

Child Protection Accountability Commission
Training Committee
MDT Case Review Workgroup
Wednesday, May 16, 2018
Minutes

ATTENDEES:

Detective Brad Cordrey	Georgetown Police Department
Dr. Stephanie Deutsch	Nemours Alfred I. duPont Hospital for Children
Diane Klecan	Children's Advocacy Center
James Kriner, Esq., Co-Chair	Department of Justice
Sgt. James Leonard	New Castle County Police Department
Rosalie Morales	Office of the Child Advocate
Sgt. Ron Mullin	Wilmington Police Department
Stacy Northam-Smith	Division of Family Services
Sgt. Adam Wright	Delaware State Police
Jaime Zebroski	Division of Family Services

I. Welcome & Introductions

Jim Kriner, Esq. welcomed attendees and facilitated introductions.

II. Minutes – 4/10/18

Sgt. Leonard made a motion to approve the minutes from April 10, 2018, and Diane Klecan seconded the motion. All other members voted in favor, and the motion carried.

III. Draft MDT Case Review Protocol

The Workgroup reviewed the draft MDT Case Review Protocol with the proposed revisions. First, the group reviewed the revised language about confidentiality, and no changes were suggested. For presumptively excluded cases, the group agreed that additional language was needed to clarify that adult victims should not be presumptively excluded when the alleged perpetrator is known to be involved in another active investigation involving a child. For administrative closures, language was added to note the CAC will include cases that are administratively closed on its Case Closures List.

Additionally, there was discussion about associated cases being scheduled for the same case review meeting. The group agreed to include this language, but to clarify that it was only to the extent practicable. Also, the Standard Case Review may include a discussion of any history with the MDT agencies, including cases monitored by the Office of the Investigation Coordinator (IC).

Next, the group agreed to strike the language about adding a new case to the case review schedule when an additional suspect or child victim was identified during the forensic interview. It was noted that these situations would already be captured under the case review process.

For cases assigned to the Special Case Review, the IC will request the case be placed on the calendar within 60 to 90 days. Ninety days was added to allow for more time. Following the Special Case Review, the group agreed that the case would automatically remain on the Standard Case Review calendar, so the proposed revisions were accepted.

The Workgroup discussed the IC cases without CAC involvement. The following language was added to define these cases: “Any multidisciplinary case referred to IC in which there has been no CAC forensic interview and no criminal charges have been filed within 90 days of the date of referral to IC.”

To determine whether an MDT member is non-compliant with the case review process, the group suggested the IC utilize the documents provided by the CAC to make this determination instead of the CAC sending a monthly list to IC. In addition, the Workgroup agreed to the revised actions that may be taken by the IC to resolve non-compliance by law enforcement agencies, and that the IC will provide quarterly reports of non-compliance by any agency to CPAC, the Governor and General Assembly.

Sgt. Leonard made a motion to approve the protocol with the noted revisions, and Stacy Northam-Smith seconded the motion. All other members voted in favor, and the motion carried. The protocol will be presented to CPAC for approval at its quarterly meeting on May 23, 2018. Once approved, the new protocol will be implemented on July 1, 2018, and the Workgroup plans to reconvene in November or December to evaluate the implementation.

In addition to review and approval of the protocol, the Workgroup discussed the CAC’s ability to handle some of the additional responsibilities under the protocol. For example, cases not referred to the CAC for a forensic interview would need to be manually entered into the CAC database. It would not only be costly to update the database, but it would be a workload issue for staff. There was also discussion about transferring the responsibility of the entire case review process from the CAC to IC. While some early discussions have occurred outside of this Workgroup, the IC does not have the capacity to take on this responsibility yet. It was suggested that the CAC, DOJ, and IC meet as a smaller group to discuss the database and implementation.

Lastly, the Workgroup talked about allowing SANE/Forensic nurses to participate in the forensic interviews since they are members of the MDT. Diane Klecan explained that historically investigators have decided who should be present with DOJ having the final say. The group agreed that if a SANE/Forensic nurse examined the child or planned to, then he/she should be present to increase communication and understanding of the medical findings. The SANE/Forensic nurse will also have the ability to determine if medical follow up is needed. With the updated American Academy of Pediatric Guidelines for pre-pubertal patients, Dr. Deutsch said they are moving away from site specific testing or disclosure information to guide the testing. Therefore, their participation in the forensic interview will help. Dr. Deutsch has already been participating in the case review process. There was concern about medical providers in

Kent and Sussex participating in the forensic interview and case review process since those hospitals are not signatory agencies. Jim Kriner is going to check with Deputies in the Special Victims Unit and other units for input. Then, DOJ will provide an update to the MDT.

IV. Next Steps

- Approval of protocol by CPAC
- Update on Participation of Medical Providers in the Forensic Interview

V. Next Meeting

The next meeting date will be scheduled by email.