

4. Making the Initial Contact: The First Face-to-Face Contact with the Family

Procedure

On all CPS assessments, the CPS worker is required to gather safety related information and facts necessary to ensure child safety. Through interviews and observation, the CPS worker will assess and analyze information in the following six domains:

1. Extent of the child abuse and neglect
2. Circumstances surrounding the child abuse and neglect
3. Child functioning
4. Adult functioning
5. Parenting practices and,
6. Disciplinary practices

The CPS worker must, to the extent possible, do the following during the interview (a more complete list of requirements is outlined in OAR 413-015-0422):

1. Present identification to the family at the beginning of the interview and provide a business card or other document to the parents and caregivers containing the CPS worker's name and work telephone number.
2. Clearly state the reason for the interview, provide statutory authority to assess reports of child abuse and neglect, and give an explanation of the alleged child abuse or neglect.
3. Obtain names of persons from the parents and caregivers who can provide additional information in determining child safety and completing the CPS assessment.
4. Ask the parents and caregivers to sign an authorization to release information to enable the Department to obtain confidential information from physicians, mental health providers, school employees, or other service or treatment providers.
5. Collaborate with the family in gathering the six domains to assess child safety.

Please see appendix # 2.1, Safety Related Information Collection

A. Have face to face contact with and interview the alleged victim, his or her siblings, and other children living in the home.

OAR 413-015-0420 outlines the requirement to have face-to-face contact with and interview the alleged victim, his or her siblings, and other children living in the home. The purpose of these contacts and interviews is to gather information regarding possible child abuse and neglect, and assess the children's immediate safety. If it is not possible during the initial contact for the CPS worker to make a face to face contact with and interview the siblings or other children living in the home, the CPS worker must document why contact was not made and must complete the face to face contact and interview as soon as possible.

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When a child is not verbal and, therefore, cannot be interviewed, it is still required to observe that child.

- Notify the parents or noncustodial caregiver of the intent to interview a child, unless notification could compromise the child's safety.
- On an assessment where a CPS worker in consultation with a supervisor have determined that child safety may be jeopardized by contacting the family prior to interviewing the child the worker must:
 - Make diligent efforts to contact the child at home, school, day care or any other place the worker believes the child may be found. If the CPS worker is unsuccessful, the CPS worker must document in the assessment activities section of OR-Kids all attempts made to contact the child and the dates of those attempted contacts.
- When the CPS worker contacts the child at home and the parent or caregiver is not present:
 1. Consult with a CPS supervisor and seek assistance from LEA if the referral indicates there is reasonable cause to believe the child's health or safety is endangered by the conditions of the dwelling, or the child is inadequately supervised and there is an immediate need to evaluate the child's health and safety.
 2. Wait until the parent is present in the home to complete a child interview in the home if there is not reasonable cause to believe the child's health or safety is endangered by the conditions of the dwelling, and the child is adequately supervised.
- When the CPS worker is denied access to the child or to the child's residence:
 1. If the referral indicates the child may be unsafe, request assistance from LEA to assess the situation and take the child into protective custody if needed.
 2. If the referral indicates the child is presently safe, the CPS worker must consider the following:
 - a. Attempting to contact other persons who may have relevant information regarding the referral
 - b. Persisting in attempts to gain cooperation from the family or caregivers, depending on the known child safety information
 - c. Seeking LEA assistance.
 - d. Consulting with the CPS supervisor, the district attorney, assistant attorney general, or the county juvenile Department to discuss possible juvenile court action.
 - e. Seeking a protective custody order from the juvenile court.
 3. Consult with the CPS supervisor, the district attorney, assistant attorney general, or the county juvenile Department to discuss possible juvenile court action.

