


Child Abuse

313.1 POLICY HEADER

Original Effective Date:	Revised Date:
September 1, 2021	January 4, 2023
Authorization:  Jason Haberman Chief of Police	

313.2 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Mt. Lebanon Police Department members are required to notify the Allegheny County Office of Children, Youth and Families (CYF) and the Pennsylvania Department of Human Services (DHS) of suspected child abuse.

313.2.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency.

313.3 POLICY

The Mt. Lebanon Police Department will investigate all reported incidents of alleged criminal child abuse and ensure DHS and CYF is notified as required by law.

313.4 MANDATORY NOTIFICATION

Members of the Mt. Lebanon Police Department shall notify CYF and DHS when there is reasonable cause to suspect a child is a victim of child abuse. DHS and CYF shall also be notified when the Department receives a report of suspected child abuse (23 Pa.C.S. § 6313; 23 Pa.C.S. § 6334):

In cases where a child has died as a result of suspected child abuse, the Medical Examiner shall be notified (23 Pa.C.S. § 6317).

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If the suspected abuse involves a student and is committed by a school employee, CYF shall also be notified as soon as practicable (55 Pa. Code § 3490.161).

For purposes of notification, abuse includes intentionally, knowingly, or recklessly causing or creating a reasonable likelihood of bodily injury through any recent act or failure to act; causing or substantially contributing to serious mental injury through any act or failure to act; causing or creating a likelihood of sexual abuse or exploitation through any act or failure to act; leaving a child with certain sex offenders/predators; causing serious physical neglect; or as additionally defined in 23 Pa.C.S. § 6303. Fights between children, lawful parental supervision, or any conduct as provided in 23 Pa.C.S. § 6304 is excluded from the definition of child abuse.

313.4.1 NOTIFICATION PROCEDURE

Notification should occur as follows (23 Pa.C.S. § 6313; 23 Pa.C.S. § 6334):

- (a) Notification shall be made immediately to the DHS via [ChildLine](#) either electronically or by telephone.
- (b) Members who make an oral notification of suspected child abuse shall also prepare a written report including the [CY47 Suspected Child Abuse form](#), which may be submitted electronically to DHS and CYF assigned to the case within 48 hours in the proper DHS format.

313.5 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations (23 Pa.C.S. § 6334.1). These investigators:

- (a) Should conduct interviews in child-appropriate interview facilities.
- (b) Should be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Should present all cases of alleged child abuse to the District Attorney for review.
 - If the suspected abuse involves a student and is committed by a school employee, investigators shall work in cooperation with the district attorney in determining what criminal charges, if any, will be filed (55 Pa. Code § 3490.161).
- (d) Shall coordinate with other enforcement agencies, social service agencies and school administrators (55 Pa. Code § 3490.172).
 - Any requests for child abuse information from DHS and CYF shall be in writing as provided in 55 Pa. Code § 3490.92.
- (e) Shall access ChildLine to determine the existence of any prior reports involving a subject of the investigation (23 Pa.C.S. § 6335).
- (f) Should provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (g) Shall participate in or coordinate with multidisciplinary investigative teams as applicable (23 Pa.C.S. § 6365).

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- (h) Shall advise CYF, as soon as possible and without jeopardizing the criminal investigation or prosecution, whether a criminal investigation has been undertaken and the results of the investigation and of any criminal prosecution in cases of suspected child abuse (55 Pa. Code § 3490.109).
- (i) Shall treat all reporting sources and persons who cooperated in the investigation as confidential informants (23 Pa.C.S. § 6340(c); 55 Pa. Code § 3490.92).
 - All referral sources and persons cooperating with the investigation shall have their information redacted by records if report is requested at a later date.

313.6 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable (23 Pa.C.S. § 6314).
- (f) Whether the child victim was transported for medical treatment or a medical examination (23 Pa.C.S. § 6314).
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (k) Any prior reports of child abuse involving a subject of the reported child abuse obtained through ChildLine (23 Pa.C.S. § 6335).

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

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313.7 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact CYF. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to CYF when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is transferred to the custody of CYF per their direction..

The officer should inform the Watch Commander of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may be taken into protective custody in the following situations (23 Pa.C.S. § 6315; 42 Pa.C.S. § 6324):

- (a) Pursuant to a court order.
- (b) When an officer has reasonable grounds to believe a child is suffering from illness or injury or in imminent danger from his/her surroundings and removal is necessary to protect the child.

CYF shall be notified immediately once a child is taken into custody. The officer shall ensure that the parent, guardian or other custodian is notified within 24 hours in writing of the whereabouts of the child, unless prohibited by court order, and the reasons for protective custody.

