

# CONTRACT ROUTING SHEET SUPPLEMENTAL SHEET NO. 1

Date Prepared: 6/17/11

Need Date: 6/21/11

**PROCESSING DEPARTMENT:**

Department: District Attorney

Dept. Contact: Nancy Anderson

Phone #: 621-6484

Department: \_\_\_\_\_

Head Signature: SEE ATTACHED

**CONTRACTOR:**

Name: User Agencies: EDC District Attorney, EDC Human Services, EDC Sheriff, and Placerville Police Department

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**CONTRACTING DEPARTMENT:** District Attorney

Service Requested: SEE ATTACHED

Contract Term: July 15, 2011 – June 30, 2014 Contract Value: \$0.00

Compliance with Human Resources requirements? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Compliance verified by: \_\_\_\_\_

**COUNTY COUNSEL:** (Must approve all contracts and MOU's)

Approved:  Disapproved: \_\_\_\_\_ Date: 6-20-11 By: [Signature]

Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

SEE ATTACHED CONTRACT ROUTING SHEET – PREVIOUS OPERATIONAL AGREEMENT APPROVED MAY/JUNE 2010. THAT AGREEMENT NEVER COMPLETED DUE TO NO OFF-SITE FACILITY. WE HAVE OBTAINED OFF SITE FACILITY AND HAVE AMENDED THE PREVIOUSLY APPROVED OPERATIONAL AGREEMENT TO REFLECT CHANGES IN THE PAYMENT SCHEDULE AND TERM. OTHER THAN THOSE CHANGES, THE DOCUMENT REMAINS THE SAME.

WE NEED AGREEMENT RETURNED TO US BY TUESDAY, JUNE 21, 2011, IN ORDER TO GET ON BOS AGENDA FOR JUNE 28, 2011 FOR APPROVAL.

PLEASE FORWARD TO RISK MANAGEMENT. THANKS!

**RISK MANAGEMENT:** (All contracts and MOU's except boilerplate grant funding agreements)

Approved:  Disapproved: \_\_\_\_\_ Date: 6/21/11 By: [Signature]

Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

**OTHER APPROVAL:** (Specify department(s) participating or directly affected by this contract).

Departments: \_\_\_\_\_

Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

CONTRACT ROUTING SHEET

Date Prepared: 5/19/10

Need Date: ASAP

PROCESSING DEPARTMENT:

Department: District Attorney

CONTRACTOR:

Name: User Agencies: EDC District Attorney EDC Human Services, EDC Sheriff, and Placerville Police Dept.

Dept. Contact: Nancy Anderson

Phone #: 621-6484

Department

Head Signature: [Signature]

Address:

Phone:

CONTRACTING DEPARTMENT: District Attorney

Service Requested: Operational Agreement re use and maintenance of Multidisciplinary Interview Center (MDIC)

Contract Term: Perpetual Contract Value: \$0.00

Compliance with Human Resources requirements? Yes: No:

Compliance verified by:

COUNTY COUNSEL: (Must approve all contracts and MOU's)

Approved: [check] Disapproved: Date: 5-20-10 By: [Signature]

Approved: [check] Disapproved: Date: 6-17-10 By: [Signature]

Previous Operational Agreement No. 270-00511, January 11, 2005

Amended Agreement needs approval - added reference in first paragraph under "Witnesseth" to ... in support of MDIC Inter-Agency Agreement ... w/ attachment.

PLEASE FORWARD TO RISK MANAGEMENT. THANKS!

RISK MANAGEMENT: (All contracts and MOU's except boilerplate grant funding agreements)

Approved: [check] Disapproved: Date: 5/20/10 By: [Signature]

Approved: [check] Disapproved: Date: 6/21/10 By: [Signature]

OTHER APPROVAL: (Specify department(s) participating or directly affected by this contract).

Departments:

Approved: Disapproved: Date: By:

Approved: Disapproved: Date: By:

# ORIGINAL

## Operational Agreement No. 494-M1011

This Operational Agreement, entered into by and between the El Dorado County District Attorney's Office, the El Dorado County Department of Human Services, the El Dorado County Sheriff, and the Placerville Police Department; (hereinafter referred to collectively as "User Agencies")

### WITNESSETH:

**WHEREAS**, The User Agencies intend to work together toward the mutual goal of facilitating the investigation of child abuse cases in order to minimize the trauma to child victims and their families residing in the western portion of El Dorado County and to maximize the effectiveness of criminal prosecution and in support of the MDIC Inter-Agency Agreement dated September 10, 2003 (see copy attached); and,

**WHEREAS**, This operational Agreement is intended to set forth the responsibility of each User Agency with regard to the use and maintenance of the Multidisciplinary Interview Center (MDIC).

**NOW, THEREFORE**, the parties hereto mutually agree as follows:

1. The MDIC is located at the El Dorado County Office of Education, 6767 Green Valley Road, Building H, Placerville, California 95667.
2. To foster effective communication and coordination among the User Agencies, each User Agency will designate a staff person to serve as liaison to the other User Agencies. These staff members will communicate as needed, and work to ensure that each User Agency adheres to the terms of this Agreement.
3. Scheduling of the MDIC will be coordinated by the El Dorado County District Attorney's Office.
4. Janitorial maintenance of the MDIC is the responsibility of the User Agencies (see Exhibit A to Joint Facilities Use Agreement between El Dorado County Office of Education and County of El Dorado District Attorney's Office, attached hereto and incorporated herein by reference).

5. It is the responsibility of each User Agency to ensure that the MDIC is secure after each use.
6. Payments for utilities and janitorial service, and any additional payments associated with the operations of the MDIC will be administered by the El Dorado County District Attorney's Office. These payments will be made from the MDIC Trust Fund. Each User Agency agrees to reimburse the El Dorado County District Attorney's Office for its share of the MDIC operating costs. Costs shall be allocated as follows:

**Payment for utilizing the MDIC:**

District Attorney	\$193.76 per month
Sheriff's Office	\$188.49 per month
Human Services Department	\$ 72.50 per month
Placerville Police Department	\$ 72.50 per month

**Other costs, including, but not limited to utilities and janitorial services:**

District Attorney	36.75%
Sheriff's Office	35.75%
Human Services Department	13.75%
Placerville Police Department	13.75%

The cost to any one User Agency for non-lease costs shall not exceed \$100.00 per month without the express written consent of that User Agency.

Payments shall be made payable to the El Dorado County District Attorney's Office on a quarterly basis in advance. Due to the agenda item going to the Board of Supervisors on June 28, 2011, the first quarterly payment will be due and payable on August 1, 2011. Subsequent payments will be due and payable quarterly per the following payment schedule:

July 15, 2011 – September 30, 2011 – due August 1, 2011  
October 1, 2011 – December 31, 2011  
January 1, 2012 – March 31, 2012  
April 1, 2012 – June 30, 2012  
July 1, 2012 – September 30, 2012  
October 1, 2012 – December 31, 2012  
January 1, 2013 – March 31, 2013  
April 1, 2013 – June 30, 2013  
July 1, 2013 – September 30, 2013  
October 1, 2013 – December 31, 2013  
January 1, 2014 – March 31, 2014  
April 1, 2014 – June 30, 2014  
July 1, 2014 – September 30, 2014  
October 1, 2014 – December 31, 2014

Payments from County Departments to the District Attorney shall be submitted to the Auditor's Office via journal entry no later than the 20<sup>th</sup> day of the month preceding the beginning of the quarter. District Attorney will invoice the Placerville Police Department, and payment shall be due according to the payment schedule referenced above.