4. Seek a protective custody order from the juvenile court.
- Notify the parents or caregivers the same day a child has been interviewed. In some cases parents are not present at the time of initial attempted contact, workers are still required to make contact unless same-day notification could make a child or adult victim unsafe, a CPS supervisor may authorize an extension for one day to allow a planned notification that is less likely to compromise safety. Supervisory approval and justification for the approval must be documented.
 - When indicated, conduct interviews in a manner that ensures privacy for the child (this includes a location where the child can speak without being heard or seen by others during the interview).
 - If the parent or caregiver is the alleged perpetrator or if the presence of the parent or caregiver might impede the interview, the CPS worker may interview children independent of their parents or caregivers.
 - When appropriate work with the parent/caregiver to determine what the interview will look like. Where will it occur? Who will be present? When will it happen?
 - Allow a child who is the victim of a person crime as defined in 2005 Or. Laws ch. 490, and who is at least 15 years of age at the time of the abuse, to have a personal representative be present during an interview. If a CPS worker believes the personal representative would compromise the CPS assessment, the CPS worker may prohibit a personal representative from being present during the interview.
 - Observe all the child's injuries or signs of neglect. The CPS worker may need to remove a child's clothing to make adequate observations. In that event, the CPS worker:
 1. Must use discretion and make the child as comfortable as possible.
 2. Must seek parental consent and assistance, when possible and appropriate.
 3. Must consider requesting a worker or other support person, who is the same gender as the child, be present to serve as a witness and provide comfort for the child.


TIP

If the allegation is against a foster parent, the CPS worker must remember that having face-to-face contact with the other children in the home also includes the biological and adopted children of the foster parents.

The CPS worker may observe injuries to female or male genitalia if the child is not school aged and if the observation can be facilitated without the CPS worker touching the child's genitalia. The CPS worker must facilitate examination by a medical professional if the alleged abuse or neglect involves injury to the genitalia of any aged child, or reported or disclosed injury to the genitalia of a school aged child.

B. Have face-to-face contact with, and interview, the non-offending parent or caregiver and all adults living in the home.

OAR 413-015-0420 outlines the requirement to have face-to-face contact with and interview the non-offending parent or caregiver and all adults living in the home. The purpose of this face-to-face contact and interview is to find out what the non-offending parent or caregiver and other adults living in the home know about the alleged child abuse or neglect, gather information related to the

safety of the child, including information pertaining to the six domains, and gather information to determine whether the parent or caregiver can or cannot and will or will not protect the child. If it is not possible during the initial contact for the CPS worker to make face-to-face contact with, and interview, the non-offending parent or caregiver and other adults living in the home, the CPS worker must document why the contact was not made and must complete the face-to-face contact and interview as soon as possible.

Whenever practicable, interview both parents and caregivers in person, as follows:

- Interview each person in a manner that considers each person's privacy and safety and assures effective communication. This may require interviewing parents or caregivers individually and also together depending on the information being gathered
- Ask questions about domestic violence in separate interviews only.
- Provide all adults living in the home with a written notice that a LEADS check may be run on them, if applicable.
- Provide each parent or caregiver with the "What you need to know about a Child Protective Services assessment" pamphlet, which includes written information regarding the CPS assessment process, including the court process and the rights of the parent and caregiver.
- Interview the non-custodial legal parent during the CPS assessment. *This is not required during the initial contact, but should be considered because the non-custodial parent may have essential information or be a placement resource. In order to fully understand the family condition you must understand what each parent's involvement is, and it is critical to obtain information regarding, parenting practices, disciplinary practices, and adult functioning for all parents regardless of their custodial status.*
- If the interview could make a child or adult victim unsafe, a CPS supervisor may authorize an exception to the requirement to conduct the interview based on documentation that supports this conclusion.



Diligent efforts include attempting to locate through collateral contacts any other locations where the child may be. Collateral contacts might include other family members, neighbors, friends or professionals who have had recent contact with the family. Reviewing other DHS program files if accessible such as Self Sufficiency and the Child Support screens also would be valuable in seeking address information.