313.7.1 NEWBORN PROTECTION ACT

An officer shall accept a newborn (under 28 days old) at the Mt. Lebanon Police Department when surrendered by a parent and place the child into protective custody under 23 Pa.C.S. § 6315(a) (5). The officer shall ensure that the newborn is transported to a hospital and transfer custody to a health care provider under 23 Pa.C.S. § 6504. The officer should document any medical history of the newborn that the parent may, but is not required to, provide. Officers should be aware that the parent is not required to provide answers to any questions (23 Pa.C.S. § 6504.1).

313.8 INTERVIEWS

313.8.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

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Written statements should not be obtained from victims of suspected child abuse.

313.8.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

313.8.3 SCHOOL ABUSE

Interviews of students in cases of abuse by a school employee shall be conducted jointly with CYF. However, the joint interview may be waived on an individual case-by-case basis if it is in the best interest of the student (55 Pa. Code § 3490.172).

313.9 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a Watch Commander before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified Watch Commander should consider obtaining a court order for such an examination.

313.10 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

313.10.1 SUPERVISOR RESPONSIBILITIES

The Investigative Services Unit supervisor should:

- (a) Work with professionals from the appropriate agencies, including DHS and CYF, other law enforcement agencies, medical service providers and local prosecutors to develop

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community-specific procedures for responding to situations where there are children endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

- (b) Activate any available interagency response when an officer notifies the Investigative Services Unit supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives at the scene.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The [Endangered Child Checklist](#) will help officers document the environmental, medical, social and other conditions that may affect the child.
- (d) Develop and maintain the Referral Source Database.

313.10.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Watch Commander so an interagency response can begin.

313.11 STATE MANDATES AND OTHER RELEVANT LAWS

Pennsylvania law requires or permits the following:

313.11.1 PROCESSING REPORTS AND RECORDS

The Records Clerk shall ensure that all initial written reports of suspected child abuse are submitted electronically to DHS or to CYF assigned to the case within 48 hours in the proper DHS format (23 Pa.C.S. § 6313).

313.11.2 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (23 Pa.C.S. § 6340).

313.11.3 CHILD FATALITY REVIEW TEAMS

The Department should participate in the state or county child fatality or near fatality review team as appropriate (23 Pa.C.S. § 6365).

313.11.4 PUBLIC HEALTH CHILD DEATH REVIEW TEAMS

The Department should participate in the state or county Child Death Review Team as appropriate (11 P.S. § 2150.4; 11 P.S. § 2150.5).

313.12 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

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- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.
- (g) Recognizing abuse that requires mandatory notification to another agency.

Attachments

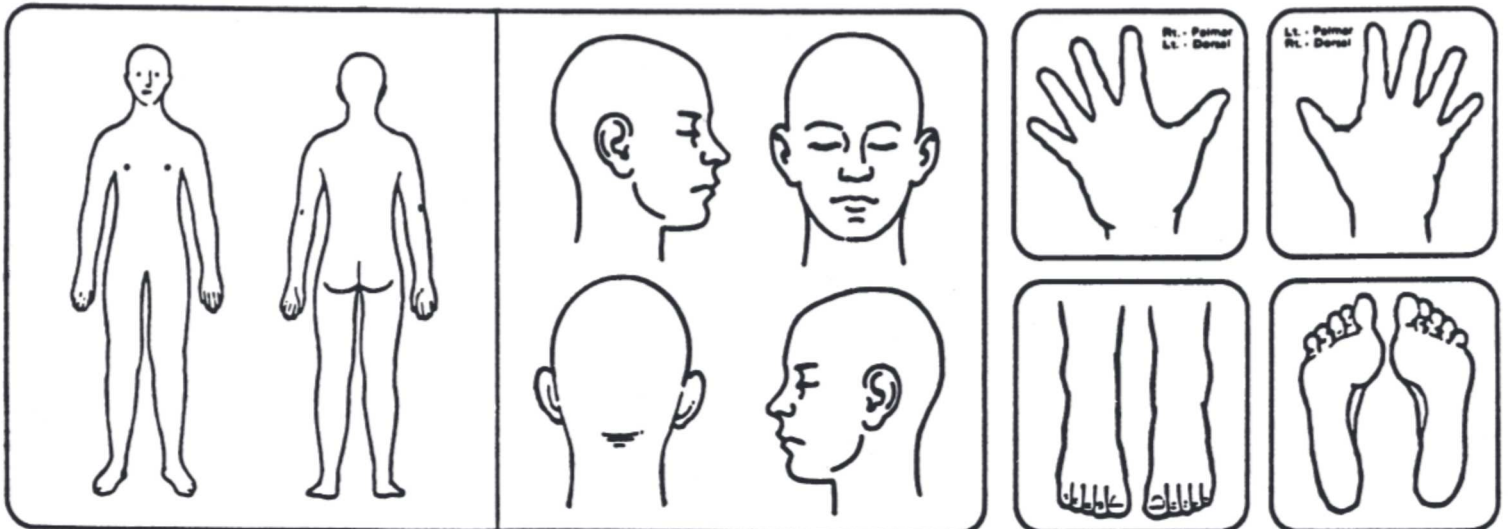
Suspected Child Abuse CY47.pdf

REPORT OF SUSPECTED CHILD ABUSE

(CHILD PROTECTIVE SERVICE LAW - TITLE 23 PA CSA CHAPTER 63)

