ORANGE COUNTY SOCIAL SERVICES AGENCY
CFS OPERATIONS MANUAL

Effective Date: April 1, 1990 **Number: A-0401**
Revised: January 25, 2007
Revised: January 31, 2013
Revised: August 2, 2013

Child Abuse Services Team (CAST)

Purpose

To provide guidelines for requesting CAST services.

Approved

This policy was approved by Gary Taylor, Director of CFS, on August 2, 2013. *Signature on file*.

Most Recent Revisions

This revision of the Policy and Procedure (P&P) includes:
• Renaming of *Consent and Authorization for Child Abuse Services Team (CAST) Services (F063-25-721)* to *Permission to Conduct a Forensic Interview (F063-25-721)*
• Provision that a forensic interview requested by a law enforcement agency may be completed at the CAST facility when the law enforcement agency is the only investigating agency (i.e., there is no Child Abuse Report and no assigned Senior Social Worker [SSW]) and the protecting parent refuses to sign the *Permission to Conduct a Forensic Interview (F063-25-721)*

Background

On December 1, 1987, the Orange County Board of Supervisors appointed a task force to develop a multi-disciplinary team program for conducting child sexual abuse investigations. The mission of the task force was to design a way to decrease the trauma children experience during child abuse investigations. The task force recommended the pilot project, now known as the Child Abuse Services Team (CAST). The CAST program was initiated on March 6, 1989.

CAST is a multi-disciplinary team, which includes:

• Senior Social Workers (SSWs), who investigate allegations of child abuse/neglect, but are not under the supervision of the CAST program

• Child Interview Specialists, who are SSWs specifically trained to conduct forensic interviews

• Law Enforcement officers and detectives, who are involved in criminal investigation of child abuse/neglect allegations

• A Medical Doctor and Nurse Practitioner, who complete forensic medical exams and provide consultation services

• Therapists, who provide counseling and community resources to child victims and their families

• Deputy District Attorney (DDA), who observes forensic interviews to assist in determining the extent of abuse/neglect, assesses the child victim’s ability to be a potential witness, and ensures that all information critical to possible criminal prosecution is obtained

• Child Advocates, who are trained volunteers who attempt to ensure that the child victim's immediate needs are met while at CAST (e.g., providing a safe environment, engaging in structured play, etc.)

• Victim Witness, who provide direct assistance, information, and referral services to child victims, witnesses, and non-offending parents (e.g., emergency assistance, court support, etc.)

CAST is an investigative tool, which is available to provide forensic interviews, forensic medical exams, and other services (i.e., therapy, Victim Witness, etc.) for situations that involve allegations of:

• Sexual abuse
• Physical abuse (e.g., head injury, fractures, burns, unexplained marks or injuries, etc.) when physical findings are suspicious for non-accidental trauma
• Child witness to severe violence/crime

The primary purpose of CAST is to reduce trauma to children by limiting the number of interviews each child must complete during the abuse investigation process and by offering multiple supportive services in one child-focused, family friendly location.

Definitions

For purposes of this P&P, the following apply:

Multi-Disciplinary Team: Per WIC § 18951, this includes any group of three or more people who are trained in the prevention, identification, and treatment of child abuse and neglect and who are qualified to provide a broad range of services related to child abuse.

Forensic Interview: A semi-structured, fact-finding interview observed by multiple team members from which information may be utilized for Juvenile, Criminal, or Civil Court proceedings.

Forensic Medical Exam: A physical examination that evaluates the child for physical evidence of abuse including accidental trauma, inflicted injury, disease or pregnancy; collection of forensic material; documentation of physical findings; and evaluation of medical condition.

Exigent Circumstances: An imminent situation that allows the social worker to avoid the usual procedure of obtaining a warrant in order to detain a child. This means a situation that requires immediate action to prevent bodily harm which is likely to occur in the time required for staff to obtain a warrant (i.e., a child's life or safety is threatened and evidence may dissipate if action is delayed.) Factual information at the time of child removal that establishes "reasonable cause to believe that the child is in imminent danger of serious bodily injury and the scope of the intrusion is reasonably necessary to avert that specific injury" (*Wallis vs. Spencer*).

A situation considered exigent must have documentable factual information to indicate the child is in imminent danger of serious bodily harm and immediate action by the social worker is reasonably necessary to avert that specific injury.

POLICY

CAST Forensic Interviews/ Medical Exams

CAST forensic interviews and medical exams may be scheduled by law enforcement when a semi-structured interview or medical exam is needed for criminal, forensic, or child protective reasons.