7. The County official with responsibility for administering this Agreement is Vern Pierson, District Attorney, or successor.
8. This Agreement may be terminated with respect to the participation of any User Agency upon six (6) months written notice to all the other User Agencies.
9. This Agreement shall become effective when fully executed by all parties hereto, and shall cover the period July 15, 2011 through June 30, 2014, and continue in effect unless terminated in accordance with Part 8 hereof.

///

///

///

IN WITNESS WHEREOF the parties hereto have executed this Operational Agreement, Number 494-M1011, on the day and year first below-written.

**COUNTY OF EL DORADO**

**Dated:** \_\_\_\_\_

**By:** \_\_\_\_\_  
**Ray Nutting, Chair**  
**Board of Supervisors**

**ATTEST:**  
**Suzanne Allen de Sanchez,**  
**Clerk of the Board of Supervisors**

**Dated:** \_\_\_\_\_

**By:** \_\_\_\_\_  
**Deputy Clerk**

**By:** \_\_\_\_\_ **Dated:** \_\_\_\_\_  
**John D'Agostini, Sheriff-Coroner**

**By:** \_\_\_\_\_ **Dated:** \_\_\_\_\_  
**Daniel Nielson**  
**Director of Human Services**

**By:** \_\_\_\_\_ **Dated:** \_\_\_\_\_  
**Vern R. Pierson, District Attorney**

**PLACERVILLE POLICE DEPARTMENT**

**By:** \_\_\_\_\_ **Dated:** \_\_\_\_\_  
**George Nielsen, Chief of Police**

# *Exhibit A*

*Joint Facility Use Agreement between  
El Dorado County Office of Education  
and  
County of El Dorado District Attorney's Office*

**1. SITE OWNER AND ADDRESS**

El Dorado County Office of Education  
6767 Green Valley Road  
Placerville, CA 95667

**2. BUILDING NUMBER AND SQUARE FOOTAGE**

Building H- approx 960 square footage.

**3. PURPOSE**

Multiple Disciplinary Investigations

**4. SERVICES PROVIDED BY EDCOE**

a) Use of Facility is Mondays, Tuesdays, Wednesdays and Fridays from 8:00 am to 5:00 pm excluding EDCOE holidays and as defined by this Joint Facility Use Agreement and Exhibit.

b) Parking as available in joint use parking lot.

c) Custodial Services at \$20.66 per day x four days = \$82.64 per month.

d) Utilities (electrical, water, sewer, garbage) = \$226.56 per month (960 sf. X 0.236 = \$226.56)

**5. FEE(S)**

Per Month: \$309.20. Partial months shall be prorated on time base usage.

**6. TERM**

Start Date: July 15, 2011

End Date: June 30, 2014

**PAYMENT SCHEDULE**

For services outlined above, Agency shall pay monthly on the 1st day of each month, with the first payment to be due and payable on September 1, 2011. Payment shall be delinquent on the 10th day of the month. No invoice shall be issued by EDCOE.

*Multi-Disciplinary*

*Interview Center*

*Inter-Agency Agreement*

*Revised 2003*



El Dorado County  
Inter-agency Agreement

Multi-Disciplinary Interview Center (MDIC) Project

**TABLE OF CONTENTS**

I.	Letter of Understanding Signature Page .....	
II.	MDIC Background .....	1-2
III.	Intake Criteria .....	2
IV.	Technical Description .....	2-3
V.	Project Description .....	3-4
	A. Lead Agency .....	4
	B. Steering Committee .....	4
	C. Participating Agencies .....	4
	1. District Attorney's Office .....	4-5
	2. Law Enforcement Agencies .....	6
	3. Department of Social Services .....	7-8
	4. Marshall Hospital .....	8
	5. El Dorado County Counsel .....	9
VI.	Attachments A-G .....	10-30
VII.	Request For Limiting Discovery Of Videotape	
VIII.	Application To View Video Tape	



OFFICE OF THE  
**DISTRICT ATTORNEY**  
 EL DORADO COUNTY, CALIFORNIA  


---

---

**GARY L. LACY, DISTRICT ATTORNEY**

**SEAN O'BRIEN**  
 Chief Assistant District Attorney

**PAUL S. SUTHERLAND**  
 Assistant District Attorney  
 Placerville

**HANS M. UTHE**  
 Assistant District Attorney  
 South Lake Tahoe

**DAVID W. KOUPAL**  
 Chief Investigator

**TERESE V. CLUSIAU**  
 Office Manager  
 Criminal Division

**TERESA WHEELER**  
 Victim/Witness Coordinator  
 Placerville

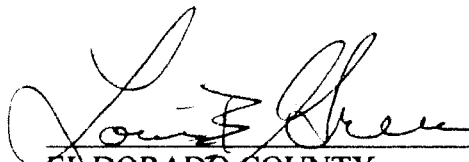
**SUE MEYER**  
 Victim/Witness Coordinator  
 South Lake Tahoe

**LETTER OF UNDERSTANDING**

In order to facilitate a coordinated inter-disciplinary approach to assessing and investigating child sexual abuse cases in El Dorado County, and to provide a child-centered program through which the emotional trauma of such an investigation may be reduced, we, the undersigned agencies in El Dorado County, California, do hereby accept and adopt the Multi-Disciplinary Interview Center Project as described in the following proposal and its attachments.

Nothing in this order will supercede department policy or the general orders of any of these agencies.

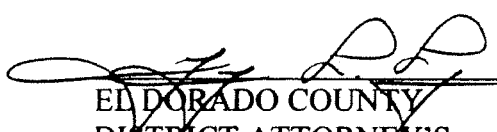
Dated this 10<sup>th</sup> day of September, 2003, by the following agencies:

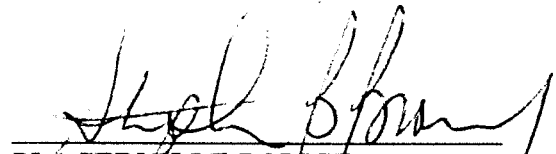
  
 EL DORADO COUNTY  
 COUNTY COUNSEL'S OFFICE

  
 EL DORADO COUNTY  
 SHERIFF'S DEPARTMENT

  
 EL DORADO COUNTY  
 SOCIAL SERVICES DEPARTMENT

  
 MARSHALL HOSPITAL

 9/10/03  
 EL DORADO COUNTY  
 DISTRICT ATTORNEY'S  
 OFFICE

  
 PLACERVILLE POLICE  
 DEPARTMENT

Please Reply To:

515 Main Street  
 Placerville, CA 95667  
 (530) 621-6472  
 fax (530) 621-1280

1360 Johnson Blvd., Ste. 105  
 South Lake Tahoe, CA 96151  
 (530) 573-3100  
 fax (530) 544-6413

WEB SITE:  
 www.co.el-dorado.ca.us/eldoda

## **MULTI DISCIPLINARY INTERVIEW CENTER (MDIC)**

### **OPERATIONAL AGREEMENT**

This operational agreement stands as evidence the El Dorado County District Attorney's Office, El Dorado County Sheriff's Department, El Dorado County Children's Protective Services, and the Placerville Police Department intend to work together toward the mutual goals of facilitating the investigation of child abuse cases. This effort is intended to minimize the trauma to child victims and their families residing in the western portion of El Dorado County and maximize the effectiveness of criminal prosecution. To these ends, each agency agrees to participate in this program by coordinating/providing the following:

Each of the above four (4) agencies agrees to dividing lease payments and other costs including but not limited to utilities as follows:

- a) District Attorney - 36.75%
- b) Sheriff's Department - 35.75%
- c) Social Services - 13.75%
- d) Placerville Police Department - 13.75%

(The cost to be apportioned between the parties to this Agreement pursuant to this paragraph shall not exceed the sum of \$200.00 per month for any one party without the express consent of that entity.)

