

6.07
CRAIG POLICE DEPARTMENT
Office of Chief of Police
General Order

Date Issued: July 25, 1997
Subject: Child Abuse
To: All Officers

Revision Date: April 1, 2009
Reference:

I. POLICY:

Upon receiving a report of physical or sexual abuse on a child or juvenile, or a report of neglect of a child, an officer shall be assigned to begin an immediate investigation. The protection and safety of any abused children or juveniles shall be the immediate concern of the investigating officer.

II. AUTHORITY: (all based on Colorado Revised Statutes)

A. Child abuse - a person commits child abuse if he causes an injury to a child's life or health or permits a child to be unreasonably placed in a situation, which poses a threat of injury to the child's life or health.

1. For the purpose of "child abuse", a child is any person under sixteen years of age.
(Does not apply to sexual abuse)

B. Sexual assault on a child - any person who knowingly subjects another, not his or her spouse, to any sexual contact commits sexual assault on a child if the victim is less than fifteen years of age and the person is at least four years older than the victim.

1. Sexual assault on a child by a person in a position of trust occurs if the victim is a child less than eighteen and the actor committing the offense is one in a position of trust with respect to the victim. Felony classification is different if child is under fifteen years of age, or between the ages of fifteen and eighteen.

C. Sexual contact - "Sexual contact means the knowing touching of the victim's intimate parts by the actor or of the actor's intimate parts by the victim, or the knowing touching of the clothing covering the intimate area of either person if that contact is for the purposes of sexual arousal, gratification, or abuse".

D. Incest and aggravated incest shall be immediately investigated the same as sexual abuse on a child when a child or juvenile is involved.

III. PROCEDURE:

A. Officers receiving reports of neglect, physical, or sexual abuse shall begin an immediate investigation. If the crime involves sexual assault on a child, sexual contact or incest the protocols for the Sexual Assault Response Team will be followed.

B. The investigating officer shall immediately contact the Moffat County Department of Social Services and advise the case worker of the investigation. The caseworker should respond to the location directed by the officer to participate in the investigation and the initial interview with the child/juvenile.

C. The investigating officer shall make all attempts to locate and conduct an interview with the abused child or juvenile as soon as possible.

D. In cases involving severe injuries to a child, medical attention should be sought for the child immediately.

E. Attempts shall be made by the investigating officer to identify and locate all additional victims, witnesses, and suspects in abuse cases.

F. The investigating officer shall attempt to identify and secure any physical evidence.

G. All medical documents shall be secured by the investigating officer whenever possible. If the documents are not available at the time of the initial investigation, the investigating officer shall make arrangements for another department representative to secure them at the first possible opportunity.

H. When bruises or marks are visible on child abuse victims, photographs shall be taken by the investigating officer.

1. In the event that bruising or marks are on a child in a location that is embarrassing" to the child, photographs should be taken by an employee of the same sex as the child.

2. If the child has been transported to the hospital for medical treatment, photographs may be taken at this location.

I. If the child is located but access to that child is denied, the officer shall obtain a warrant to gain access to the child, take the child into temporary custody if necessary for an interview, and interview the child to determine if abuse has occurred. An investigator shall be notified to assist with any warrants concerning children/juvenile matters.

J. After an interview with the child or juvenile, the officer shall make a determination whether or not to take the child/juvenile into protective custody.

K. Authority - A search warrant may be issued by the juvenile court to search any place for the recovery of any child within the jurisdiction of the court believed a delinquent child or a neglected or dependent child. (This search warrant is only necessary if the child has been "hidden". The "on call" investigator shall be notified to assist with any warrants concerning children/juveniles)

L. The investigating officer shall notify the parent, guardian, or legal custodian of any child/juvenile taken into temporary custody.

M. The investigating officer shall conduct any immediate "follow up" investigation that is necessary.

N. An investigator shall attend, if required, a shelter hearing for the child/juvenile that must be held within forty-eight hours of custody excluding weekends and court holidays.

O. Any additional "follow up" investigation that is necessary shall be done by an assigned officer or investigator who shall then file physical and sexual abuse cases with the District Attorney's Office if the facts of the case warrant such a filing.

IV. Children in Domestic Violence Situations

A. Children who are in "immediate danger" in domestic violence situations shall be placed into temporary protective custody. If the child cannot be safely placed with a parent or immediate family member the "on call" caseworker from Social Services shall be notified to respond to the Police Department to conduct an immediate investigation.

B. In all domestic violence cases, where children are determined to be present, the reporting officer shall indicate the presence of the children in his/her report, included the children's names and conduct an interview with the children if possible.

V. Conflict Situations

A. An officer may contact the Moffat County Crisis Intervention team in situations of conflict between parents and children if the situations do not include physical or sexual abuse.

B. If a child reports physical or sexual abuse to the Crisis Intervention Team members, those members will discontinue the interview and notify the officer. That officer shall then notify the "on call" caseworker from the Moffat County Department of Social Services, who will respond to the Police Department to participate in the investigation.

Approved By:



Walter K. Vanatta
Chief of Police