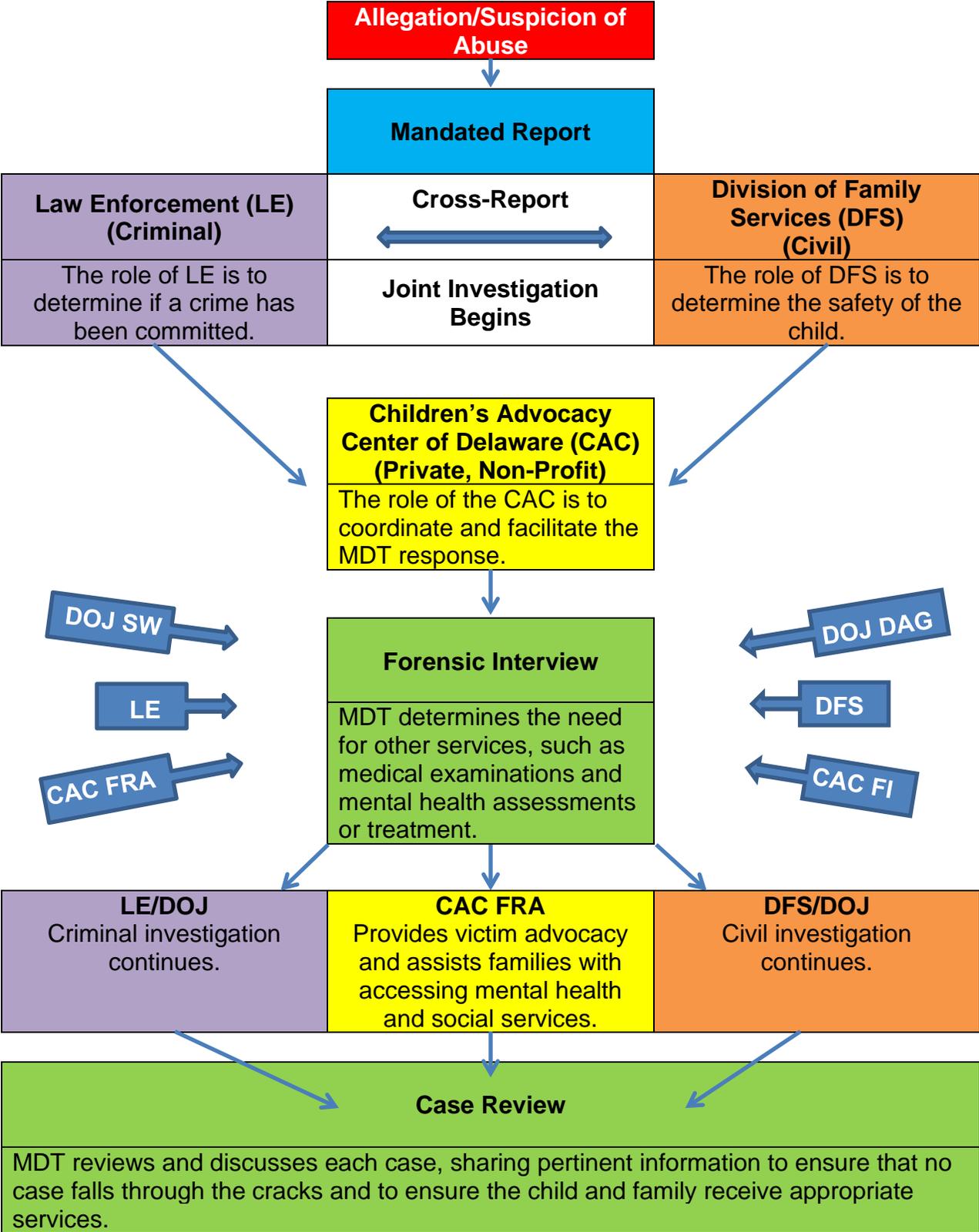


# The Multidisciplinary Team (MDT) Response to Child Sexual Abuse



# **The Multidisciplinary Team (MDT) Response to Child Sexual Abuse**

## **Definitions**

### **Memorandum of Understanding**

The state of Delaware uses a multidisciplinary team (MDT) approach to reports of child sexual abuse. An MDT is a group of professionals from various disciplines who work together for a common goal. The MDT consists of law enforcement, child protection professionals, prosecutors, victim advocates, and the mental health and medical communities. The Delaware MDT response is outlined in a formal document called the Memorandum of Understanding. This agreement is signed by representatives of all Delaware police departments, the Delaware Department of Justice (DOJ), the Delaware Division of Family Services (DFS), and the Children's Advocacy Center of Delaware (CAC).

### **Allegation/Suspicion of Abuse**

Either an allegation of child sexual abuse is made by the child (disclosure) or another person OR someone suspects that a child is being or has been sexually abused.

### **Mandated Report**

Every person in the state of Delaware is a Mandated Reporter by law. This means that if you suspect child abuse you must report it to the authorities. If a child is in immediate danger, you should call 911. Otherwise, all reports of abuse should be called into the DFS Child Abuse & Neglect Hotline at 1-800-292-9582.

