

EXHIBIT “A”

**MULTI-DISCIPLINARY
INTERVIEW CENTER**

INTER-AGENCY PROTOCOL

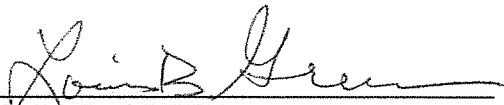
Revised 2011

**LETTER OF UNDERSTANDING
REGARDING INTER-AGENCY PROTOCOL**

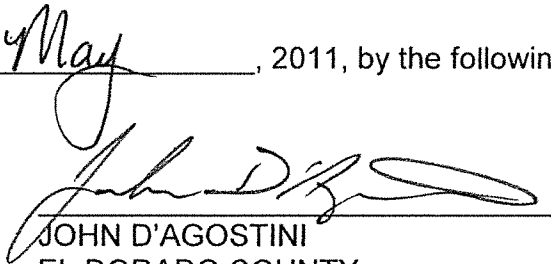
In order to facilitate a coordinated inter-disciplinary approach to assessing and investigating child sexual abuse cases in El Dorado County, we, the undersigned agencies in El Dorado County, California, do hereby accept and adopt the Multi-Disciplinary Interview Center Project as described in the following proposal and its attachments.

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


Dated this 3rd day of May, 2011, by the following agencies:



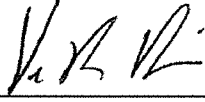
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PLACERVILLE POLICE DEPARTMENT

**El Dorado County
Inter-Agency Protocol**

Multi-Disciplinary Interview Center (MDIC) Project

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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 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 inter-agency collaboration to improve the delivery of services to those children.

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, Child 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.

PROJECT DESCRIPTION

The MDIC will be utilized primarily for cases involving child sexual abuse allegations for children under the age of eighteen (18). At the discretion of law enforcement and the district attorney's office, the MDIC can also be used to interview child victims or witnesses of other types of crime. Once an initial disclosure has been made, an interview will be scheduled.

This is a collaborative effort between the El Dorado County District Attorney's Office, El Dorado County Sheriff's Office, El Dorado County Human Services Department, and the Placerville Police Department. 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.

The protocol when a child is brought in for an interview will include a short briefing with the child and parent/guardian regarding the process. The child will be interviewed and the team will determine what questions need to be asked. At the conclusion of the interview, the team will meet to make decision regarding the necessity of a medical exam and further investigation needs. The medical exam will be scheduled by either law enforcement or CPS. Exams will be billed to the authorizing law enforcement agency. In most cases, exams will be completed after the interview, except in an emergency situation or due to evidence considerations.

All interviews will be recorded. The DVD will be maintained by the jurisdictional law enforcement agency. A copy will be kept at the District Attorney's Office. The digital recording will be made available according to the attached MDIC digital recording procedure (Attachment G). To ensure that all required information is included in the interview, each interview will be observed by a deputy district attorney, law enforcement investigator, and the assigned social worker as needed. All parties except the interviewer will be in the observation room during the interview.

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

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 Human Services
El Dorado County District Attorney's Office
El Dorado County Sheriff's Office
Placerville Police Department

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

DISTRICT ATTORNEY'S OFFICE

MDIC. The District Attorney's Office will have five (5) roles with respect to the

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 quarterly MDT meetings.

The services provided by the Child Advocate will 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 quarterly MDT meetings.

LAW ENFORCEMENT AGENCIES

The El Dorado County Sheriff's Office 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 or Child Protective Services worker regarding a suspected child sexual abuse case. The detective will determine whether an immediate interview is required or an interview can be scheduled. If the child needs to be interviewed at school, the detective will determine if it is an exigent circumstance, parental consent is given, or a request for a court order is appropriate. It is agreed that El Dorado County procedures will be followed in accordance with *Green v. Camreta* (9th Cir. 2009). 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. Participation in all pre/post meetings;
4. Preparation of a written report of the child's interview;
5. Conducting any supplemental investigation necessary to enable the Deputy District Attorney to make a filing decision on the case;
6. Conducting any supplemental investigation necessary on a case once charges have been filed;
7. Collaboration with the other team members to determine whether a medical/evidentiary exam is indicated;
8. Placement of the child in protective custody if the interview reveals evidence that a child is in danger of further abuse;

