

Weld County Child Abuse Reporting Protocol





Weld County Child Abuse Resource Team (CART)

Weld County Department of Human Services

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970-352-1551 Ext. 6218

Weld County Communications Department
(Law Enforcement)
970-304-6500

A Kid's Place
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The Department of Human Services investigates:

- 1. Allegations of intrafamilial abuse/neglect;**
- 2. Allegations of abuse/neglect when the person responsible for the abuse or neglect is under the age of 10; AND**
- 3. Allegations of institutional abuse/neglect.**



- **Intrafamilial abuse** means any case of abuse/neglect that occurs within a family context by a child's parent, stepparent, guardian, legal custodian, or relative, by a spousal equivalent, domestic partner, or by any other person who resides in the child's home or who has access to the child's home for the purpose of exercising care for the child; except that intrafamilial abuse shall not include abuse by a person who is regularly in the child's home for the purpose of rendering care for the child if such person is paid for rendering care and is not related to the child.



- **Institutional abuse** means any case of abuse or neglect that occurs in any public or private facility in the state that provides child care out of the home, supervision, or maintenance. "Facility" includes, but is not limited to, family child care homes, foster care homes, and any other facility subject to the Colorado "Child Care Licensing Act". Institutional abuse shall not include abuse that occurs in any public, private, or parochial school system, including any preschool operated in connection with said system; except that, to the extent the school system provides extended day service, abuse that occurs while such services are provided shall be institutional abuse.



- Law Enforcement investigates any allegations of third party abuse/neglect.
- Weld County Department of Human Services and Law Enforcement will contact each other as deemed necessary.



IDENTIFYING CHILD ABUSE

According to the Colorado Children's Code (19-1-103), "abuse" or "child abuse or neglect" means an act of omission in one of the following categories, which threatens the health or welfare of a child:



IDENTIFYING CHILD ABUSE

- ❖ Any case in which a child exhibits evidence of atypical skin bruising, unexplained bleeding that raises suspicion, malnutrition, failure to thrive, burns, fractures of any bone, subdural hematoma, soft tissue swelling or death and either:



IDENTIFYING CHILD ABUSE

- **Such condition or death is not justifiably explained;**
- **The history given is at variance with the degree or type of such condition or death; OR**
- **The circumstances indicate that such condition may not be the product of an accidental occurrence.**



IDENTIFYING CHILD ABUSE

- ❖ **Any case in which a child is subjected to sexual assault or molestation, sexual exploitation or prostitution.**
- ❖ **Any case in which a child is in need of services because that child's parents or guardians fails to take the same actions to provide adequate food, clothing, shelter medical care or supervision that a prudent parent would take.**



IDENTIFYING CHILD ABUSE

- ❖ Any case in which a child is subjected to emotional abuse. “Emotional abuse” means an identifiable and substantial impairment of the child’s intellectual or psychological functioning or development or a substantial risk of impairment of the child’s intellectual or psychological functioning or development.



IDENTIFYING CHILD ABUSE

- ❖ **Any case in which, in the presence of a child or on the premises where a child resides, a controlled substance is manufactured or attempted to be manufactured.**
- ❖ **Any case in which a child tests positive at birth for either a Schedule-I or Schedule-II controlled substance, unless this is a result of the mother's lawful intake of such a substance as subscribed.**



Responding to a Child's Disclosure

- Children disclose abuse in a variety of ways. Making a report based on your suspicion of abuse is a professional response and an appropriate way to advocate for children.

Children sometimes disclose through indirect means:

“I don't like it when my dad tickles me.”

“I don't like it when my mom goes to work and her boyfriend babysits us.”



You should:

- Believe them.
- Tell them they did the right thing by telling.
- Let them know you that you will be there if they need to tell you anything else.
- Make the report.

You should not:

- Rephrase the child's statements.
- Call the child's family
- Promise confidentiality.