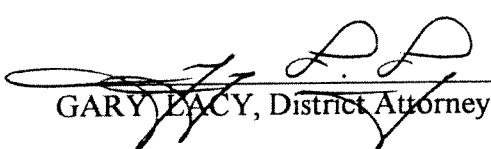
The MDIC is currently a full member in the National Children's Alliance which affords federal grant monies to be utilized for such things as training for the MDIC Team members but not limited to training. It is necessary to be re-evaluated every five (5) years. The revaluation is scheduled for 2004. There is a one-time fee of \$2250 to be split as follows:


- a) District Attorney - \$826.88 (36.75%)
- b) Sheriff's Department - \$804.38 (35.75%)
- c) Social Services - \$309.37 (13.75%)
- d) Placerville Police Department - \$309.37 (13.75%)

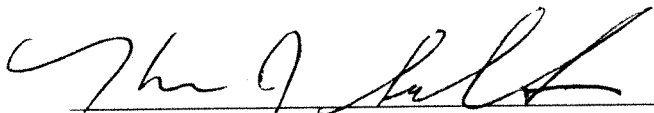
- Payments for the lease, utilities and any additional payments associated with operational costs of the center will be administered by the District Attorney's Office. These payments will be made from the MDIC Trust Fund.


- The lease agreement for the property located at 279 Placerville Drive, Suite J, Placerville, California will be signed by the El Dorado County Board of Supervisors.
- The janitorial upkeep of the facility will be the responsibility of the users.
- It will also be the responsibility of the users to insure the facility is secure after use.
- Scheduling of the facility will be maintained by the District Attorney's Office (details to be determined).
- In order to ensure effective communication and cooperation between the agencies, each agency will designate a staff person to serve as a liaison. These staff members will communicate together as needed.
- This Agreement may be terminated with respect to the participation of any party upon said party giving all other parties six (6) months written notice prior to said termination.

Dated 9/10/03

 8/29/03  
 GARY LACY, District Attorney

  
 JEFFREY NEVES, Sheriff

  
 THOMAS SULLIVAN, Director of Social Services

  
 STEVE BROWN, Chief, Placerville Police

**EL DORADO COUNTY  
MULTI-DISCIPLINARY INTERVIEW CENTER PROJECT**

For many years child welfare agencies, law enforcement agencies, and the courts have recognized the need for innovative change in the investigation and prosecution of child abuse cases. Specifically, there exists the need for a coordinated, inter-disciplinary approach to assess and investigate them. The California Child Victim Witness Judicial Advisory Committee (CCVWJAC) found children are often emotionally and psychologically traumatized by the investigative process. That committee concluded that the greater trauma comes more from the number of unfamiliar people who interview the child than from the number of interviews, and this trauma is compounded when the interviewers are untrained in child development theory and forensic interview techniques.

In 1990, the California Attorney General's Office established three investigative pilot projects with three year terms, whose objectives were to implement and test specific innovative investigative recommendations of CCVWJAC to streamline and improve the investigative process for child abuse cases, and to reduce the trauma placed on child victim witnesses by the existing systems. These pilot projects were conducted in Orange, Sacramento and San Francisco Counties. Results of these pilot projects can be found in "Child Victim Witness Investigative Pilot Projects, Research and Evaluation Final Report, July 1994".

The pilot projects provided a client-based program embodying many improvements over the currently existing systems, which fully meet the needs of the children and their families. After studying the Multi-Disciplinary Interview Center (MDIC) format, visiting pilot project facilities, and hearing firsthand of the benefits of such a system, representatives of several local agencies formed a task force to explore the feasibility of installing a similar program in our community. This proposal does not seek to change what agencies do for abused children; it simply promotes interagency collaboration to improve the delivery of services to those children. That it has been shown to greatly improve prosecution results in child sexual abuse cases is a benefit we can all embrace.

The following objectives have been established for the MDIC:

1. To improve the coordination and collaboration between criminal and dependency investigation;
2. To shorten the time required for the legal disposition of child sexual abuse cases;
3. To establish a comfortable, child-friendly interview setting for the investigation of suspected child sexual abuse cases;
4. To reduce the number of interviews of the children by law enforcement, officers, Children's Protective Services (CPS) social workers, deputy district attorneys, and others;

5. To reduce the number of persons interviewing children;
6. To improve the quality of the decision-making regarding the need for a medical/evidentiary exam; and
7. To provide immediate intervention, support, and referral for the child and non-offending family members.

### **INTAKE CRITERIA**

The MDIC will be available for use in all cases involving the sexual abuse of children under the age of eighteen. Once an initial disclosure is made to either CPS or law enforcement, and it appears a crime has been committed, or there is a protection issue, an interview will be scheduled.

The choice to avail the resources of the MDIC to victims of sexual abuse only was made because, generally, the proof of cases involving sexual abuse of children is primarily based upon the testimony of the child. Since the child's statement may be the sole evidence of the abuse, the statement and the manner in which it is obtained, take on unusual significance. Physical abuse cases involving children also may have to rely on the statements or testimony of the child. However, it is generally the case that before a suspect is arrested for the physical abuse of a child, there is some visible evidence of physical abuse which can be observed by a law enforcement officer or a social worker. This kind of corroborative evidence is usually not available in cases involving sexual abuse.

Children who are the victims of sexual abuse will have access to the facilities at the MDIC regardless of their relationship to the abuser. Children who are victims of intra-familial sexual abuse will often have a more difficult time disclosing the details of the abuse than a child who was molested by a non-related person. However, both types of abuse involve the disclosure by the child of intimate and embarrassing details. Because of this fact, it was decided that the special interview procedures available at the MDIC should be accessible to both types of sexually abused children.

The MDIC will not draw a distinction regarding the severity of the type of sexual abuse suffered by a child. To do so would preclude some children from having access to a trained interviewer who may provide the only means of truly ascertaining the nature of the sexual abuse suffered by the child.

Based on data collected from CPS, law enforcement, and the District Attorney's Office, it is estimated that the MDIC will serve between 10 and 15 children per month.

### **TECHNICAL DESCRIPTION**

Our current facility is located at 279 Placerville Drive, in Placerville. It is an attached facility with a waiting room, observation room, interview room and bathroom. New video and audio equipment was recently purchased with funds from the National Children's Alliance (NCA).

We utilize interviewers from the District Attorney's Office, Child Protective Services and Law Enforcement. All have been trained using the CFIT curriculum.

The goal of the MDIC interviewer is to uncover the truth – to facilitate truth-telling for the child. Normal agency protocols may need to be suspended for this process to function appropriately. This collaboration in obtaining information for the prosecutory process is vital to El Dorado County's ability to make this project work in the best interest of the child.

Interviews will be conducted prior to the medical exam in most cases. However, children brought to the Emergency Department during the night who require an immediate exam due to evidence considerations or injury, would be examined on an emergency basis prior to an interview.