### **Law Enforcement (LE) – Criminal**

Law Enforcement refers to police agencies or officers. Police officers are responsible for enforcing laws, investigating crimes, and making arrests. **The role of LE is to determine if a crime has been committed.**

### **Division of Family Services (DFS) – Civil**

The Delaware Division of Family Services investigates child abuse, neglect and dependency, offers treatment services, foster care, adoption, independent living, and childcare licensing services. The Mission of the Division of Family Services is to promote the safety and well-being of children and their families through prevention, protection, and permanency. **The role of DFS is to determine the safety of the child.**

### **Cross-Report**

Per the MOU, law enforcement and the DFS must share information with one another about child sexual abuse reports that are received by their respective agencies.

### **Joint Investigation Begins**

If the case meets criteria for investigation by both law enforcement and the Division of Family Services, a joint investigation will be conducted. Law enforcement criterion involves any case in which it is suspected that a crime has been committed. Law enforcement may not investigate a child sexual abuse complaint between two very young children. DFS criterion involves any

case in which it is suspected that the child has been sexually abused by a household or family member. DFS may not investigate a child sexual abuse complaint against a teacher, bus driver, doctor, neighbor, etc. If criterion is met for both agencies, the joint investigation begins immediately.

### **Children's Advocacy Center of Delaware (CAC) – Private, Non-profit**

A CAC is a comprehensive, child-focused program based in a facility that brings together law enforcement, child protection professionals, prosecutors, victim advocates, and the mental health and medical communities to collaborate when intervening in child abuse cases. **The role of the CAC is to coordinate and facilitate the MDT response.** This begins when the team members contact the CAC to schedule a forensic interview for the alleged child victims and witnesses. At this point, the CAC contacts all agencies involved in a multidisciplinary response to notify them of the Forensic Interview(s) date and time, to include: law enforcement, DFS, DOJ prosecutor and social worker, CAC Forensic Interviewer and Family Resource Advocate (FRA).

### **Forensic Interview**

Forensic Interviews are conducted as one component of an investigation. Forensic Interviews are scheduled when cases are referred by law enforcement or DFS investigators. A Forensic Interview is a neutral, fact-finding inquiry conducted with consideration for the developmental and emotional needs of each child. The Interview provides an opportunity for the children to report any experiences they may have had and allows the children to provide details regarding those experiences.

MDT members gather at the CAC to participate in the Forensic Interview process. MDT members meet before the interview is conducted to share information about the case. The Forensic Interviewer (FI) then meets with the caregiver(s) to show them where the child will be interviewed, explain the interview process, to ask about the child's abilities and disabilities that may impact communication, and have paperwork signed. The FI then conducts the interview with the child while the MDT observes from an adjacent room via closed-circuit television. Towards the end of the interview, the FI will step out of the interview to meet with the MDT to see if there are any additional questions the team would like the FI to ask the child. This allows for all team members to gather the information that is important to their individual investigations while having only one person interview the child. After the Forensic Interview, the MDT will discuss the results of the interview and the next steps to be taken in the investigation process. The MDT also considers the need for other services, such as medical examinations and mental health assessments or treatment. The MDT will then meet with the caregiver to let the caregiver know how the interview went, what the next steps are in the investigation process, and see if the caregiver has any questions. The CAC FRA will meet separately with the caregiver to discuss resources for the child and family, such as mental health assessments and/or counseling needs.

### **LE/DOJ**

Criminal investigation continues. If law enforcement finds they have Probable Cause to believe that a crime has been committed by the suspect, they will make an Arrest. Probable Cause means having sufficient reason, based upon known facts, to believe a crime has been committed or that certain property is connected with a crime. Probable Cause must exist for a law enforcement officer to make an arrest without a warrant, search without a warrant, or seize

property in the belief the items were evidence of a crime. Arrest means the apprehending or detaining of a person in order to answer for an alleged or suspected crime. The U.S. Constitution's Fourth Amendment authorizes Arrests only if law enforcement have "probable cause" to believe that a crime was committed and that the suspect did it.

This decision to make an arrest is made in conjunction with DOJ. The Delaware Department of Justice is the Office of the Attorney General. The mission of the Office of the Attorney General is to protect Delawareans from harm by enforcing the law and being your advocate. LE works with the DOJ Deputy Attorneys General (DAG). A DAG is a Prosecutor, a lawyer who represents the State of Delaware on behalf of the public. DAGs, with critical support from criminal investigators, social workers, paraprofessionals, and administrative staff, prosecute criminal cases, enforce environmental laws, provide counsel to state agencies, ensure the public's access to open government, protect the abused, and much more.

### **CAC FRA**

Provides victim advocacy and assists families with accessing mental health services. FRAs make referrals directly to counseling agencies on behalf of families. FRAs will also follow up to ensure the families were able to access those services.

### **DFS/DOJ**

Civil investigation continues. If DFS finds they have a Preponderance of the Evidence, the case will be Substantiated. The Preponderance of the Evidence is the standard of proof needed by DFS to substantiate an allegation of abuse. The Preponderance of Evidence means that the evidence shows that it is more likely than not that the abuse occurred. If DFS determines that the abuse or neglect occurred, then the allegation is Substantiated. If the alleged perpetrator appeals the finding, the DOJ will represent the DFS in a Substantiation Hearing. Additionally, during the course of the investigation, DFS may be required to consult with a civil DAG before taking action.

**Case Review** - MDT comes back together on a regular basis to review and discuss each case, sharing pertinent information to ensure that no case falls through the cracks and to ensure the child and family receive appropriate services.