9. Preparation of search warrants to secure evidence necessary to the investigation of the case;
10. Consultation with the Deputy District Attorney, Child Protective Services staff, medical personnel, and MDIC staff to determine the viability of filing charges after the interview has been conducted; and,
11. Exchanging information at the quarterly MDT meeting

DEPARTMENT OF HUMAN SERVICES

The Department of Human Services will have three (3) roles with the MDIC:

First, it will serve on the MDIC Steering Committee;

Second, the Department of Human Services, through Child Protective Services (CPS), will assess risks to the child and take necessary steps to ensure the protection of the child; and,

Third, the department may 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 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 contact law enforcement and immediately assess the case for protection issues. If the CPS social worker determines there is risk to the child, the Department will then file a custody warrant and petition with the Juvenile Court requesting the child be placed in protective custody. If the social worker determines there is exigent circumstances that preclude the time necessary to execute a warrant, law enforcement will be contacted to place the child in protective custody, if necessary. The social worker will continue to work with the child through the dispositional hearing in the Juvenile Court and make appropriate referrals as necessary following the completion of the MDIC interview.

The services provided by the Child Protective Services social worker will include:

1. Requesting an interview by contacting law enforcement to arrange and coordinate an MDIC;
2. Observation of all MDIC interviews of children who are CPS clients, in intra-familial cases;
3. Conducting forensic interviews of children at the MDIC on an 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; and,
6. Collaborating with the Victim/Witness Advocate to ensure appropriate referrals are provided for the child and family involved in criminal cases.

EL DORADO COUNTY COUNSEL'S OFFICE

County Counsel will have two (2) roles with respect to the MDIC:

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

Second, they will provide an attorney who will participate in the investigative process in cases involving dependency issues as needed.

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

1. When requested, 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. Exchange information at quarterly MDT meetings.

EL DORADO COUNTY SHERIFF'S OFFICE

PROTOCOL

ATTACHMENT "A"

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

A. Referral by telephone

An initial 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.

B. Referral by mail

All mailed reports, or required reporting reports (suspected child abuse report, 11166 P.C. forms) will be forwarded to the Detective Sergeant within the Sheriff's Office who shall then screen and, if appropriate, assign the case to a "Child Related Crimes" detective.

C. 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 is available, then the person shall be referred to the patrol section (watch commander) for the initial report.

D. Reports received from Child Protective Services

All reports received from Child Protective Services shall be directed to the Detective Sergeant who will, if appropriate, assign the case to a "Child Related Crimes" Detective.

E. Reports received from a current resident 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, et cetera). (See medical procedures for sexual assault cases.)

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

F. 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, et cetera).

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

A crime report in this case serves no criminal purpose to prosecution, in regard to the reporting victim. A crime report shall be taken as the Evidence Code allows for the possibility of this information being used as evidence in a future proceeding against the same suspect. These reports shall be kept on file in the Records Division in the event they are needed as future evidence.

II. 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 I – Procedures for Responding.

III. 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, Child Protective Services will be called to accompany the sheriff's deputies or detectives on these types of crimes. If the situation presents a danger, the Child Protective Services worker will be asked to remain behind the scenes until it is deemed safe.

Child Protective Services take charge of the child victim(s) or other sibling(s) when taken into protective custody by law enforcement.

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

IV. JOINT RESPONSE GUIDELINES

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

1. The patrol officer responding to the complaint will:
 - a. Notify Child Protective Services 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. If a medical emergency exists or is necessary for evidence collection (see medical examinations), transport to appropriate medical facility.
 - e. Photograph the child victim's injuries and crime scene of the neglect case.
 - f. Gather physical evidence.
2. The “Child Related Crimes” Detective will:
 - a. Do any follow-up investigation.

