane County Dispatch. The dispatcher can then reach the on-call worker by phone or through the pager system.
2. If physical abuse is apparent, the investigating officer will request the assistance of a Human Services worker and a photographer in order to procure pictures or video of the child's injuries. The Officer shall determine if medical treatment is needed.
3. If neglect is apparent, the investigating officer will request assistance, if needed, of a Human Services worker or another officer, to take photographs or video of the living conditions.
4. In all joint investigations, the Department will be responsible for photographing or videotaping.
5. Photographs/video will be retained in the Department's records for submission to the District Attorney's Office for possible charging and prosecution.
6. The Dane County Department of Human Services will have access to the photographs/video, upon request.
7. The same procedure should be used in taking statements from witnesses, suspects, and victims as in any criminal investigation.

### C. Investigation of Child Abuse Complaints.

1. If a referral is received or if an investigation is being made from a previous non-emergency referral, during the regular working hours of Human Services, a Protective Service Intake worker will be called to assist in the investigation.
2. Child victims in all cases will be interviewed jointly by the Department of Human Services and the Department.
3. In all cases referred for further investigation by the County to the Stoughton Police Department, perpetrators will be interviewed, at a minimum, by an

- officer. This interview should occur as soon as possible, generally within three (3) days. When possible, perpetrators will be interviewed by both the Department of Human Services and the Department.
4. Other family members and collateral contacts will be interviewed by the Department of Human Services, the Stoughton Police Department, or both, as determined through consultation with each other.
  5. Scheduling of interviews will be determined by mutual agreement of Dane County Department of Human Services and Stoughton Police Department-assigned workers to achieve coordinated, timely interviews of all children, perpetrators and caretakers.
  6. All interviews will be conducted by a County Human Services Department Child Protective Service Unit worker and a Stoughton Police Department Officer who will jointly determine the time and place of the interview. The investigating worker and officer will decide on the role of each official and whether the interviews will be recorded.
  7. An investigation conducted without assistance of Human Services will be forwarded to Human Services within twenty-four (24) hours, excluding weekends and legal holidays.
  8. If during the course of investigation, it is determined that the child must be removed, a Human Services worker should be contacted immediately.
  9. If a child requires emergency medical treatment during Social Service's working hours, he/she should be transported to a hospital or physician's office, and the Protective Service worker contacted and asked to meet with the officer at the hospital or clinic.
  10. Any person reporting suspected abuse or neglect of a child may request an immediate investigation by the Stoughton Police Department if the person has reason to believe that the child's health or safety is in immediate danger.
    - a) Upon receiving such a request the Police Department may investigate to determine if there is reason to believe that the child's health or safety is in immediate danger and take any necessary action to protect the child.
    - b) If the investigating officer has reason under Sec. 48.19 (1) (c) or (cm) or (d) 5 or 8, Wis. Stats., to take a child into custody, the investigating officer may place the child in protective custody and deliver the child to Human Services worker under Sec. 48.20, Wis. Stats.
  11. When an alleged perpetrator is released outright or on bail or the Police Department is notified of parole, the Department should notify the Department of Human Services by phone.

#### D. Content of Officer's Report.

It is important that as much evidence as possible is acquired, including verbal statements, as children will change stories later after they become aware of what can possible happen to the family as the result of an investigation. The Department and Department of Human Services should upon request, exchange any information contained within the case record. The following information should be specifically noted in the report:

1. The Victim.

- a) Bruises, welts, burns, fractures, and suspected malnutrition, or any condition seriously endangering the child's physical wellbeing.
- b) General appearance of clothing and body.

2. Living Environment Conditions.

- a) Be specific as to cleanliness, disarray, with temperature extremes, amount or lack of food, etc.
- b) Conditions of rooms, beds, floors, refrigerator, cupboards, and closets; if it is deemed necessary by the investigating officer, take photographs of the condition of the home to have a permanent record as to its appearance. This may be critical for later court action.

E. Referral to the District Attorney's Office.

- 1. **All** cases of suspected or threatened child abuse/neglect shall be referred to the Dane County District Attorney's Office for criminal prosecution.

Gregory W. Leck  
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial 02/07/2019