A report will be made at that time to the appropriate law enforcement agency or CPS, depending on the circumstances. Exams will be billed to the authorizing law enforcement agency at the contract rate, plus examiners' time.

All interviews will be videotaped, the tape will be maintained by the jurisdictional law enforcement agency. A copy will be kept at the District Attorney's Office. The tape will be made available according to the attached MDIC videotape procedure (Attachment G). Videotapes alleviate the need for further interviews by other parties. To ensure that all required information is included in the interview, each interview will be observed by a Deputy District Attorney, the law enforcement officer investigating the case, and the assigned social worker. All parties except the interviewer will be in the observation room during the interview.

The procedure when a child is brought for an appointment will include a short briefing of the child and accompanying adult regarding the process. The child will then be taken into the interview room, and the interview explained further. The child will be told that there are people behind the mirror observing the interview, and that the interview will be videotaped. After the interviewer has elicited as much information as possible, there will be a short break. The interviewer will join the observers and determine what, if any, other questions need to be asked. The interviewer will then complete the interview, and the child will be able to ask whatever questions he or she might have. At the conclusion of the interview, after the child has gone, the entire team will gather and discuss the case, and make a decision regarding the necessity of a medical exam and possible further investigation.

## **PROJECT DESCRIPTION**

### **Inter-Agency Coordination**

#### **A. Lead Agency**

The lead agency for the El Dorado County MDIC will be the El Dorado County District Attorney's Office.

B. Steering Committee

The MDIC Steering Committee will consist of Agency Heads, Department Heads, or Organization Administrators or their designees, who will meet on an as-needed basis to make policy decisions or problem solve those issues referred to them by the participating agencies. Therefore, it is anticipated that designees attending this meeting will be empowered by their agency, department, or organization to render decisions, and that such decisions will be implemented to forward the purpose of the MDIC.

C. Participating Agencies

The MDIC will be a joint operation of the following agencies:

El Dorado County Counsel's Office; El Dorado County Department of Social Services; El Dorado County District Attorney's Office; El Dorado County Sheriff's Department; Marshall Hospital and Placerville Police Department.

The role of each of the named agencies is defined below:

**DISTRICT ATTORNEY'S OFFICE**

The District Attorney's Office will have five roles with respect to the MDIC.

**First**, it will serve as a member of the MDIC Steering Committee, which will have the responsibility for policy matters at the Center.

**Second**, it will have responsibility for prosecuting the criminal cases that are filed if the evidence gathered from all sources, including the child's interview, is sufficient to support criminal charges.

**Third**, the District Attorney's Office will provide a Deputy District Attorney who makes a filing decision after observing the interview.

**Fourth**, the District Attorney's Office will provide the MDIC Child Advocate from the Victim/Witness Program.

**Fifth**, the District Attorney's Office will provide a Coordinator and interviewer.

The services provided by the Deputy District Attorney will include:

1. Observation of all interviews conducted at the MDIC for the purpose of obtaining filing information and assessing the competency of the child as a witness in court;
2. Consultation with law enforcement officers and/or CPS social workers to determine the nature and extent of any supplemental investigation that may be necessary;



3. Collaboration with detectives and/or CPS workers to determine whether a medical/evidentiary exam is indicated;
4. Assisting law enforcement officers with search and arrest warrants;
5. Making filing decisions on all sexual abuse cases based upon the MDIC interview, the law enforcement and/or CPS investigations, and any findings from medical/evidentiary exams;
6. Maintenance of appropriate records of investigations conducted at the MDIC; and
7. The exchange of information between the District Attorney, CPS, medical personnel, law enforcement agencies, and other members of the Multi-Disciplinary Team (MDT).

The services provided by the MDIC Coordinator/Interviewer will include:

1. Coordinate and schedule interviews for law enforcement and CPS;
2. Conduct forensic interviews; and
3. Facilitate monthly MDT meetings.

The services provided by the Child Advocate would include:

1. Providing immediate crisis intervention, support services, and referrals to the child and family to appropriate agencies as needed;
2. Providing information regarding criminal and dependency proceedings;
3. Providing support for the child/family during the interview process at the MDIC and during court proceedings; and
4. Exchanging information at monthly MDT meetings.

All of the disciplines at the MDIC providing investigative services on behalf of abused children have compassion for the child. Their compassion, however, is counter-balanced by the need to fulfill their investigative mission. By utilizing a Child Advocate and integrating this role into MDIC daily operations, including the interview team, a child will have the benefit of a professional whose sole focus is the personal and emotional needs of that child and his/her family. The Victim/Witness Program, located in the District Attorney's Office, will provide this person.

## LAW ENFORCEMENT AGENCIES

The El Dorado County Sheriff's Department and the Placerville Police Department will have two roles with respect to the MDIC:

**First**, each agency will serve on the MDIC Steering Committee; and

**Second**, each agency will provide detectives to conduct jurisdictional case investigations.

Detectives will be notified by patrol officers from their respective agencies that they have made a field contact on a suspected child sexual abuse case. The patrol officer and the detective will determine whether an immediate interview is required or an interview can be scheduled. In either case, the detective will observe the interview conducted by the Child Interview Specialist. The detective who observes the interview will be assigned to conduct any supplemental investigation necessary for the Deputy District Attorney to make a filing decision on the case through final disposition of the case.

The services provided by the detectives will include:

1. Requesting an interview by contacting the MDIC Coordinator;
2. Observation of the interview of the child, or interviewing the child;
3. Preparation of a written report of the child's interview;
4. Conducting any supplemental investigation necessary to enable the Deputy District Attorney to make a filing decision on the case;
5. Conducting any supplemental investigation necessary on a case once charges have been filed up to the preliminary hearing;
6. Collaboration with the other team members to determine whether a medical/evidentiary exam is indicated;
7. Placement of the child in protective custody if the interview reveals evidence that a child is in danger of further abuse;
8. Preparation of search warrants to secure evidence necessary to the investigation of the case;
9. Consultation with the Deputy District Attorney, CPS staff, medical personnel, and MDIC staff to determine the viability of filing charges after the interview has been conducted; and
10. Exchanging information at the monthly MDT meeting.

## DEPARTMENT OF SOCIAL SERVICES

The Department of Social Services will have three roles with the MDIC:

**First**, it will serve on the MDIC Steering Committee;

**Second**, the Department of Social Services, through CPS, will assess risks to the child and take steps to ensure the protection of the child; and

**Third**, the Department will provide CPS social workers trained to conduct forensic interviews of children.

The existing law enforcement and CPS protocols (Attachments A, B & C) require each agency to make an initial assessment of the intra-familial child sexual abuse cases reported to them. The CPS social worker will continue to be responsible for the initial screening and field contact with a child in accordance with the existing protocol. If a CPS social worker believes from the initial brief screening that a crime has occurred, the social worker will immediately assess the case for protection issues. If the child is at risk of further abuse, the social worker will arrange for a law enforcement officer to place the child into protective custody. If needed, the social worker will obtain enough information to file a petition to protect the child and then contact law enforcement to schedule an interview of the minor at the MDIC. The CPS social worker will continue as the minor's social worker until a petition is filed in juvenile court on behalf of the minor or until it is ascertained that the minor is not at risk of further abuse or until the appropriate referrals have been made following the completion of the MDIC interview.