- b. If necessary, arrange for the follow-up digitally recorded interview with the child victim in the multi-disciplinary interview center, and participate in briefing/de-briefing with all team members.
- 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 § 11169.
- g. Coordinate with 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 the Probation Department, as appropriate.
- i. Refer the case to CPS for follow-up services when appropriate if the case was not referred to the District Attorney's Office or Juvenile Probation.

V. MEDICAL EXAMINATION

- 1. In cases involving physical and sexual abuse, the victim shall (when appropriate) be referred to the Children's Specialist Medical Group of Sacramento for examination/treatment by trained forensic examiners.
- 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 seventy-two (72) hours.
- 3. If the crime occurred later than seventy-two (72) hours, the medical examination should be arranged 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 fourteen (14) years of age.

This kit is used only for victims of Penal Code § 261 (Rape) or victims fourteen (14) years old or older of Penal Code § 261.5 (Unlawful Sexual Intercourse). All sexual abuse examinations of

minors under fourteen (14) years old must be done by forensic medical examiners (currently Children's Specialists Medical Group of Sacramento, Inc.).

5. Emergency medical treatment of abused or sexually abused children where hospitalization is required.
 - a. These children should always be transported to Marshall Hospital, Marshall Way, Placerville, California.
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

ATTACHMENT "B"

The primary responsibility of the Placerville Police Department shall be to establish whether or not a crime has been committed, gather evidence, 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 Child Protective Services.

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

A. Referral by telephone

An initial report of suspected child abuse, either required or authorized, is generally received by dispatch, who then collects the necessary information on the incident and relays the information to the appropriate officer for response.

B. Referral by mail

All mailed reports, or required reporting reports (suspected child abuse report, 11166 P.C. forms) will be forwarded to the appropriate officer for initial evaluation.

C. Referral in person

All in person referrals shall be directed to the appropriate patrol officer for initial evaluation. If not available, a detective shall be assigned to take the initial report.

D. Reports received from Child Protective Services

All reports received from Child Protective Services shall be directed to dispatch who relays the information to the appropriate officer for evaluation. If appropriate, forward to detectives for investigation.

E. Reports received from a current residence where abuse or neglect has occurred out of city, but the victim is living in Placerville jurisdiction.

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

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

F. Reports received where victim is currently living out of the city, but where the abuse has occurred in Placerville jurisdiction.

All reports received in this manner are still crime reports where the reporting agency is Placerville Police Department. A probable cause report can be made in the jurisdiction they now live, or the victim can be brought to Placerville Police Department to file thereport and any physical evidence gathered at the same time (medical examination, et cetera).

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

A crime report in this case serves no criminal purpose to prosecution, in regard to the reporting victim. A crime report shall be taken as the Evidence Code allows for the possibility of this information being used as evidence in a future proceeding against the same suspect. These reports shall be kept on file in the Records Division in the event they are needed as future evidence.

II. 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 I – Procedures for Responding.

III. CRITERIA FOR INVOLVING "CHILD PROTECTIVE SERVICES"

It is the policy of the Placerville Police Department to involve Child Protective Services in all child related crimes (abuse, neglect, and sexual assault of children).

Whenever possible, Child Protective Services will be notified by officers or a detective on these types of crimes. In many cases, the investigating officer may choose to enlist the assistance of a Child Protective Services worker to jointly investigate the case from the onset. If the situation presents a danger, the CPS worker will be asked to remain behind the scenes until it is deemed safe.

IV. MEDICAL EXAMINATION

1. In cases involving physical and sexual abuse, the victim shall (when appropriate) be referred to the Children's Specialist Medical Group of Sacramento for examination/treatment by trained forensic examiners.
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 seventy-two (72) hours.
3. If the crime occurred later than seventy-two (72) hours, the medical examination should be arranged by the detective working the follow-up investigation.
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5. Emergency medical treatment of abused or sexually abused children where hospitalization is required.
 - a. These children should always be transported to Marshall Hospital, Marshall Way, Placerville, California.
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.

