

## Chapter 15

## INTERVIEWING CHILDREN

15-1. **Purpose.** The purpose of the face-to-face contact and interview with the alleged victim, siblings, and other children living in the household is to gather firsthand information regarding the alleged maltreatment incident, collect additional information for all information domains to the extent possible and determine whether the children are vulnerable to an identified danger threat(s).

a. Investigators use both direct observation (what they see) and interviewing (what they hear) to assess the children's immediate safety and collect information related to child and adult functioning on a day to day basis, general parenting practices, and disciplinary and behavior management practices likely to reveal the presence of present or impending danger in the household.

b. Additionally, since children are typically one of the more reliable information sources, the investigator can corroborate information learned from other sources related to any domain (e.g., reconcile disciplinary practices, etc.).

c. The decisions that result from information collection and the initiation of appropriate safety interventions are discussed separately in '**Determination of Findings**' (Chapter 22 of this operating procedure) and '**Develop and Manage Safety Plans** (CFOP [170-7](#)) respectively.

15-2. **Procedures.**

a. The investigator must attempt an initial face to face contact with the alleged child victim(s) within the assigned investigation response timeframe.

b. The investigator must complete the following introductory activities during the initial contact with the child's parent(s) or legal guardian(s) when the initial contact with the child occurs in the child's home:

(1) Present identification to the family at the beginning of the interview, and provide a business card or other document containing the investigator and supervisor's names and telephone numbers to the parent(s) and caregiver(s). Provide the "Child Protection: Your Rights and Responsibilities" pamphlet ([CF/PI 175-32](#), available in DCF Forms) to the parent or legal guardian, and explain the child protective investigation process.

(2) Inform the parent(s) or legal guardian(s) of the purpose of the investigation and the ways the information may be used by the investigator, including the possible outcomes and identifying possible services as a result of the investigation.

(3) Encourage the parent(s) or legal guardian(s) to work in partnership with the investigator.

(4) Inform the parent(s) or legal guardian(s) of their right to obtain an attorney, and the opportunity to audio or video record any interviews between the investigator and parent(s) or children. [NOTE: If the parent(s)/legal guardian(s) chooses not to allow an interview, the investigator still needs to complete other collateral contacts and, to the extent practical, assess for present and impending danger, and take any necessary safety actions until such time that the parent(s)/legal guardian(s) make such arrangements.]

(5) Inform the parent(s) or legal guardian(s) of the duty to report a change in address or the location of the child until the investigation is closed.

(6) Obtain from the parent(s) or legal guardian(s) the names of persons who can provide additional information about the family.

(7) Ask the parent(s) or legal guardian(s) to sign a release authorizing the Department to obtain confidential information from physicians, mental health providers, school employees, or other service or treatment providers.

c. If it is not possible during the initial attempt for the investigator to make face-to-face contact, the investigator must continue to make daily attempts at a minimum, at varying hours and locations. The investigator must also document why contact was not made and the diligent efforts performed to complete face-to-face contact.

d. The investigator will make diligent efforts to contact the child at home, school, day care, or any other location where the child is likely to be found. The investigator must document all contacts and attempted contacts with the child, and the times and dates of completed and attempted contacts.

e. The investigator will notify the parent(s) or legal guardian(s) of the investigation and the child having been interviewed outside the home unless notification could compromise the child's safety or law enforcement personnel specifically request a delay in parental notification due to a criminal investigation. Ideally, this notification will occur in conjunction with the non-maltreating and maltreating parent being interviewed by the investigator as timely as possible after the child interview was conducted.

f. When the investigator contacts the child at home and the parent(s) or legal guardian(s) is present, the child should be interviewed outside of the parent's/legal guardian's immediate presence.

(1) The investigator will conduct interviews in a manner that ensures the child's privacy. The interview setting should ensure the child can speak without being heard or seen by others during the interview.