The services provided by the CPS social worker will include:

1. Requesting an interview by contacting the MDIC Coordinator, if, after consulting with law enforcement, it is determined that CPS will be the lead investigative agency;
2. Observation of interviews of children involved in intra-familial cases;
3. Conducting forensic interviews of children at the MDIC on a as requested basis;
4. Coordinating with all participating agencies in the assessment and investigation of the case;
5. Collaborating with all participating agencies to determine if a medical/evidentiary exam is indicated;
6. Presenting the social services perspective on the decision to file criminal charges;

7. Deciding, based on the findings of the screening interview, if a dependency petition needs to be filed to protect the child. This will occur prior to an interview being conducted at the MDIC;
8. Collaborating with the Victim/Witness Advocate to ensure appropriate referrals are provided for the child and family involved in criminal cases;
9. Providing case management services to families not involved in criminal cases; and
10. Exchanging information at monthly MDT meetings.

### **MARSHALL HOSPITAL**

Marshall Hospital has one role with respect to the MDIC.

Medical/evidentiary exams will be performed by staff of the hospital's SART/CARE Project in coordination with the MDIC. Some exams will take place immediately after field assessment interviews by patrol officers or CPS social workers, and some will be schedule for appointments.

The services provided by Marshall Hospital will include:

1. For children disclosing sexual abuse within 72 hours of the incident, the provisions of an immediate forensic examination by the on-call Child Abuse Regional Evaluation (CARE) Team's Pediatric Examiner. Exams will be conducted in the Emergency Department at Marshall Hospital. Completed evidentiary exams kits will be maintained in the custody of the jurisdictional law enforcement agency until sent to the Department of Justice Criminalistic Lab;
2. For children disclosing sexual abuse after 72 hours, the provision of medical/evidentiary exams on a scheduled basis at UCD Medical Center, in Sacramento, or Barton Hospital, in South Lake Tahoe. Both types of examinations are performed in accordance with the State Medical Protocol of Examination of Sexual Assault and Child Sexual Abuse Victims;
3. Provisions of cross-disciplinary continuing education on topics of medical and forensic issues pertaining to child abuse; and
4. Provisions of expert medical testimony in Juvenile and Superior Court.

## **EL DORADO COUNTY COUNSEL'S OFFICE**

The County Counsel will have three roles with respect to the MDIC:

**First**, they will serve as a member of the Steering Committee;

**Second**, they will provide an attorney who will participate in the investigative process in cases involving dependency issues; and

**Third**, they will file Juvenile Dependency petitions on behalf of the Department of Social Services as guardian ad litem for the child.

The services provided by the El Dorado County Counsel's Office will include:

1. When possible, observe interviews of children in cases involving dependency issues and have such questions posed to the child as may be necessary to provide information on dependency matters; and
2. Exchanging information at monthly MDT meetings on dependency cases.

**EL DORADO COUNTY SHERIFF'S DEPARTMENT  
PROTOCOL**

**1. PROCEDURES FOR RESPONDING TO REPORTS OF CHILD  
ABUSE (SEXUAL, PHYSICAL AND EMOTIONAL) AND NEGLECT.**

A. Referral by telephone

An initial telephone report of suspected child abuse - either required or authorized -

Is generally received by Central Dispatch who then collects the necessary information on the incident and relays the information to the appropriate officer for response.

2. Referral by mail

All mailed reports, or required reporting reports, (suspected child abuse report, 11166 P.C. Forms) will be forwarded to the "Child-related Crimes" Detective within the Sheriff's Department, who shall then screen and investigate these reports.

3. Referral in-person

All in person referrals shall be directed to the "Child related Crimes" Detective, if available. If not available another Detective shall be assigned to take the initial report.

If no Detective persons are available, then the person shall be referred to the Patrol Section (Watch Commander) for the initial report.

4. Reports received from Child Protective Services

All reports received from C.P.S. shall be directed to the "Child related Crimes" Detective who will, if appropriate, commence an investigation.

5. Reports received from a current residence where abuse or neglect has occurred out of County, but the victim is living in El Dorado County

All reports of this nature are "Conditions Affecting other Department". A "probable cause" report will be filed by either a "patrol unit" or "Child related Crimes" Detective. If physical evidence of the crime is present, then physical evidence should be gathered (photos, etc.). (See medical procedures for sexual assault cases.)

This report is then directed to the law enforcement agency of jurisdiction.

VI. Reports received where victim is currently living out of the County but where the abuse has occurred in El Dorado County

All reports received in this manner are still crime reports where the reporting agency is El Dorado County Sheriff's Office. A probable cause report can be made in the jurisdiction they now live, or the victim can be brought to El Dorado County to file the report and any physical evidence gathered at the same time (medical examination, etc.)

G. Child abuse incident reported where "statute of limitations" has occurred

A crime report in this case serves no criminal purpose to prosecution with the exception that other children may still live in the suspect's home. No report will be made unless another child victim can be located. These reports will be referred to C.P.S. or County Mental Health.

**II. ASSESSING THE REFERRAL**

a. The only criteria for rejecting referrals is if the "statute of limitations" has run out

- I. 647.1 P.C. Child Molest with a victim under 14 years, "statute two years".
- II. Felony sex crime with minor under 14 years, "statute six years".
- III. An officer may take an informal report if requested.

**III. CRITERIA AND PROCEDURES FOR RESPONDING TO A REFERRAL**

Procedures and response to referral are the same in all "child related crimes" as stated in referral in person under Section A - Procedures for responding.

**D. CRITERIA FOR INVOLVING "CHILD PROTECTIVE SERVICES"**

It is the policy of the El Dorado County Sheriff's Office to involve Child Protective Services in all child related crimes (abuse, neglect and sexual assault of children).

Whenever possible, day or night, Child Services will be called to accompany the Sheriff's deputies or detective personnel, on these types of crimes. Only if emergencies such as weapons involved, etc., would Child Services workers be asked to remain behind the scenes until order is controlled.

Child Protective Services take charge of the child victims or other siblings when taken into protective custody by law enforcement.

The El Dorado County Sheriff's Department will comply with Sections 305 and 306 of the Welfare and Institutions Code in this criteria.

#### **E. JOINT RESPONSE GUIDELINES**

Joint responses by the Sheriff's Department and Child Protective Services are desirable.

1. The Sheriff's Department is responsible for the investigation and gathering of evidence in the case.
2. The CPS worker is to support the victim and augment the process. Once the child's safety is assured, the Sheriff's Department's primary role is to then protect the child victim(s) (taking into protective custody if needed) and to then proceed with the criminal investigation, keeping in mind that Child Protective Services needs to determine if civil proceedings are appropriate under the 300 sections of the Welfare and Institutions Code.

#### **F. INVESTIGATING/INTERVIEWING**

The initial response will be handled by the "Child related Crimes" Detective, if available, Monday through Friday, 8:00 a.m. to 4:00 pm. If the "Child related Crimes" Detective is not available, the Patrol Division will do the initial investigation.

1. The patrol officer responding to the complaint will:
  - a. Notify Child Protective Service to respond.
  - b. Investigate the complaint and file a "probable cause" report.
  - c. Remove the child when appropriate. Factors to be considered are: danger to the child victim, family, pressures on the child victim, alleged offender's access to the child victim, family attitudes, parental assumption of responsibility.
  - d. Both the CPS worker and the patrol deputy should respond to the child's feelings during the interview. The child may appear more comfortable with one person or the other asking questions and those feelings should guide the interview to establish the "Probable Cause" report.
  - e. If a medical emergency exists or is necessary for evidence collection (see medical examinations) transport to appropriate medical facility.