WHEN TO REPORT

(C.R.S. 19-3-304) Any person . . . who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect shall immediately upon such information report or cause a report to be made of such fact to the county department or local law enforcement agency.



WHO SHOULD MAKE THE REPORT

The person with the most direct knowledge of the alleged abuse or neglect should be the one who makes the report.



Reporting Liabilities

- As a mandated reporter, if you suspect abuse, you **MUST** report.
- The reporting party should contact the investigating agency even if the child states that the incident has already been reported.



- **A person who makes a report in good faith is immune from criminal or civil liability.**
- **Failure to report promptly may result in civil or criminal liability.**
- **Failure to report is a Class 3 Misdemeanor with a maximum penalty of six months in jail and/or a fine of \$750.00**



HOW TO MAKE A REPORT

- Monday through Friday, from 8 am to 5 pm, call the Screening Department at the Department of Human Services at (970) 352-1551 ext. 6211.
- After hours and on weekends/holidays, contact Weld County Dispatch at (970) 304-6500.



How to Make a Report

- **To report third party abuse or to get a hold a any law enforcement agency including the Sheriff's Office call:**

970-304-6500

Reports are to be made to the law enforcement jurisdiction in which the abuse or neglect took place.



WHAT HAPPENS NEXT?

After a report has been made to the Department, it is reviewed by one or more Supervisors to determine whether that report will be assigned to a worker or screened out.



WHAT HAPPENS NEXT?

If the referral is screened out, the Department will contact the Reporting Party to let them know that the report was screened out and why. Screen out reasons include:

- **Subject of the referral is over the age of 18**
- **No report of abuse/neglect**
- **Duplicate referral**
- **Same allegations have already been investigated**



RESPONSE TIMES

If the report is assigned to a worker, it will be assigned one of the following response times:

- 1. Immediate/Same Day response**
- 2. Three Calendar Day response**
- 3. Five Working Day response**



IMMEDIATE RESPONSE

A referral will be assigned an immediate/same day response when the report indicates that:

- Without immediate response, the child is in danger of moderate to severe harm, OR**
- The child's vulnerability or factors such as drug and alcohol abuse, violence, isolation, or risk of flight from one county to another county or state, increase the need for immediate response.**



THREE CALENDAR DAY RESPONSE

End of the third calendar day following receipt of the report when the report indicates that:

- Without a response within three days, the child is in danger of moderate to severe harm, OR**
- Factors such as drug and alcohol abuse, violence, isolation, or risk of flight from one county to another county or state, increase the need for intervention in the near future.**



FIVE WORKING DAY RESPONSE

Within five (5) working days from the date the report is received when the report indicates maltreatment or risk of maltreatment to a child and indicates an absence of safety concerns.



DEFINITIONS

Moderate to Severe Harm refers to the consequence of maltreatment at a level consistent with a medium, severe or fatal level of physical abuse, sexual abuse or neglect.

Threat of moderate to severe harm relates to conditions, behaviors or attitudes that could result in moderate to severe harm.



DEFINITIONS

Safe is a condition where there is no present or impending threat of moderate to severe harm to a vulnerable child from current known family conditions, or the protective capacities in the family are sufficient to control existing dangers or threats of danger and protect the vulnerable child.



DEFINITIONS

Unsafe is a condition where there is a present or impending threat of moderate to severe harm to a vulnerable child from current known family conditions and protective capacities in the family are insufficient to control danger or threats of danger.