PLEASE REFER TO INSTRUCTIONS ON REVERSE SIDE. EXCEPT FOR SIGNATURE, PLEASE PRINT OR TYPE

1. NAME OF CHILD (Last, First, Initial)		SSN	BIRTHDATE	SEX <input type="checkbox"/> M <input type="checkbox"/> F
ADDRESS (State, City, State & ZIP Code)			COUNTY	
1A. PRESENT LOCATION IF DIFFERENT THAN ABOVE			COUNTY	
2. BIOLOGICAL/ADOPTIVE MOTHER (Last, First, Initial)		SSN	BIRTHDATE	TELEPHONE NO.
ADDRESS (City, State & ZIP Code)			COUNTY	
3. BIOLOGICAL/ADOPTIVE FATHER (Last, First, Initial)		SSN	BIRTHDATE	TELEPHONE NO.
ADDRESS (City, State & ZIP Code)			COUNTY	
4. OTHER PERSON RESPONSIBLE FOR CHILD		SSN	BIRTHDATE	RELATIONSHIP TO CHILD SEX <input type="checkbox"/> M <input type="checkbox"/> F
ADDRESS (City, State & ZIP Code)			COUNTY	TELEPHONE NO.
5. ALLEGED PERPETRATOR (Last, First, Initial)		SSN	BIRTHDATE	RELATIONSHIP TO CHILD SEX <input type="checkbox"/> M <input type="checkbox"/> F
ADDRESS (City, State & ZIP Code)			COUNTY	TELEPHONE NO.
NAME OF ALLEGED PERPETRATOR'S EMPLOYER AND EMPLOYER'S ADDRESS				
6. FAMILY HOUSEHOLD COMPOSITION (Excluding Above Names)		RELATIONSHIP TO CHILD	NAME (Last, First, Initial)	RELATIONSHIP TO CHILD
NAME (Last, First, Initial)				
A.			D.	
B.			E.	
C.			F.	
ADDRESS WHERE THE SUSPECTED ABUSE OCCURRED			COUNTY	
DESCRIBE THE NATURE AND EXTENT OF THE SUSPECTED CHILD ABUSE, INCLUDING ANY EVIDENCE OF PRIOR ABUSE TO THE CHILD OR ANY SIBLING OF THE CHILD. ALSO INCLUDE ANY EVIDENCE OF PRIOR ABUSE BY THE ALLEGED PERPETRATOR(S) TO OTHER CHILDREN. PLEASE NOTE EXACT LOCATION OF THE INJURY(S) ON MODEL BELOW.			DATE OF INCIDENT	