- f. Photograph the child victim's injuries and crime scene of the neglect case.
- g. Gather physical evidence.

2. The "Child related Crimes" Detective will:

- a. Do any follow-up investigation.
- b. If necessary, arrange for the follow-up video taped interview with the child victim at the multi-disciplinary interview center.
- c. Possibly remove the child if this has not already been done.
- d. Make an arrest when appropriate.
- e. Interview the suspect.
- f. Make the child abuse investigation report, pursuant to Penal Code Section 11169.
- g. Contact the Victim Witness Program at the District Attorney's Office.
- h. Refer the case to the District Attorney's Office for filing or the Juvenile Court Intake at Probation, as appropriate.
- i. Refer the case to CPS for follow-up services when appropriate, if the case was not referred to the District Attorney or Juvenile Probation.

**G. MEDICAL EXAMINATION**

1. Most all children who have been sexually abused or where sexual abuse is suspected, require a medical examination by trained medical abuse physician.

- a. The medical examination may be helpful in corroborating the victim's story of the molest, in collecting supporting evidence of the sexual abuse, to screen the child for sexually transmittable diseases, pregnancy and other forms of abuse and related injuries.
- b. The medical examination can reassure the child and parents about the effects of the sexual abuse on the child's body.

2. The medical examination should be performed as soon as possible in cases where evidence needs to be collected.
  - a. Where the crime occurred in the last 72 hours.
3. If the crime occurred later than 72 hours, the medical examination should be arranged for by the detective working the follow-up investigation.
4. The Department of Justice Rape Kit is not to be used on victims of sexual abuse if the victim is under 14 years of age.

This kit is used only for victims of 261 P.C. (Rape) or victims 14 years old or older of 261.5 P.C. (Unlawful Intercourse). (These medical examinations can be done at Marshall Hospital by Emergency Room physicians.) All sexual abuse examinations of minors under 14 years old must be done by trained medical abuse physicians which in this county is located at Barton Hospital at South Lake Tahoe. If Barton Hospital is to be contacted, arrangements should be made by the Detective assigned to the child sexual abuse investigation (call out of necessary).

5. Emergency Medial Treatment of abused or sexually abused children where hospitalization is required.
  - a. These children should always be transported to Marshall Hospital, Marshall Way, Placerville, CA (C.A.R.E. Unit).
6. Financial Responsibility for Examination for Evidence Collection.
  - a. These examinations are performed at the request of law enforcement and the local governmental agency in whose jurisdiction the alleged offense was committed. The county must pay for these expenses and bills of costs must be submitted to the law enforcement agency that requests the examination.

## PLACERVILLE POLICE DEPARTMENT PROTOCOL

This policy is designed to coordinate the efforts of the Placerville Police Department and allied agencies in the handling of child abuse investigations.

Considering the importance and sensitivity surrounding a child abuse prevention investigation, it is quite clear that the manner in which the law enforcement professional handles the case can have a lasting effect on the victim, the victim's family and the successful prosecution of the case.

### A. PROCEDURE

#### 1. Receiving the Complaint

When the Police Department receives an alleged complaint of child abuse, it can come in several different ways and at all hours of the day or night. Complaints received from a reporting party alleging a crime having occurred in another jurisdiction will be handled in the following manner:

- a. Crimes occurring in El Dorado County will be referred to the El Dorado County Sheriff's Department. If the Sheriff's Department is unavailable to respond, our department will take an initial "Courtesy Report" and forward a copy of the report to the Sheriff's Department. A follow-up telephone contact with the Sheriff's Department shall be made by the reporting officer. Documentation of the phone contact shall be indicated in the report.
- b. Crimes occurring outside our jurisdiction and El Dorado County will be documented in report form followed up by telephone contact with the appropriate jurisdiction by either the reporting officer or the designated child abuse investigator. The courtesy report will be forwarded to the jurisdiction. Documentation of the phone contact shall be made in the report.

### B. EVALUATING THE COMPLAINT

The California Penal Code mandates specific report routing requirements in child abuse cases. Child Protective Services (C.P.S.), being a division of the Department of Social Services, shall be notified within 36 hours of the start of the investigation by the investigating officer.

## **C. RESPONSIBILITIES OF INVESTIGATIVE AGENCIES**

The primary responsibility of the Placerville Police Department shall be to gather evidence, establish whether or not a crime has been committed, and if so, attempt to apprehend the alleged suspect and promote criminal prosecution. It shall also be the responsibility of the initial investigating officer to assess the situation and if necessary place the victim in protective custody and arrange placement through C.P.S.

It shall be the responsibility of C.P.S. to assist law enforcement in the temporary placement of victim and to assist the victim and family in coordinating the necessary support services associated with child abuse.

In many cases the investigating officer may choose to enlist the assistance of the C.P.S. worker and jointly investigate the case from the onset.

If the alleged perpetrator is not in the home, consideration should be given to non-removal of the child victim from the home. It should be assured that the alleged perpetrator shall not have access to the victim.

Many factors must be considered when evaluating a situation. The overall best interest of the victim is of paramount importance. Criteria to be considered may include:

- a. The location of the suspect;
- b. The ability of the parent or guardian to accept the abuse and deal with it. A supportive attitude;
- c. The feelings of the victim, whether the victim fears additional abuse if he/she remained in the home; and
- d. The need for medical care.

## **D. INVESTIGATION PROCEDURES**

Care and caution should be considered when commencing with interviews connected with alleged child abuse cases.

All siblings in the home shall be interviewed to determine if any additional victims exist. Interviews with family members are extremely important, both in terms of getting information about the case and initiating a rehabilitative process through firm and supportive intervention.

When interviewing the child victim, the investigator should, when possible, complete background information, consult with C.P.S., and formulate a plan to conduct the interview. Three main phases of the interview are:

- a. **Establishing a relationship** - Attempt to gain the child's confidence. Talk on a level appropriate to the child's development;
- b. **Fact finding** - Establish the evidence necessary to determine the key issues of the crime being investigated. Visual aids and anatomically correct dolls are some of the considerations available to the investigator. The investigator should provide encouragement and reinforcement throughout the interview; and
- c. **Closing the Interview** - This phase should be used to reassure the victim's feelings about themselves. The interviewer should encourage questions. The future process of the case should be explained.

When interviewing the suspect, it should be similar to all criminal interviews. Constitutional rights shall be maintained. The interview should be a surprise and the suspect should be immediately confronted with the allegations. Only trained interviewers should be used.

Some of the evidence gathers may include:

- a. Medical examination/sexual assault evidence;
- b. Victim photographs - Photos shall be taken in all cases where possible;
- c. Crime scene evidence; and
- d. Any written information written by the victim.

A follow-up investigation should be conducted with any witnesses unavailable during the preliminary investigation.

#### **E. MEDICAL EXAMINATIONS (EMERGENCY TREATMENT ONLY)**

In cases involving physical and sexual abuse, the victim shall (when appropriate) be referred to Marshall Hospital for examination/treatment by trained hospital personnel. Both Marshall Hospital and Barton Hospital have been designated as acute care facilities with the county. We will treat Barton Hospital as the secondary hospital with Marshall Hospital being the primary.