REPORTING PARTY

- **Once a referral is assigned to a worker, that worker will call the Reporting Party during the investigation to gather any additional information.**
- **The worker is unable to provide the Reporting Party information regarding the investigation without a signed Release of Information from the parent/guardian(s).**
- **The Reporting Party is confidential.**



COLLATERAL SOURCES

- **Other persons identified through the investigation who may have information regarding the alleged maltreatment shall be interviewed, if possible, as part of the investigation.**
- **Collateral sources may include doctors/dentists, teachers, day care providers, law enforcement, neighbors, mental health professionals, etc.**



INVESTIGATION REQUIREMENTS

- **Within the assigned response time frame, the investigation shall include a face-to-face interview with or observation of the child who is the subject of a report of abuse or neglect. An interview shall occur if the child has verbal capacity to relate information relevant to safety decisions; otherwise, an observation of the child is sufficient.**
- **Human Services and Law Enforcement have the authority to interview a suspected child abuse victim without the consent of their parents.**



INVESTIGATION REQUIREMENTS

- **The interview shall be conducted out of the presence of the suspected person(s) responsible for the abuse or neglect.**
- **The investigation shall determine the names and conditions of any children living in the same place as the child who is the subject of the report.**



- **DO NOT attend an interview. Only investigating personnel shall attend the interview.**
- **A member of Human Services or Law Enforcement will tell the family a report has been filed.**



HOME VISIT

A visit to the child's place of residence or place of custody shall be completed as part of the investigation if:

- 1. Home conditions are the subject of the referral; or,**
- 2. Information obtained in the interview process indicates assessment of the home environment is necessary due to safety issues.**
- 3. The visit will assist the investigator to determine the truth of the allegations.**



CHILD SAFETY

- At the point of first contact with the alleged child victim(s), the investigation/assessment shall focus immediately on whether a child is unsafe.
- To assess county departments shall consider the safety threshold criteria, the fifteen safety concerns, and caregiver protective capacities.
- If the child is unsafe, the caseworker shall analyze whether an in-home safety plan can reasonably be expected to control safety concerns and either develop a safety plan, or, if necessary, initiate an out-of-home placement.
- The safety plan creates protection for a child and shall include reasonable means by which child safety can be assured while safety assessment continues.



The following safety threshold criteria must be present to determine that a safety concern exists. Meeting these criteria indicates that the family's behavior, condition or situation threatens the safety of a child.

- The threat to child safety is specific and observable.
- Conditions reasonably could result in moderate to severe harm to a child.
- This harm is likely to occur if not resolved.
- A child is vulnerable to the threat of harm due to his/her age, developmental level, cognitive impairment, physical disability, illness, ability to communicate, ability to meet basic needs, or similar factors.
- The caregiver(s) is unable to control conditions and behavior that threaten child safety.



SAFETY ASSESSMENT

To assess for safety, interviews shall be conducted with all children, caregivers, and family members in the home to gather information that is relevant for determining whether a child is safe. These interviews shall determine:



SAFETY ASSESSMENT

- 1. Extent of child maltreatment;**
- 2. Circumstances surrounding the child maltreatment;**
- 3. Child functioning on a daily basis;**
- 4. Adults and caregiver functioning on a daily basis;**
- 5. Parenting practices; and,**
- 6. Disciplinary practices.**



RISK ASSESSMENT

The assigned caseworker will complete a Risk Assessment to:

- 1. Determine risk for future abuse or neglect, and**
- 2. Aid in determining if case services should be provided, and**
- 3. Aid in determining the appropriate level of case services.**



DEFINITIONS

- **UNFOUNDED REPORT** means that the child abuse or neglect investigation showed there is clear evidence that no incident of child abuse or neglect occurred.
- **INCONCLUSIVE REPORT** means that there was some likelihood that abuse or neglect occurred but the child abuse or neglect investigation could not obtain the evidence necessary to make a founded report of child abuse or neglect.



DEFINITIONS

- **FOUNDED REPORT** means that the child abuse or neglect investigation established that an incident(s) of child abuse or neglect has occurred, by a preponderance of evidence.
- **PREPONDERANCE OF THE EVIDENCE** means credible evidence, put forth by either party that the claim is more probably true than false.



Reporting Form

- **Fill out reporting form with as much detail as possible prior to calling in the report.**
- **If the child/family does not speak English as their primary language, please put that fact in your report so the investigating agencies can make arrangements for an interpreter.**



QUESTIONS???