

Hannahville Department of Health and Human Services
Social Services Policies and Procedures
INVESTIGATIVE PROCEDURE AND TIMELINE

Policy:

It is the policy of Child and Adult Protective Services to initiate a prompt and thorough investigation within thirty-six hours of an appropriate referral to determine the nature, extent, and cause of any condition contrary to the child's best interest and the name, age and condition of other children in the home.

Procedure:

The PS worker will interview the reporting person and/or other witnesses to determine the nature and extent of the alleged abuse or neglect. The worker is allowed to interview the child/children named in the referral, and obtain photographs, x-rays, medical examinations and psychological examinations without parent or legal guardian consent if protective services or law enforcement officials have reason to believe the child has been subject to abuse or neglect. The worker will gather additional relevant information from other sources, including police reports, school and daycare records and so on. (25 U.S.C 3206(a)(b)).

The PS Worker will, whenever possible and appropriate, interview the child who is the subject of the referral. Interviews of a child who have been the subject of abuse shall be conducted under such circumstances and with such safeguards as are designed to minimize additional trauma to the child, and where time permits, shall be conducted with the advice, or guidance of the multidisciplinary team (MDT). The MDT is a team with representatives from a variety of disciplines, which meets to discuss child sexual assault and child abuse and neglect cases. Informing a parent or legal guardian of the interview with the child will be made on a case by case basis, taking into account the availability of the child, the risk to the child and/or the safety of the worker (25 U.S.C 3206(c)).

As part of the investigation, the PS worker may evaluate and assess the home environment of the child or children in the same home for any risk to the children if they continue to be subjected to the existing home environment.

The PS Worker shall seek the assistance of and cooperate with law enforcement officials within 24 hours of becoming aware that one or more of the following conditions exist:

- A. Abuse or neglect is the suspected cause of a child's death
- B. The child is a suspected victim of sexual abuse or sexual exploitation
- C. Abuse or neglect resulting in severe physical injury to the child requires medical treatment or hospitalization. Severe physical injury is defined as brain

damage, skull or bone fracture, subdural hematoma, dislocation, sprains, internal injuries, poisoning, burns, scalds, severe cuts, or any other physical injury that seriously impairs the health or physical wellbeing of a child.

- D. The alleged perpetrator is not the child's parent, guardian or custodian.

Upon the completion of an investigation, the PS worker, in consultation with the Social Services Manager, will substantiate whether there is probable cause to believe the child meets the definition of "child in need of care" in the Hannahville Children's Code.

If the child or children are found to be a "child in need of care", the PS worker, with the assistance of law enforcement, will remove the child or children from the custody of his/her parents or legal guardian and place them into temporary protective custody.

Upon a finding of reasonable suspicion that a child has been the subject of abuse and the child has been removed from the custody of his/her parents or legal guardian, the PS worker will file a child protection petition with the court no later than 12:00 (noon) of the next business day following the removal.

Within thirty days after a referral of a potential child-in-need-of-care, the PS worker will submit a written report of the investigation and evaluation to be included in confidential files maintained by the Tribal Social Services Department. The report will include a determination as to whether the report was substantiated or unsubstantiated.