#### **F. RELEASE OF INFORMATION CONTAINED IN THE CHILD ABUSE INVESTIGATION**

The information contained in the report, the identity of the reporting party, witnesses and victim(s) shall be kept confidential and only disclosed in a manner prescribed by law. (Penal Code Section 11167 and 11167.5).

## G. CASE DISPOSITIONS

As per 11165.12 P.C., only the following dispositions shall be used:

1. **“Unfounded Report”** - A report which is determined by the Child Protective Agency investigator to be false, to be inherently improbable, to involve an accidental injury, or not to constitute child abuse, as defined in Section 11165.6. P.C.;
2. **“Substantiated Report”** - A report which is determined by the Child Protective Agency investigator, based upon some credible evidence, to constitute child abuse or neglect, as defined in 11165.6 P.C.
3. **“Unsubstantiated Report”** - A report which is determined by the Child Protective Agency investigator note to be unfounded, but in which the findings are inconclusive and there is insufficient evidence to determine whether child abuse or neglect as defined in Section 11165.6 P.C. has occurred.

## INVESTIGATION OF CHILD MOLESTATION AND SEXUAL ASSAULT

El Dorado County now has a Multi-Disciplinary Interview Center (MDIC) which was established reduce the trauma experience by victims.

When officers respond to this type of report, the following will be adhered to:

1. Primary concern for the safety and protection of the child;
2. Determine jurisdiction and follow the procedure as outlined in the beginning of this section;
3. Interview the victim to establish the elements of the crime, keeping in mind the MDIC will interview the victim at length and report the findings to the District Attorney;
4. Determine what evidence is present and gather it for prosecution. (To include medical exam, photos, etc.)
5. If a suspect is identified and apprehension can be made, officers will contact detectives to further assist in the investigation.

All reports of suspected child molestation and sexual assault will be completed prior to the end of shift and copies will be routed immediately to the detectives for follow-up.

Detectives will insure an MDIC interview with the victim(s) is completed within three (3) working days after receiving the initial report.

## **CHILDREN'S PROTECTIVE SERVICES PROTOCOL**

Children's Protective Services (C.P.S.) Receives sexual abuse referrals from the community via telephone, walk in and mail. These referrals are received by an intake worker who is assigned on a rotation basis. The intake worker assesses each referral and assigns it as follows:

1. Cases involving an in-home perpetrator or relative having immediate access to the child warrants a response prior to the alleged perpetrator's next possible contact with the child. The report must outline clear, detailed allegations which delineate a risk of re-molest of the child. These referrals are immediately cross-reported to law enforcement;
2. Cases involving an in-home perpetrator or relative not having immediate access to the child or without a clear and detailed risk of re-molest warrant a twenty four hour - ten day response. The referral will not be cross-reported to law enforcement if after the initial interview the social worker determines the allegations are unfounded;
3. Cases involving a third party molest with protection issues warrant a twenty four hour - ten day response. These referrals are cross-reported to law enforcement; and
4. Cases involving a third party molest without protection issues are not assigned as C.P.S. cases. These referrals are cross-reported to law enforcement.

### **C.P.S. MDIC REFERRAL PROTOCOL**

To initiate an MDIC interview, the social worker must work in conjunction with the proper law enforcement agency. The social worker assesses the child's statement and makes an initial determination that:

1. There is a probability that a crime has occurred, and/or;
2. The child is at immediate risk for reabuse if left in the home environment.

With the assistance of a uniformed officer or detective, the child can be placed into protective custody. At this point, the lead investigative agency is considered law enforcement and the assigned detective is responsible for requesting an MDIC interview. In the event law enforcement is not involved with investigation (ex: protection issues but no criminal charges, molest occurred out of county, etc.), the social worker will refer a case to the Child Abuse Prevention Coordinator using the following procedure:

**A. MDIC INTERVIEW CRITERIA**

1. Assess the child's verbal skills to determine ability to understand questions and provide responses; and
2. Child has already made an initial statement to a social worker and/or law enforcement officer.

**B. ARRANGING A CPS INITIATED INTERVIEW**

1. Contact law enforcement, discuss merits of case, contact Child Abuse Coordinator if law enforcement does not plan to refer case for MDIC interview. Attempt to elicit law enforcement cooperation in attending interview (tape must still be booked into evidence).
2. Notify family of date/time of interview in cases where interview is initiated by CPS. Explain interview process and inform family that viewing of the interview, or later of the tape, will not be allowed unless by order of the court. Adults/other persons accompanying child to the interview should be kept to a minimum (waiting area is not conducive to large groups nor can other children be properly supervised). Child Advocate will do a more thorough orientation of facilities for child's family at time of interview.
3. Social worker attends interview and participates in pre, mid and post-interview meetings.
4. Social worker makes decision regarding merits of 300 petition.
5. Social worker assists family in making referrals to appropriate resources.
6. Social worker transports tape to appropriate law enforcement agency and requests the detective book the tape into evidence.

Note: The decision can be made to not request an MDIC interview if child's original statement is thorough and the information obtained is sufficient to support a 300 petition..



**EL DORADO COUNTY DISTRICT ATTORNEY'S OFFICE**

**PROTOCOL**

**PURPOSE**

**This policy is to address the procedures to be followed in the investigation, prosecution and support of victims in criminal cases within the District Attorney's Office.**

The Deputy District Attorney will:

1. Review all pertinent reports/information regarding a potential case prior to the interview.
2. Observation of all interviews conducted in the MDIC for the purpose of obtaining filing information and assessing the competency of the child witness in court.
3. Collaboration with detectives and/or CPS workers to determine the nature and extent of any supplemental investigation that may be necessary.
4. Assisting law enforcement officers with search and arrest warrants.
5. Make filing decision on all child sexual abuse cases based upon the MDIC interview, the law enforcement/CPS investigations, and any findings from the medical/evidentiary exam.
6. Maintain records obtained at the MDIC.
7. Exchange information with other team members.

The Child Abuse Prevention Coordinator is responsible for coordinating services at the MDIC, and conducting forensic interviews.

After receiving a request for an interview from an investigative agency. The Child Abuse Prevention/MDIC Coordinator will:

1. Schedule the interview;
2. Notify the participating agencies (Child Protective Services, Sheriff's Office, Police Department, District Attorney's Office);

3. Review pertinent information and complete the MDIC intake packet re victim(s) to be interviewed;
4. Conduct forensic interviews;
5. Collaborate with other team members to determine whether a medical/evidentiary exam is needed;
6. Exchange information at monthly MDT Meetings;
7. Participate in pre/post interview staffing of case;
8. Participate in peer review interview sessions; and
9. Upon completion of interview, all evidence gathered or obtained during the interview will be provided to law enforcement, i.e., anatomical drawing, pictures, etc.

#### **REFERRAL OF CHILD ABUSE CASE TO THE DISTRICT ATTORNEY'S OFFICE**

Upon receiving a referral for prosecution of a child abuse case, the Child Abuse Advocate will:

1. Review all documents/reports available;
2. Assess need for intervention;
3. Discuss case with Deputy District Attorney assigned to the case;
4. Contact victim/family;
5. Provide a criminal justice orientation
6. Schedule meeting for Deputy District Attorney and Advocate to meet with the family and victim;
7. Inform victim/family of all proceedings, court hearings, etc., (i.e., preliminary hearings, judgment and sentencing);
8. Provide advocacy and support during court proceedings; and
9. Provide referrals other appropriate agencies.