C. Interview the alleged perpetrator

OAR 413-015-0420 outlines the requirement to have face-to-face contact with and interview the alleged perpetrator. The CPS worker must make face-to-face contact with and interview the alleged perpetrator during the initial contact when he or she is the child's custodial parent, caregiver, any person living in the home, or is present in the home when the CPS worker makes contact. The purpose of this interview is to evaluate the alleged perpetrator's reaction to allegations of abuse or neglect as well as to the child and his or her condition, and to gather further information about the alleged perpetrator and the family in relation to the safety of the child. When the alleged perpetrator is a minor parent, the purpose is also to determine if the minor parent is an alleged victim of abuse

If the alleged perpetrator is not a parent, caregiver, an adult living in the home, or is present in the home when the CPS worker makes contact, the CPS worker must interview the alleged perpetrator, but may complete the interview during the course of the CPS assessment. If it is not possible to interview the alleged perpetrator during the initial contact due to a criminal investigation and being unable to coordinate with an LEA within the timelines for initial contact, then it is permissible to interview the alleged perpetrator later in the CPS assessment. Any decision not to interview the alleged perpetrator during initial contact must be approved by a CPS supervisor and the CPS worker must document both the approval and the reason.

Prior to meeting with the alleged perpetrator, consult with a CPS supervisor if an interview with the alleged perpetrator could make a child or adult unsafe.

When meeting with the alleged perpetrator, regardless of the perpetrator being a parent or caregiver, the CPS worker must:

- Coordinate the interviews of the alleged perpetrator with LEA when law enforcement is conducting an investigation.
- Provide the alleged perpetrator with a written notice that a LEDS check may be conducted on them.
- Make inquiries about the employment status of the alleged perpetrator. If the CPS worker has reasonable cause to believe the alleged perpetrator is an employee of DHS or OYA, the CPS worker must notify a CPS supervisor. The CPS supervisor must confirm the person's employee status by contacting a Central Office Field Services representative. If the CPS supervisor determines the alleged perpetrator is an employee of DHS or OYA, the CPS supervisor must notify the DHS Office of Human Resources at the time of the assessment and at the time the assessment is reviewed, as required in administrative rule. The CPS supervisor must document the notifications in OR-Kids. A CPS supervisor must then be assigned to complete the assessment..
- When interviewing the alleged perpetrator who is the parent or caregiver, the CPS worker must provide the parent or caregiver with the "What you need to know about a Child Protective Services assessment" pamphlet, which includes written information regarding the CPS assessment process, including the court process and the rights of the parent and caregiver.

D. Assess the home environment

Procedure:

The CPS worker must observe the home environment or environments when the child resides in more than one home. For example a child who spends half their time with their mother in her home and half their time with their father in his home, the worker must observe both home environments to assure safe living arrangements.

The CPS worker must observe and assess the following:

- Condition of the child's living space, including where the child sleeps.

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- Physical status of the home such as:
 1. Sanitation (e.g., feces and rotting food)
 2. Hazards or dangerous living conditions (inadequate heat in the winter; faulty wiring; lack of barriers on stairs, porches, and windows; standing water that poses danger of drowning; scalding water; and broken windows)
 3. Signs of excessive alcohol use, and use of illicit drugs, accessible drugs and alcohol
 4. Inadequate food or lack of access to food and water
 5. Weapons
 6. Chemicals
 7. Traffic in and out of the home
 8. Climate of the neighborhood, including level of violence or support, and accessibility of transportation, telephones, or other methods of communication.

Documentation

- The CPS worker must document the dates of attempted and successful contacts in OR-Kids. If it was not possible during the initial contact for the CPS worker to successfully complete a required contact, the CPS worker must document why contact was not made and must complete the face-to-face contact and interview as soon as possible.
- Interviews and observations made at initial contact that pertain to the six domains must be documented in OR-Kids. This information is critical to understanding the family behaviors, conditions, and circumstances.