V. RELEASE OF INFORMATION CONTAINED IN THE CHILD ABUSE INVESTIGATION

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

VI. CASE DISPOSITIONS

As per Penal Code § 11165.12, only the following disposition 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 Penal Code § 11165.6;
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 Penal Code § 11165.6; and,
3. **“Unsubstantiated Report”**: A report which is determined by the Child Protective Agency investigator not 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 Penal Code § 11165.6 has occurred.

CHILD PROTECTIVE SERVICES PROTOCOL

PROTOCOL

ATTACHMENT "C"

Child Protective Services (C.P.S.) receives sexual abuse referrals from the community via telephone, walk in, mail, and email. These referrals are received by an intake worker. 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 a CPS referral. These referrals are cross-reported to law enforcement.

CHILD PROTECTIVE SERVICES 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 re-abuse if left in the home environment.

With the assistance of a uniformed officer or detective, the child can be placed into protective custody by law enforcement or by the social worker via a

signed custody warrant and petition. At this point, the lead investigative agency is considered law enforcement and the assigned detective is responsible for requesting an MDIC interview.

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 AN INTERVIEW

1. Contact law enforcement, discuss merits of case, and contact MDIC Coordinator.
2. Social worker attends interview and participates in pre, mid, and post-interview meetings.
3. Social worker makes decision regarding merits of 300 Petitions.
4. Social worker assists family in making referrals to appropriate resources.

EL DORADO COUNTY DISTRICT ATTORNEY'S OFFICE

PROTOCOL

ATTACHMENT "D"

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. Observe of all interviews conducted at the MDIC for the purpose of obtaining filing information and assessing the competency of the child witness in court.
3. Collaborate with detectives and/or CPS workers to determine the nature and extent of any supplemental investigation that may be necessary.
4. Assist 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. Exchange information with other team members.

The MDIC 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 MDIC coordinator will:

1. Schedule the interview;
2. Notify the participating agencies (Child Protective Services, sheriff's office, police department, and the 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 quarterly at MDIC meetings;
7. Participate in pre/post interview staffing of case;
8. Participate in peer review interview sessions; and,
9. Upon completion of the interview, all evidence gathered or obtained during the interview will be provided to law enforcement, i.e., anatomical drawing, pictures, et cetera.
10. Maintain records of MDIC and digital recording of interview.

The Victim Advocate will:

1. Review all documents/reports available before the MDIC;
2. Discuss case with all team members;
3. Assess need for intervention and services;
4. Provide advocacy and support during the interview;
5. Provide a criminal justice orientation and information about services available to the victim/family;
6. Maintain regular contact with victim/family and inform them of all proceedings, court hearings, et cetera;
7. Update and provide all team members with current contact information of the victim/family;
8. Participate in pre/post interview staffing of case;
9. Provide referrals as needed to other agencies; and,
10. Exchange information at quarterly MDIC meetings.

MULTI-DISCIPLINARY INTERVIEW CENTER

EL DORADO COUNTY

ATTACHMENT "E"

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 CIS. Once the introductions have been completed, the advocate will leave the room.

The CIS 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 influx 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 CIS during the interviews of child victims at the El Dorado County MDIC.

B. DIGITAL RECORDING STANDARDS

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

C. RAPPORT BUILDING/DEVELOPMENTAL ASSESSMENT

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

D. BRIEF DEVELOPMENTAL ASSESSMENT

1. The interview 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
 - e. State the instruction (only talk about the truth)

F. INCIDENT INFORMATION

Attempt to elicit narrative account of incident from the child. Child Interview Specialist may choose to make use of anatomical dolls, puppets, drawings, diagrams, et cetera, to ensure that the necessary forensic information is addressed.

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. The child may get a drink and use restroom. This is an 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

As 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 re-contact 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.

ATTACHMENT "F"

STAFF SCREENING

All MDIC team members are county or city employees. Therefore, each member is screened by the county/city 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 (i.e., drawings, digital recordings, et cetera) are maintained at the sheriff or police departments.

The only other record(s) 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.