**MULTI-DISCIPLINARY INTERVIEW CENTER  
EL DORADO COUNTY**

**A. INTERVIEW GUIDELINES**

Prior to meeting with the Child Interview Specialist, (CIS) the child will meet with a representative from Victim/Witness. The advocate will greet the child and parent/caretaker, or transportation worker upon arrival at the MDIC and stay with those who accompanied the child during the actual interview.

The Advocate will familiarize the child with the center, and then introduce the child to the Interview Specialist. Once the introductions have been completed, the Advocate will leave the room.

The Child Interview Specialist will employ standard child interviewing techniques in establishing rapport with the child.

During the initial phase of the interview the CIS will attempt to assess the development of the child. The use of age appropriate language will enable the child to understand the interviewer. Once rapport has been established and the CIS has obtained a general assessment of the child's development, the CIS can begin the interview.

During the interview, the CIS will pose questions in a non-leading fashion. The goal is to guide the child through the questioning, without suggesting answers, thus enabling them to tell their entire story. Questioning techniques that focus the child are most useful. The voice inflex and body language should remain positive, non-judgmental, and non-surprised. Neutrality is always the preferred response.

The following is offered as a general guideline to assist the Interview Specialist during interviews of child victims at the el Dorado County MDIC.

**B. VIDEOTAPING STANDARDS**

1. Prior to the child being brought into the interview room, the CIS will record on the videotape the following:
  - a. Name of interviewer;
  - b. Date and time of interview;
  - c. Name of child being interviewed; and
  - d. Age and DOB of child.

## **C. RAPPORT BUILDING/DEVELOPMENTAL ASSESSMENT**

1. Greeting the child
  - a. Introductions;
  - b. Explain your role;
  - c. Orient the child to the interview environment; and
  - d. Offer support for how the child might be feeling.

## **D. BRIEF DEVELOPMENTAL ASSESSMENT**

1. The interviewer can obtain basic developmental data from the child through the use of age appropriate conversation. Topics may include personal data, family, or school information.

## **E. ESTABLISHING THE PARAMETERS**

1. Assess for Coaching:
  - a. Begin by reviewing with the child their pre-existing knowledge of the interview. CIS can add to and clarify if necessary; and
  - b. Review what the child has been told by others regarding the interview, (i.e. CPS, law enforcement, parent/caretaker).
2. Assess for Competency Truth vs. Lie
  - a. Explore child's concept;
  - b. Use examples;
  - c. Questions/Demonstrations;
  - d. Explore consequences; and
  - e. State the instruction (only talk about the truth).

## **F. INCIDENT INFORMATION**

Attempt to elicit narrative account of incident from the child. CIS may choose to make use of anatomical dolls, puppets, drawings, diagrams, etc. to ensure that the necessary forensic information is addressed. (For interviews with preschool age children, see Attachment H.1)

1. The Questions Sequence
  - a. Encourage child to give narrative of what happened;
  - b. Use focused questioning if narrative proves unsuccessful; and
  - c. Direct questions may be asked if child is not forthcoming or more specific information must be obtained.

2. Incident Specifics
  - a. The CIS conducts a forensic interview, covering the following area: who, what, where, when, how, any other victims, any other molests.
3. Situation Break Point
  - a. During the fact finding stage of the interview, the CIS can call for a break if desired. Begin by explaining the break to the child.
    - 1.1 Opportunity for the child to get a drink, etc
    - 1.2 Opportunity for the CIS to review the data obtained thus far, collaborate with the observers, and determine what remains to be clarified or addressed.

#### **G. CLOSING THE INTERVIEW**

Ask the child if they have any questions or anything to add. Acknowledge the child's affect and allow for processing if appropriate. Give child permission to recontact the interviewer. Thank the child, praise their efforts, but not the content of the interview.

This information was adapted and reprinted from the Sacramento County MDIC's Interview guidelines, with permission. Copyright pending 1991.

## STAFF SCREENING

With the exception of Marshall Hospital staff, all other MDIC team members are county employees. Therefore, each member is screened by the county prior to employment. Most are fingerprinted and thorough background investigations completed due to the nature of their work duties. We do not utilize volunteers in our facility.

## CLIENT RECORDS

Law enforcement investigators are responsible for the collection and preservation of evidence in a criminal case. At the MDIC interview any evidence (ie., drawings, video tapes, etc.) Are maintained at the Sheriff of Police Departments.

The only other records we keep from that interview is the MDIC Intake Form. This form is for basic identifying information. We note the date, time, place and participants. This form is kept at the District Attorney's Office in a file cabinet and is accessible by the Child Abuse/MDIC Coordinator.

A medical intake form is attached to this form and is provided to Marshall Hospital nurse examiners if a forensic medical exam is to be completed. This is to prevent the child from having to be reinterviewed. This information is confidential and is released to the investigating agency.

## CONFIDENTIALITY

Pursuant to Section 10850.1 of the Welfare & institutions Code a "multidisciplinary personnel team" engaged in the prevention, identification and treatment of child abuse cases can share confidential information with the team members. All discussions and disclosures during the team meetings are confidential and, notwithstanding any other provision of law, testimony concerning any such discussion is not admissible in any criminal, civil or juvenile court proceeding.

As used in this section, "multidisciplinary personnel team" means any team of three or more persons who are trained in the prevention, identification and treatment of child abuse and neglect cases and who are qualified to provide a broad range of services related to child abuse. The team may include, but not limited to:

1. Psychiatrists, psychologists or other trained counseling personnel;
2. Police officers or other law enforcement agent;
3. Medical personnel with sufficient training in child abuse prevention;  
and
4. Social workers with experience or training in child abuse prevention.

All team members are required to sign and abide by this section relative to MDIC meetings, case reviews and peer reviews.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**MULTI-DISCIPLINARY INTERVIEW CENTER  
VIDEOTAPE PROCEDURE**

**I. EQUIPMENT USE**

It is the shared responsibility of the investigating law enforcement agency and the on-site Deputy District Attorney to activate and operate the video equipment according to instructions posted in the observation room. The investigating law enforcement agency will provide the blank videotape for all interviews.

**II. INFORMING THE VICTIM**

The MDIC Child Advocate will routinely advise the parent and the child of the intent to videotape the interview. The parent will be informed of the reasons for the videotape and protections in place to preserve confidentiality.

**III. TRANSFER OF THE TAPE TO EVIDENCE**

Once the interview is complete, the assigned detective will immediately take possession of the tape and hand carry it to his/her agency of origin. A copy will be given to the Coordinator to remain at the District Attorney's Office.

**IV. DOCUMENTATION**

The video tape will be entered into evidence either by the assigned detective or the evidence clerk.

**V. VIDEOTAPE STORAGE**

Once logged, the videotape shall be maintained by the jurisdictional law enforcement agency in a secured location.

**VI. VIEWING OF VIDEOTAPES**

Videotaped interview of victims shall not be viewed by the defense or unauthorized persons without a court order. Authorized persons shall include Participating Agency personnel as identified previously under Project Description, Section C.

**VII. SCHEDULING VIEWING TIMES**

To arrange a videotape viewing, authorized persons shall contact the sexual assault investigator at the appropriate law enforcement agency.



## **VII. PROTOCOLS AND PROCEDURES**

Viewing of videotapes will be conducted under the protocols and procedures established for videotape viewing within the specified law enforcement agency.