(2) When the alleged maltreatment involves sexual abuse or severe physical abuse, the interview with the child should not be conducted in the room where the abuse is alleged to have, or likely occurred. To the degree possible, the investigator should interview the child out of the home altogether, in a less threatening, safer setting.

g. If the parent(s) or legal guardian(s) insists on observing the interview with the child in order to allow it to occur, the investigator should try to address the parent's or legal guardian's immediate concerns by reiterating how the information may be used and how the parent(s) or legal guardian(s) will be appropriately informed regarding what is discussed during the session upon conclusion of the interview. If the parent(s)/legal guardian(s) refuses to allow the child to be interviewed outside of his or her immediate presence, the investigator has several options:

(1) Inform the parent(s) or legal guardian(s) the child's interview may be audio or video recorded to document the interview in its entirety to allay their concerns about not being present.

(2) Determine if the non-maltreating parent or legal guardian would likely maintain the integrity of the interview by agreeing to remain silent while listening to the interview from another room or sitting behind the child unobserved.

(3) Seek an appropriate court order to interview the child outside the immediate presence of the parent(s) or legal guardian(s).

h. Once the parent(s) or legal guardian(s) explicitly expresses the child is not to be interviewed by the investigator outside the parent's or legal guardian's presence, the investigator is not to contact

that child at a secondary setting (e.g., school, daycare, etc.) to circumvent the parent's or legal guardian's instructions.

i. When the parent(s) or legal guardian(s) refuses to speak with the investigator and access to the child is denied outright, the investigator should immediately discuss the situation with his or her supervisor and determine the most appropriate response, which typically includes one or more of the following:

(1) Persist in attempts to gain cooperation from the family or caregivers by addressing, to the degree possible, the parent's issues and specific concerns.

(2) If the intake indicates there is immediate danger to a child's health or safety, seek local law enforcement assistance in intervening with the parents or legal guardians as part of a criminal investigation.

(3) If the family is already under the supervision of the court, seek a protective custody order from the dependency court.

(4) If the intake does not indicate immediate danger to a child's health or safety, discuss with supervisor whether to pursue a staffing with Children's Legal Services as to possible legal options, such as filing a Motion to Compel/Order for Access and/or seeking possible dependency action.

j. When the investigator contacts the child at home and a parent, legal guardian or adult household member is not present:

(1) The investigator should immediately discuss with his or her supervisor regarding the need to contact law enforcement to enter the home to assess the child's safety in the following circumstances:

(a) The child is inadequately supervised based upon the child's stated or reported age, observed maturity or developmental condition.

(b) There is reasonable cause to believe the child's health or safety is endangered by the conditions of the dwelling.

(c) The maltreatment allegations, if true, involve severe harm or life threatening conditions or circumstances.

(2) If the intake does not indicate any immediate danger to the child's health or safety and the child is mature enough to be home without adult supervision, the investigator should conduct the interview with the child while standing outside the home. Under no circumstances should the investigator enter the home because a child issues an invitation to do so.

(3) If there are no signs of present danger and the child is unwilling to talk with the investigator, and the investigator has no grounds to believe the child's immediate safety is compromised, the investigator should wait until the parent or legal guardian is contacted prior to interviewing the child.

(4) If the child appears mature enough to be home without adult supervision but the investigator determines parental notification will likely compromise child safety, the investigator should attempt to re-interview the child in a school or other location setting where the presence of another adult may make the child feel comfortable enough to talk with the investigator.

k. For any school-aged child, if the interview takes place at school, ask the child if he or she would be more comfortable having an adult who has an established relationship with the child (i.e., teacher, guidance counselor, etc.) sit in on the interview.

(1) Per statutory direction (s. [39.301\(18\)](#), F.S.) the child must request or consent to the presence of the adult and the investigator must determine the adult's presence would contribute to the success of the interview. The investigator makes this decision, not school personnel.

