

**Child Protection Accountability Commission
Training Committee**

CAN Best Practices Workgroup

Friday, May 20, 2016

9:30 a.m. – 11:30 a.m.

*Delaware State Police Training Academy
1453 North Dupont Highway, Dover, DE*

Minutes

In Attendance:

Debbie Colligan	Division of Family Services
Brian Daly	Department of Justice
Jean Gardner	Division of Family Services
Bahu Gilliam	Division of Family Services
Kathy Hudson	Nanticoke Memorial Hospital
Diane Klecan	Children’s Advocacy Center of Delaware
Rosalie Morales	Office of the Child Advocate
Cpl. Adrienne Owen, Chair	Delaware State Police
Anne Pedrick	Child Death Review Commission
Linda Shannon	Division of Family Services
Ashlee Starratt	Office of the Investigation Coordinator
Lt. Teresa Williams	New Castle County Police Department
Sgt. Gerald Windish	Delaware State Police

I. Welcome and Introductions

Cpl. Adrienne Owen opened the meeting and welcomed attendees.

II. Minutes – 2/19/16

The minutes were approved as written.

III. Review of Serious Physical Injury Protocol

The workgroup reviewed the draft Serious Physical Injury Protocol. There was discussion about the repetition between the Physical Injury and Serious Physical Injury Protocols. However, it was explained that the protocols were designed to be viewed separately.

The group also explored how to address secondary disclosures by children at the Children’s Advocacy Center and whether a DFS hotline report needs to be made by all team members present. The group discussed having the law enforcement representative make the report; however, the Department of Justice will be consulted for a recommendation.

In addition, there was discussion about the federal Child Abuse Prevention and Treatment Act (CAPTA) and the Division’s requirement to notify the alleged perpetrator of the allegations during the investigation. The workgroup suggested that DFS case workers disclose only that they are investigating child abuse allegations, without specifying the

maltreatment type or providing details. Again, the Department of Justice will be consulted for a recommendation.

DFS substantiations were also discussed. DFS staff is unable to change FACTS records once they are finalized. This impacts cases in which the law enforcement agency has filed one or more charges that have resulted in a plea/conviction after the DFS investigation has closed. DFS and the Office of the Investigation Coordinator will discuss a solution about how to notify DFS of the criminal outcome.

There was also concern about who takes the photographs in physical injury cases. It was understood that it may be necessary for both law enforcement and DFS to take photographs in these situations.

A revision was suggested to the bullet point on page 11 about consultation with DOJ. The language in parenthesis was revised as follows: “particularly for active DFS cases, for cases with DFS history and for cases with complaint and criminal history.”

Language in the Protective Custody section was also modified. The statement, “DFS may only take temporary emergency protective custody of a child in a school, day care facility, and child care facility,” was moved to the first paragraph.

The group acknowledged that the Medical Evaluation section will be modified once the Child Abuse Medical Response Guidelines are finalized and approved by the assigned CPAC Committee.

In the Arrest section, the workgroup suggested adding a statement that “LE will notify DFS upon case closure” to the end of the last paragraph.

The following statement was removed from the Criminal Proceedings section: “the DFS Child Protection Registry Substantiation Hearing Coordinator to initiate the substantiation process.”

Similarly, the Confidentiality, Information Sharing and Documentation section was amended and the following sentence was deleted: “For all other situations (i.e. subpoena from a private attorney), DFS shall immediately refer subpoenas or any other requests for information to the Civil Division of the Department of Justice.”

Lastly, it was mentioned that the use of search warrants should be listed as a training issue.

IV. Items to Consider for Child Death Protocol

The following items were identified for the Child Death Protocol:

- Reports to DFS for unexplained child deaths when other children are not in the home;
- Sudden unexpected deaths of children screened out by DFS when abuse or neglect is not suspected;

- Doll re-enactments and presence of ME Investigator;
- Agency responsible for completion of the SUIDI form; and,
- Parents holding deceased infant at hospital.

V. Next Meeting Date

- August 11, 2016 from 9:00 am to 12:00 pm at the Middletown Police Department