

Child Abuse

312.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when North Liberty Police Department members are required to notify the Iowa Department of Health and Human Services (HHS) of suspected child abuse.

312.1.1 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 or law enforcement.

Child Protection Center (CPC)- Unity Point Health in Cedar Rapids houses the Child Protection Center Services. The CPC is the preferred facility used for interviews and forensic medical exams on a child.

312.2 POLICY

The North Liberty Police Department will investigate all reported incidents of alleged criminal child abuse and ensure HHS is notified as required by law.

312.3 MANDATORY NOTIFICATION

Members of the North Liberty Police Department shall notify HHS when there is reasonable cause to believe a child has suffered abuse (Iowa Code § 232.69).

Members shall also notify HHS promptly when the department receives a report of child abuse (Iowa Code § 232.70).

For purposes of notification, abuse includes (Iowa Code § 232.68):

- (a) Acts or omissions by the person responsible for the care of a child, which includes physical injury or mental injury.
- (b) Sexual offenses.
- (c) Failure to provide care necessary for the child's health and welfare when financially able to do so or when offered reasonable means to do so.
- (d) Child prostitution.
- (e) The presence of illegal drugs.
- (f) Manufacturing, use, or possession of a dangerous substance.
- (g) Allowing access to a registered sex offender.
- (h) Allowing access to obscene material or bestiality in the presence of a minor.

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312.3.1 NOTIFICATION PROCEDURE

Notification shall be made orally. Notification shall be made by telephone to the Child Abuse Hotline as soon as practicable but no later than within 24 hours. The oral report should include the following information (Iowa Code § 232.70):

- (a) The names and home address of the child and child's parents and other persons believed to be responsible for the child's care
- (b) The child's present whereabouts if not the same as the parent's or other person's home address
- (c) The child's age
- (d) The nature and extent of the child's injuries, including any evidence of previous injuries
- (e) The name, age, and conditions of other children in the same home
- (f) Any other information that may be helpful in establishing the cause of the injury to the child, the identity of the person or persons responsible for the injury, or in providing assistance to the child.
- (g) The name and address of the person making the report

312.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child-appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies, and school administrators as needed (Iowa Code § 232.71B).
- (e) Provide referrals to therapy services, victim advocates, guardians, and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Iowa Code § 915.35; 441 IAC 175.36).

312.5 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 exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.

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- (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.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (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.

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).

312.6 PROTECTIVE CUSTODY

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

Generally, members of this department should remove a child from the child's 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 delivered to a place designated by the rules of the court (Iowa Code § 232.79).

Whenever practicable, the officer should inform a supervisor 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 only be removed from a parent or guardian in the following situations:

- (a) Pursuant to a court order (Iowa Code § 232.78)
- (b) When there is not enough time to apply for a court order and the child's life or health is in imminent danger the officer shall (Iowa Code § 232.79):

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- (a) Immediately bring the child to a place designated by the rules of the court.
- (b) Make reasonable efforts to notify the parents, guardian, or custodian of the child's location.
- (c) Immediately inform the court of the emergency removal and the circumstances of the removal followed up in writing to the court within 24 hours.

[See attachment: DHS Child Removal.pdf](#)

312.6.1 NEWBORN SAFE HAVEN LAW

A parent or a person authorized on the parent's behalf may voluntarily relinquish custody of a newborn infant up to 90 days old with any hospital, health care facility, fire station, adoption service provider, or by calling 9-1-1 and relinquishing physical custody without expressing an intent to again assume physical custody to the officer who responds to the call (Iowa Code § 233.1 et seq.). Any such person relinquishing a newborn infant in accordance with the provisions of Chapter 233 of the Iowa Code is immune from criminal prosecution for neglect or abandonment unless there are indications of child abuse (Iowa Code § 233.3; Iowa Code § 726.3; Iowa Code § 726.6).

Unless the individual relinquishing the newborn infant expresses an intent to again assume physical custody of the infant, the officer responding to such a call shall take physical custody of the newborn infant and (Iowa Code § 233.2):

- (a) Should request the name of the parents and information on any medical history of the infant and parents.
- (b) Should take reasonable actions to ensure the physical health and safety of the infant.
- (c) Should provide the parent or person authorized on the parent's behalf with Safe Haven Act distribution materials published by HHS and the Iowa Department of Justice regarding a parent's rights and other pertinent information relating to the Safe Haven Act (Iowa Code § 233.6).
- (d) Shall transport the infant to the nearest hospital or health care facility and provide any parental identification or medical history received.
- (e) Shall notify HHS as soon as practicable.
- (f) Should provide any required testimony for subsequent legal proceedings.
- (g) Should comply with all other relevant laws.

Any transcripts or recordings of 9-1-1 calls made or any other identifying information received by the department from a person complying with this law is confidential and shall not be disclosed except as otherwise allowed by law (Iowa Code § 233.5).

312.7 INTERVIEWS

312.7.1 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

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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.

312.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not involuntarily detain a child 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.

312.8 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 supervisor 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 supervisor should consider obtaining a court order for such an examination.

[See attachment: Patient Waiver.pdf](#)

312.9 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.