(2) When an adult does participate in the interview at the request of the investigator or child:

(a) The investigator should have the individual sign a written acknowledgment stating that: "I understand that anything the child discloses throughout the interview is confidential information and may not be shared with any other individual pursuant to s.39.202, Florida Statutes."

(b) Inform the individual that by participating in the interview he or she may have to testify in court in regard to what the child discloses during the interview.

l. Observe the child for injuries or signs of neglect. The investigator may need to remove a child's clothing to make adequate observations and, in the event this is necessary, the investigator should:

(1) Attempt to acquire parental consent and assistance if it does not compromise child safety.

(2) If the parent or legal guardian is not present, the investigator shall request the presence of another investigator or other support person, who is the same gender as the child when assessing injuries to any part of a child's body covered by clothing.

(3) Prior to observing alleged injuries to school-aged children involving the buttocks of either sex, or breast area of females, the investigator needs to assess each individual child's sensitivity to disrobing in front of the investigator. If the child appears hesitant, displays obvious discomfort, or verbally expresses reluctance to having an article of clothing removed, the investigator shall take the child to a medical professional for the required observation.

(4) The investigator must facilitate an examination by a medical professional if the alleged abuse or neglect involves injury to the genitalia of any child.

m. Reassure the child he or she is not in any trouble and answer any questions the child may have about the interview/observation process.

n. Assess the child's physical and verbal responses to the interview process specifically looking for signs the child is upset or worried about talking about what happened and/or expresses fear of reprisal for talking with the investigator.

o. If the investigator takes a picture of any injuries to the child, a ruler or measuring tape should be placed next to the observed injury to provide a contextual framework for the size and shape of injuries photographed.

p. The investigator must gather information from the child as developmentally appropriate through interview(s) and observation in the information domains. Please see CFOP 170-1, [Chapter 2](#), paragraph 2-4, "Information Domains (Family Assessment Areas)," for more specific details.

q. To the extent practical the investigator shall also attempt to interview the child's siblings, other children in the home, parents/legal guardians, other household members, and alleged maltreating caregiver during the same visit.

r. If the initial contact with the child occurs outside the home, the follow-up interviews with the rest of the family and other household members shall, to the extent practical, take place the same day.

s. Upon identification of a present danger threat, the investigator shall determine if the child's safety can be managed through an in-home safety plan, or release of the child to the other parent, or placement of the child with a relative/non-relative, or in licensed out-of-home care as determined to be necessary by the investigator.

15-3. Supervisor. When initiated, the Supervisor Consultation should affirm:

a. The investigator asked appropriate questions or shared information with the child based on the child's age and developmental status.

b. To the degree possible, the investigator's interview of the child should contribute to providing information on all information domains.

c. The investigator has accurately assessed and sufficiently addressed issues likely to cause anxiety for the child as a result of the investigative/interview process:

(1) How the child feels talking about the maltreatment (i.e., sharing "family business").

(2) Fear of retaliation or further abuse in the home.

(3) Informed the child on likely "next steps" (relative to child's level of understanding and comprehension).

(4) Spent sufficient time with the child to reduce the trauma associated with a removal episode.

15-4. Documentation. The following actions must be completed by the investigator using FSFN functionality within two business days:

a. Document the initial face-to-face contact with the alleged victim (commonly referred to as the "victim seen" date). To record a "victim seen" time for a deceased child, the child protective investigator may enter the date and time a medical professional (e.g., coroner, ER physician, EMT personnel, etc.) or law enforcement office was contacted and verified the child's death.

b. Document each attempted face-to-face contact made to see the alleged child victim, and:

(1) Provide an explanation as to why contact was not made; and,

(2) Indicate if local law enforcement services are or were required in locating and/or gaining access to the child victim.

c. Document same-day notification to parent(s)/legal guardian(s) if the child was interviewed prior to their knowledge.

d. Document if same-day notification to the parent(s)/legal guardian(s) was delayed an additional 24 hours because it was determined child safety might be compromised by such notification.