If law enforcement does not request CAST services or is not involved in the child abuse investigation, CFS staff may request an interview or an exam for child protective reasons.

Note: Per CFS policy, adult alleged perpetrators of sexual or physical abuse are not permitted entry into the CAST facility.

Considerations that may suggest the need for a forensic interview include, but are not limited to:

• Initial disclosure indicating sexual abuse or physical abuse against the child victim

• Lack of an initial disclosure, but other evidence indicating that abuse may have occurred (e.g., a child discloses prior abuse while in protective custody or exhibits behavior suggesting prior abuse)

• Circumstances which may indicate that an interview observed by the CAST team will be beneficial (e.g., investigating SSW is uncertain of child protective needs due to inconsistent information, etc.)

• Additional circumstances that may be considered after consultation with a CAST Senior Social Services Supervisor (SSSS) and/or Program Manager (PM)

Considerations that may suggest the need for a forensic medical exam include, but are not limited to:

• Direct genital contact by the suspect's body part(s) or an object
• Child has non-neonatal transmission of a sexually transmitted illness
• Child's report of genital pain, discomfort, bleeding, or discharge from an assault
• Child is highly suspected of being recently abused (e.g., child has not disclosed abuse but resides with a sibling who was abused and child has contact with suspect, etc.)
• Child's report of abuse indicates need for a medical exam

Initiating CAST Services

Per CFS policy, CAST services may be utilized as follows:

A. **Pre-Disposition (prior to a child being declared a Juvenile Court dependent):**

1. Emergency Response Investigation:
Upon obtaining disclosure of possible sexual abuse or physical abuse, per CFS policy, the assigned ER SSW will immediately stop the interview to contact law enforcement to offer the opportunity to conduct a joint investigation and determine whether CAST services will be requested. (**Note:** Consult with a SSSS, as necessary.)

The assigned ER SSW will document the:

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• Name, title, and telephone number of the law enforcement officer contacted to initiate the joint investigation
• The decision of the law enforcement officer regarding whether or not to participate in the joint investigation and request CAST services

If law enforcement declines to request CAST services, the assigned SSW may request CAST services prior to placing a child into protective custody. (**Note:** Refer to CFS P&P Abuse Investigations—Protective Interventions [A-0414] for guidelines for placing a child into protective custody.)

Per CFS policy, when CFS has requested a forensic interview at CAST, the assigned SSW will first make efforts to notify a parent of the CAST interview and obtain signed consent for the CAST interview on the *Permission to Conduct a Forensic Interview (F063-25-721)*. These efforts will be made even if exigent circumstances exist.

To maintain the integrity of the CAST interview, the *Permission to Conduct a Forensic Interview (F063-25-721)* should be reviewed with the parent no sooner than immediately prior to the CAST interview. (**Note:** This is to attempt to ensure that the parent does not discuss the issues requiring CAST services with the child prior to the CAST interview.)

The assigned SSW will provide the parent with a copy of the *Permission to Conduct a Forensic Interview (F063-25-721)* and include a copy in the child's referral or case file.

The assigned SSW will document efforts made to obtain parental consent for the CAST interview and the reason[s] if not obtained.

If parental consent cannot be obtained, the assigned SSW may request a CAST interview and/or medical exam if exigent circumstances exist. (**Note:** For purposes of a CAST medical exam, exigent circumstances are documentable facts that indicate a medical emergency or urgent problem requiring immediate medical attention or factual circumstances where the examination is necessary to preserve evidence [e.g., the child was a victim of sexual assault and evidence will likely be destroyed in the time it would take to obtain a warrant].)

If exigent circumstances do not exist, then a Warrant must be obtained per CFS P&P Warrants (G-0901).
Note: A CAST interview may be completed when law enforcement is the only investigating agency (there is no Child Abuse Report and no assigned Senior Social Worker [SSW]) and a protective parent brings a child to CAST, but refuses to sign the *Permission to Conduct a Forensic Interview (F063-25-721)*.

2. Intake/Dependency Investigations:

a. Child in Protective Custody: The assigned Intake/Dependency Investigations SSW may request CAST services when necessary to obtain additional information regarding the circumstances that resulted in the child having been placed into protective custody (e.g., a parent requests unmonitored visitation and additional information is needed to determine whether such a recommendation is appropriate).

