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|  | INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY | |
| | Chapter 4: Assessment Section 29: Joint Assessments with Law Enforcement Agency (LEA) | |
| | Effective Date: January 1, 2024 | Version: 5 |

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POLICY OVERVIEW

Teamwork offers several benefits to both the alleged child victim and the professionals involved in the assessment of Child Abuse and/or Neglect (CA/N). Coordinated responses and joint assessments to allegations of Child Abuse and/or Neglect (CA/N) between the Indiana Department of Child Services (DCS) and Law Enforcement Agency (LEA) may reduce the number of interviews with the child, minimize the number of personnel involved in the assessment, and expedite the delivery of necessary assistance to the child and/or family. Joint assessments may also enhance the quality of evidence obtained.

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PROCEDURE

DCS will contact LEA and request a joint assessment upon receipt of a report with CA/N allegations that include, but are not limited to:

1. All reports that require a two (2) hour response time;
2. Child fatalities and near fatalities (see policy 4.31 Fatality and Near Fatality Assessments);
3. Child sexual abuse (see policy 3.08 Statutory Definition of Child Abuse and/or Neglect (CA/N) for legal definition of sexual abuse); and
4. All reports of human trafficking (see policy 4.47 Human Trafficking [HT]).

DCS Institutional Child Protection Service (ICPS) Unit may request joint assessments with LEA for licensed childcare homes, residential childcare centers, or schools (or employees or volunteers of those persons or entities). DCS ICPS Unit will **not** conduct an assessment involving an unlicensed registered child care ministry without LEA involvement unless the child care ministry accepts Child Care Development Fund (CCDF).

The Family Case Manager (FCM) will:

1. Request LEA assistance and document LEA's response to DCS's request in the case management system;
2. Upon confirmation LEA is able to respond within the assessment timeframe required by DCS, discuss the allegations with LEA and a plan for the interview and other assessment requirements (see policy 4.38 Assessment Initiation); and
3. Cooperate with LEA to complete all steps necessary in a routine CA/N assessment. See policy 4.03 Conducting the Assessment for additional guidance.

Note: DCS will participate in the interviews with the child and family, conducted by LEA, to the extent practical, given the circumstances of the assessment. During a criminal investigation of CA/N, DCS will cooperate with the county or district prosecutor and LEA. However, DCS will not act as law enforcement by gathering evidence or interviewing persons for the sole purpose of a criminal investigation. The DCS focus will be on assuring the safety of children.

If LEA is unable to respond within the assessment timeframe required by DCS, the FCM will:

1. Document in the case management system a request was made to LEA for a joint assessment (date and time of request and to whom it was sent);
2. Proceed with the assessment as required; and

Note: DCS will not be deterred from initiating a CA/N assessment within the necessary timeframe due to a delay in LEA response, unless allegations indicate the child's home may be the site of a contaminating controlled substance or other safety concerns exist for the responding FCM and an interview with the child at an alternate site is not practical. See policy 4.38 Assessment Initiation and Indiana Drug Endangered Children (DEC) Response Protocol for additional guidance.

3. Anticipate that LEA may join the DCS assessment at any time during the process.

During all joint assessments, the FCM will:

1. Stay in regular contact with LEA, including providing copies of all pertinent CA/N assessment files of the child and/or family;
2. Obtain authorization to conduct the interview if the alleged perpetrator is in police custody. If the alleged perpetrator's attorney does not allow the interview or the alleged perpetrator who is not represented by an attorney refuses to be interviewed, the FCM must immediately advise the FCM Supervisor and document the refusal in the case management system;

Note: These steps are necessary to ensure the alleged perpetrator's rights under criminal law are protected.

3. Follow local agreements and protocols to resolve any conflicts between DCS and LEA about differing methods of assessment; and
4. Testify at criminal hearings, upon subpoena request.

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RELEVANT INFORMATION

Definitions

N/A

Forms and Tools

- [Indiana Drug Endangered Children \(DEC\) Response Protocol](#)

Related Policies

- [3.08 Statutory Definition of Child Abuse and/or Neglect \(CA/N\)](#)
- [4.03 Conducting the Assessment - Overview](#)
- [4.31 Child Fatality and Near Fatality Assessments](#)

- [4.38 Assessment Initiation](#)
- [4.47 Human Trafficking \(HT\)](#)

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LEGAL REFERENCES

- [IC 31-9-2-31: "Custodian"](#)
- [IC 31-33-7-7: Law enforcement agency investigation and communication of information](#)
- [IC 31-33-8-1: Investigations by the department of child services; time of initiation; investigations of child care ministries](#)
- [IC 31-33-8-2: Investigations by Law enforcement agencies](#)

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PRACTICE GUIDANCE- DCS POLICY 4.29

Practice Guidance is designed to assist DCS staff with thoughtful and practical direction on how to effectively integrate tools and social work practice into daily case management in an effort to achieve positive family and child outcomes. Practice Guidance is separate from Policy.

N/A

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