CONFIDENTIALITY

Pursuant to Section 10850.1 of the Welfare and 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 be limited to:

1. Psychiatrists, psychologists, or other trained counseling personnel;
2. Police officer(s) or other law enforcement agent(s);
3. Medical personnel with sufficient training in child abuse prevention; and,
4. Social worker(s) 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. Each agency is responsible for their team members being informed and keeping their signature current.

Dated: _____

Signature

**MULTI-DISCIPLINARY INTERVIEW CENTER
EL DORADO COUNTY
DIGITAL RECORDING PROCEDURE**

ATTACHMENT "G"

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 digital equipment according to instructions posted in the observation room.

II. INFORMING THE VICTIM

The MDIC Child Advocate will routinely advise the parent and the child of the intent to digitally record the interview. The parent will be informed of the reason(s) for the recording 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 digital recording (DVD) 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 DVD will be entered into evidence either by the assigned detective or the evidence clerk at the respective agency.

V. DVD STORAGE

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

VI. VIEWING OF DVD'S

Interviews 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 viewing of the MDIC DVD, authorized persons shall contact the MDIC Coordinator at the District Attorney's Office.

VIII. PROTOCOLS AND PROCEDURES

Viewing of the MDIC digital recording will be followed by the Application to View the MDIC Video Recording Declaration (see copy attached).

ATTACHMENTS

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It is further requested that the viewing be permitted on the following date(s) and time(s):

First Choice: _____

Second Choice: _____

Third Choice: _____

(Applicant please note: Be sure to give two alternate dates and times for viewing. Every attempt will be made to accommodate your request. Viewing will be allowed Monday through Friday, excluding holidays, from 8:30 a.m. to 4:30 p.m.)

Dated: _____

Signature

Print Name

1 **DECLARATION**

2 I, _____, declare that I am a party in this action and am the
3 _____ (relationship to case).

4 This "Application" is made for the following reasons: _____
5 _____
6 _____
7 _____
8 _____
9 _____

10 I have read and understand the "Conditions of Viewing" as outlined below. I fully understand
11 that the "Rules" will be strictly enforced and that any violation of a rule may result in the institution of a
12 criminal proceeding against me pursuant to Government Code § 6201. I hereby agree to fully comply
13 with the "Conditions of Viewing" shown below.

14 **CONDITIONS OF VIEWING**

- 15 • The video tape shall not be removed from the machine for any reason nor touched in any way by
16 the viewer. Should a malfunction occur with the equipment, immediately notify the staff person
17 in charge and remain in the viewing room until the video has been retrieved.
- 18 • The viewer may rewind, fast forward, pause or stop the machine only. No tampering with the
19 video equipment or the DVD will be tolerated.
- 20 • No recording devices, either audio or video, will be allowed in the viewing area.
- 21 • Handwritten notes are allowed. Paper and pens are not provided for such notes.
- 22 • Time Limit: No party will be allowed to view the MDIC video tape for more than the actual
23 running time of the DVD plus thirty (30) minutes without specific court approval.
- 24 • When the tape has ended, the machine shall be "stopped" by the viewer and the attendant shall
25 be immediately called.
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- No viewing party may leave the viewing area until the attendant has retrieved and inspected the DVD. After the DVD has been inspected, the parties are free to leave.
- The viewing party may not discuss the contents of the DVD(s) except between parties, counsel, and/or retained experts.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this _____ day of _____, 20____, at _____, California.

Signature

Print Name

ORDER REGARDING APPLICATION TO VIEW MDIC DVD

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Good cause appearing, permission is hereby GRANTED to view the MDIC DVD for
_____ on file with the El Dorado County District Attorney's Office.

IT IS SO AGREED.

Dated: _____

By: _____

Lisette Suder
Deputy District Attorney

Dated: _____

By: _____

County Counsel

Dated: _____

By: _____

Dated: _____

By: _____

IT IS SO ORDERED.