7. ACTIONS TAKEN OR ABOUT TO BE TAKEN BY THE PERSON MAKING THE REPORT:			
<input type="checkbox"/> NOTIFICATION OF CORONER OR MEDICAL EXAMINER	<input type="checkbox"/> X-RAYS	<input type="checkbox"/> PHOTOGRAPHS	<input type="checkbox"/> HOSPITALIZATION
<input type="checkbox"/> POLICE NOTIFIED	<input type="checkbox"/> MEDICAL TEST(S)	<input type="checkbox"/> TAKEN INTO PROTECTIVE CUSTODY	<input type="checkbox"/> OTHER (Specify) _____
8. SAFETY CONCERNS AND RISK FACTORS:			
A. DESCRIBE THE CHILD(REN)'S PHYSICAL AND BEHAVIORAL HEALTH, GOOD MOOD AND TEMPERAMENT. DESCRIBE CHILD(REN)'S INTELLECTUAL FUNCTIONING, COMMUNICATION AND SOCIAL SKILLS, SCHOOL PERFORMANCE AND PEER RELATIONS. INCLUDE WHETHER THE CHILD(REN) HAS EXPRESSED ANY SUICIDAL/HOMICIDAL IDEATION OR PLANS.			<input type="checkbox"/> INFORMATION UNKNOWN
B. DESCRIBE HOW THE ADULT CAREGIVERS FUNCTION COGNITIVELY, EMOTIONALLY, BEHAVIORALLY, PHYSICALLY AND SOCIALLY. INCLUDE WHETHER THE ADULTS HAVE ANY MENTAL HEALTH, SUBSTANCE USE ISSUES AND/OR CRIMINAL HISTORY. DOCUMENT ANY PAST OR PRESENT DOMESTIC VIOLENCE. RECORD THE EMPLOYMENT STATUS/SOURCE OF INCOME AND WHETHER THERE ARE ANY FINANCIAL STRESSORS IN THE HOME. INCLUDE ANY SAFETY OR SANITARY CONCERNS REGARDING THE CONDITIONS OF THE HOME AND WHETHER THERE ARE WORKING UTILITIES. WHAT IS THE PRIMARY LANGUAGE OF THE HOUSEHOLD?			<input type="checkbox"/> INFORMATION UNKNOWN
C. DESCRIBE WHETHER THE CAREGIVERS HAVE THE APPROPRIATE KNOWLEDGE, EXPECTATIONS AND SKILLS TO PARENT THE CHILD(REN) ADEQUATELY. DOES THE CAREGIVER ADEQUATELY SUPERVISE THE CHILD(REN)? ARE THEY WILLING AND ABLE TO PROTECT THE CHILD(REN)? DESCRIBE THE ABILITY OF THE CAREGIVER TO EMPATHIZE, NURTURE AND ADVOCATE FOR THE CHILD(REN).			<input type="checkbox"/> INFORMATION UNKNOWN
D. DESCRIBE THE CAREGIVERS' APPROACH/METHODS OF DISCIPLINING THE CHILD(REN). DESCRIBE WHEN DISCIPLINE OCCURS AND WHETHER DISCIPLINARY METHODS ARE AGE-APPROPRIATE? ARE THERE ANY CULTURAL PRACTICES IN THE HOME THAT WOULD INFLUENCE THE DISCIPLINARY METHODS USED?			<input type="checkbox"/> INFORMATION UNKNOWN
E. PLEASE PROVIDE ANY ADDITIONAL INFORMATION RELEVANT TO THE INVESTIGATION PROCESS THAT HAS NOT ALREADY BEEN ENTERED IN THIS REFERRAL. THIS MAY INCLUDE ADDITIONAL ADDRESSES TO LOCATE THE CHILD OR PERPETRATOR, ADDITIONAL RESOURCES FOR THE CHILD, EMAIL ADDRESSES, INFORMATION ABOUT ANY WEAPONS IN THE HOME OR CONCERNS YOU MAY HAVE FOR THE CASEWORKER'S SAFETY.			<input type="checkbox"/> INFORMATION UNKNOWN

INSTRUCTIONS TO MANDATED PERSONS:

A mandated reporter making an oral report of suspected child abuse to the department via the Statewide toll-free telephone number (800-932-0313) must also make a written report, which may be submitted electronically, within 48 hours to the department or county agency assigned to the case by using this form. If needed, attach additional sheet(s) of paper to provide all of the requested information on this form.

NOTE:

If the child has been taken into custody, you must immediately contact the county children and youth agency where the abuse occurred.

REPORTING SOURCE:			
PRINTED NAME AND SIGNATURE:			DATE OF REPORT:
ADDRESS:			
TITLE OR RELATIONSHIP TO CHILD:	FACILITY OR ORGANIZATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:

Form 169 - Endangered Child Checklist.pdf



Mt. Lebanon Police Department

Endangered Child Checklist



The following checklist is to be used as a guide for officers to document a child's living conditions, health conditions and any exposure to any other hazardous conditions. This checklist is not to be attached to any offense or incident report.

Incident #: _____ Date: _____ Time: _____

Living Conditions / Environment

- Dangerous animals or observations related to animals, such as animal feces and filth
- Inoperable utilities and appliances
- Description of beds or sleeping areas or lack there of
- Available food
- Kitchen and bathroom sanitation
- Unsafe play areas or toys
- Choking hazards
- Fire hazards
 - Combustible materials
 - Inoperable smoke detectors
 - Unsafe heaters
 - Evidence of previous fires

Physical Description and Health of Children

- Height, weight and reach measurement of each child
- Wounds, punctures and/or bruises (including bottom of feet)
- Possible chemical burns, particularly to eyes, mouth, and nose
- Insect bites
- Known or obvious significant medical conditions, such as cancer, damage to the brain, liver, kidneys, spleen, immunologic system and/or birth defects
- Headache, nausea, dizziness, fatigue, shortness of breath or coughing
- Medical exam information, if available
- Indicators or alcohol or drug abuse



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Endangered Child Checklist



Controlled Substances and Hazardous Materials

- Presence of any illegal or controlled substances
 - Description of location
- Presence of any hazardous materials
 - Description of any location
- Drains and sinks checked for contamination or drainage problems
- Smells that may indicate fumes, chemicals and/or vapors
- Improperly labeled and incompatible chemicals
- Kitchen surfaces and utensils examined or samples taken
- Presence and location of plastic containers that are indicative of drug manufacturing

Social Factors

- Exposure to pornography or sexual activity
- Whether a child cried or showed emotion when separated from parents
- Social skills and/or peer relations
- Delinquency from school
- Teen pregnancy
- Whether a child exhibited and criminal or violent behavior
- Performance at school