312.9.1 SUPERVISOR RESPONSIBILITIES

The Investigations supervisor should:

- (a) Work with professionals from the appropriate agencies, including HHS, other law enforcement agencies, medical service providers, and local prosecutors to develop community-specific procedures for responding to situations where there are children

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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 Investigations 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 checklist will help officers document the environmental, medical, social, and other conditions that may affect the child.

312.9.2 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 Investigations supervisor so an interagency response can begin.

312.10 STATE MANDATES AND OTHER RELEVANT LAWS

Iowa requires or permits the following:

312.10.1 PROCESSING REPORTS AND RECORDS

The Records Section shall forward the report required by HHS within 48 hours of the initial oral notification (Iowa Code § 232.70).

312.10.2 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 (Iowa Code § 22.7; Iowa Code § 235A.15).

312.10.3 STATE MORTALITY REVIEW COMMITTEE

The Department should participate in the state mortality review committee as appropriate (Iowa Code § 135.43).

312.11 TRAINING

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

- (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.

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- (f) Availability of victim advocate or guardian support.
- (g) Recognizing abuse that requires mandatory notification to another agency.

312.11.1 STATE-MANDATED TRAINING

The Lieutenant shall ensure that all officers receive two hours of training related to the identification and reporting of child abuse within six months of initial employment and additional training as specified in Iowa Code § 232.69.

The Lieutenant shall also ensure that officers receive a statement of the abuse reporting requirements within one month of initial employment (Iowa Code § 232.69).

Attachments

DHS Child Removal.pdf

Iowa Department of Human Services

REPORT OF SUSPECTED CHILD ABUSE

This form may be used as the written report which the law requires all mandated reporters to file with the Department of Human Services, following an oral report of suspected child abuse. Fill in as much information under each category as is known. Submit the completed form to the county office of the Department of Human Services within 48 hours of oral report.

Family Information:

Name of Child _____ Age _____ DOB _____

Address: _____

Phone: _____ School: _____ Grade: _____

Name of Parent/Guardian: _____ Phone: _____

Address: _____

Other Children in the Home:

Name	DOB	Condition

Information About Suspected Abuse: In this section, indicate the date of suspected abuse; the nature, extent and cause of the suspected abuse; the person(s) thought to be responsible for the suspected abuse; evidence of previous abuse; and other pertinent information needed to conduct the investigation. Use the second page of this form if necessary to complete the information requested above and to identify individuals who have been informed of the child abuse report, such as a building administrator, supervisor, etc.

Reporter Information

Name and Title or Position: _____

Office Address: _____

Phone: _____ Relationship to the Child: _____

Name(s) of other mandatory reporter(s) who has/have knowledge of the abuse: _____

Signature of Reporter

Date

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Instructions for Completing the Report of Suspected Child Abuse, 470-0665

- ➡ This form is prepared by the Mandatory Reporter who has made the initial oral report to the Department of Human Services
- ➡ Submit this form within 48 hours to the Child Protective Unit which will be conducting the investigation of the oral report
- ➡ If the oral report was not accepted for investigation, this form is not necessary
- ➡ If your agency has a report form or letter format which includes all of the information requested on this form, the agency format may be used in place of the 470-0665.

Use this space below if there is not enough space for all pertinent information on the first page of this form. Collateral reports or other information may be attached to the form.

Temporary Removal of a Child

In accordance with the Code of Iowa 232.79(1)(a). I, _____
am removing the following child/children from the child's home:

Child's Name

Birthdate

I have made the determination that the child is in such circumstances or condition that present an imminent danger to the child's life or health. Those circumstances or conditions are:

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Signature:

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Law Enforcement Agency

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In accordance with the Code of Iowa 232.79(1)(a). I, _____
am removing the following child/children from the child's home:

Child's Name

Birthdate

I have made the determination that the child is in such circumstances or condition that present an imminent danger to

--

Signature:

--

Law Enforcement Agency

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North Liberty Police
Temporary Removal of a Child

Case # _____

Date _____

In accordance with the Code of Iowa 232.79(1)(a). I, _____
am removing the following child/children from the child's home:

Child's Name	Birthdate
_____	_____
_____	_____
_____	_____
_____	_____

I have made the determination that the child is in such circumstances or condition that present an imminent danger to

Officer

Patient Waiver.pdf



North Liberty Police Department

5 E Cherry St • PO Box 77 • North Liberty, Iowa • 52317 • (319) 626-5724 / Fax: 5743

Case # _____

PATIENT'S WAIVER

TO ANY DOCTOR, HOSPITAL, OR OTHER HEALTH CARE PROVIDER:

This is your full and sufficient authority to give to the North Liberty Police Department and/or the Johnson County Attorney's Office, from time to time, as requested, any information, opinion or assistance about medical, substance abuse and psychological evaluations, reports or records or x-rays of the patient named below or any other information or documents that you may have in your custody or under your control with reference to the patient named below.

Date this _____ day of _____, 20____.

Patient's name: _____

Patient's DOB: _____

Signature of Patient

Signature of Parent/Legal Guardian

Subscribed and sworn to before me this

_____ day of _____, 20____.

Notary Public