Dated: _____

JUDGE OF THE SUPERIOR COURT

1 VERN PIERSON
2 State Bar No.152268
3 District Attorney
4 El Dorado County
5 515 Main Street
6 Placerville, CA 95667
7 Telephone: (530) 621-6472

8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF EL DORADO**

10) Case No.
11)
12)
13) **PROTECTIVE ORDER**
14) **RE: DISCOVERY OF**
15) **MDIC INTERVIEW**
16)
17)
18) Date:
19) Time:
20) Dept:
21)

11 In re the Matter of:
13 A Minor.

18 **IT IS HEREBY ORDERED** that the El Dorado District Attorney make available to
19 _____ a copy of the MDIC interview subject to the
20 following restrictions:

- 21 1. The cost of making any duplicates of any DVD, diagrams, or photographs shall be borne by
- 22 the party seeking the discovery, unless otherwise ordered by the court.
- 23 2. No DVD, diagram, or photograph shall be exhibited, shown, disclosed, or displayed to any
- 24 person or used in any fashion by any party to this action except in a judicial proceeding or as
- 25 may be directly necessary in the preparation of the resolution this action. This order shall not
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1 prevent the El Dorado County Multi-Disciplinary Interview Center from using any tape made
2 by the Center for training purposes for members of the Center.

- 3 3. No copies of any DVD, diagram, or photograph shall be made by any party except as may be
4 directly necessary in the preparation of the resolution of this action. Any copies made
5 for such purpose will be subject to all of the provisions in this order.
- 6 4. The parties in this action personally may review the discovered materials in the direct
7 presence and under the direct supervision of counsel, investigator, or expert witness as may be
8 necessary for the purposes of assisting in the defense of this case. Under no circumstances
9 shall a party to this case be given any of the materials or copies of the materials to retain in his
10 possession. Neither the discovered materials nor any copy of such materials shall be taken out
11 of the State of California without the express prior authorization of the court.
- 12 5. All discovered materials or copies of such materials shall be returned to the El Dorado County
13 District Attorney upon completion of this action, regardless of the outcome of the case. All
14 such materials or copies of such materials shall be delivered to the court if directed under
15 Penal Code Section 1417.8.
- 16 6. A copy of this protective order shall accompany any copy made of the discovered materials
17 and the recipient shall sign an acknowledgement that such person has read this order and
18 agrees to be bound thereby. The form of acknowledgement is attached as Exhibit "A". After
19 being signed, any such forms shall promptly be filed by the court. Before turning over the
20 defense copy of any video tape released under this order to any expert, the defense shall obtain
21 from that expert a declaration signed under penalty of perjury that the expert understands the
22 conditions under which the tape is being received by the expert, and that a violation of the
23 order shall subject the expert to a contempt citation.
- 24 7. Any violations of this order shall result in sanctions by this court, including contempt, and
25 may be punishable by state or federal law.
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8. This order shall be continuing in nature, and shall apply whether the case is pending before a trial or appellate court.

IT IS SO AGREED.

Dated: _____

By: _____

Deputy District Attorney

Dated: _____

By: _____

County Counsel

Dated: _____

By: _____

Dated: _____

By: _____

IT IS SO ORDERED.

Dated: _____

JUDGE OF THE SUPERIOR COURT

1 VERN PIERSON
State Bar No.152268
2 District Attorney
El Dorado County
3 515 Main Street
Placerville, CA 95667
4 Telephone: (530) 621-6472
5
6
7

8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF EL DORADO**

10) Case No.
11)
THE PEOPLE OF THE STATE OF CALIFORNIA,)
12)
Plaintiff,) **ACKNOWLEDGMENT**
13) **OF RECEIPT OF PROTECTIVE**
vs.) **ORDER**
14)
15)
16)
Defendant.)
17)

18
19 The undersigned hereby acknowledges that he/she has received a copy of the Protective Order
20 regarding discovered materials in the above-entitled action dated _____.

21 The undersigned hereby acknowledges that he/she has read and understands the Order and agrees
22 to be bound by all of its terms.

23 The undersigned hereby consents to the personal jurisdiction of the El Dorado County Superior
24 Court for the purpose of enforcing the Protective Order.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____ at _____, California.

Signature

Print Name