Note: The assigned SSW will notify the child's parent(s) regarding the child receiving CAST services as soon as reasonably possible.

b. Child Who Remains in Custody of Parent(s): The Intake/Dependency Investigations SSW may initiate CAST services with parental consent, exigent circumstances, or a warrant obtained pursuant to CFS P&P Warrants (G-0901).

B. **Post Disposition:**
Per CFS policy, the assigned SSW will immediately stop the interview and contact the Child Abuse Registry to file a Child Abuse Report when information obtained regarding a dependent child suggests a newly reported incident of current or prior abuse.

To avoid repetitive interviews/medical exams, CAST services will not be utilized to investigate allegations that have already been investigated.

When CAST services are required post-disposition, the assigned ER SSW will notify the child's attorney and, as applicable, the child's therapist by email and/or telephone 24 hours prior to the child receiving CAST services.

Further, the ER SSW will notify the child's parent(s) of the CAST interview/medical exam either immediately prior to the interview or as soon as reasonably possible after the interview/medical exam. This determination will be made in consultation with a SSSS, CAST personnel, and/or the child's therapist in consideration of the child's best interests.

Note: The same process will be followed for Voluntary Family Services [VFS] cases.

Documentation

The assigned SSW will document information from CAST forensic interviews, medical examinations, or other services obtained at CAST in CWS/CMS, Investigation Narrative, and relevant court reports, as appropriate. Per CFS policy, the assigned SSW will file this information and the *Permission to Conduct a Forensic Interview (F063-25-721)* in the child's referral or case file.

REFERENCES

Attachments and CWS/CMS Data Entry Standards

Hyperlinks are provided below to access attachments to this P&P and any CWS/CMS Data Entry Standards that are referenced.

None.

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Hyperlinks

Users accessing this document by computer may create a direct connection to the following references by clicking on them.

- CFS P&P Warrants (G-0901)
- CFS P&P Abuse Investigations—Protective Interventions (A-0414)

FORMS

Online Forms

Forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

Form Name	Form Number
Permission to Conduct a Forensic Interview	F063-25-721

Hard Copy Forms

Forms that can be completed in hard copy (including multi-copy NCR forms) are listed below. ***For reference purposes only,*** links are provided to view these hard copy forms, where available.

Form Name	Form Number
Forensic Medical Report: Nonacute (>72 hours) Child/Adolescent Sexual Abuse Examination (obtain from CAST medical staff)	OCJP 925 (Rev 7/02)
Forensic Medical Report: Acute (<72 hours) Child/Adolescent Sexual Abuse Examination (obtain from CAST medical staff)	OCJP 930 (Rev 7/02)
Medical Report: Suspected Child Physical Abuse and Neglect Examination (obtain from CAST medical staff)	OES 900

CWS/CMS Forms

Forms that may **only** be obtained in CWS/CMS are listed below. ***For reference purposes only,*** links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
None.	

Brochures

Brochures that should be distributed in conjunction with this procedure include:

Brochure Name	Brochure Number
None.	

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LEGAL MANDATES

Welfare and Institutions Code (WIC) Section (§) 830 provides for members of a multi-disciplinary team to disclose and exchange confidential case related information with one another when it is for the purpose of the "prevention, identification, management, or treatment of child abuse or neglect."

Welfare and Institutions Code § 18951 defines "multidisciplinary personnel" as a team of three or more trained professionals providing services related to child abuse or neglect. It also defines the types of professionals who may be part of a multidisciplinary team.

Wallis v. Spencer (2000) 202 F.3d 1126 9th Cir. requires judicial approval and notification to parents before children are subjected to investigatory physical examination unless a medical emergency exists, evidence will disappear before a warrant can be obtained, or parental consent is given.

Doe v. Lebbos (2003) 348 F.3d 820 9th Cir. found that a social worker cannot obtain an investigatory medical examination of a suspected child abuse victim without parental consent, a court order, or exigent circumstances. Law enforcement placed a four-year-old child into protective custody based on suspicion of neglect by the father and the child's complaint of vaginal pain. A 300 petition was filed and the child was subsequently taken to the hospital eight days later for a sexual abuse exam. The Court ruled that the father's Fourth and Fourteenth Amendment rights were violated in that although the child's medical condition needed prompt treatment, it was not an urgent problem requiring immediate attention and there was no risk of losing crucial evidence. However, the Court also found that the social worker's conduct was not unreasonable in that a petition had been filed alleging sexual abuse, the child was experiencing vaginal pain and discharge, and the social worker had construed the Court's inquiry about whether the child had received medical care as authorization to obtain the exam.

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