

CHILD DEATH SCENE INVESTIGATION

ROLE OF CHILDREN'S PROTECTIVE SERVICES

Colin Parks, Manager
Children's Protective Services Program Office
Department of Health and Human Services

CRITERIA FOR CPS ASSIGNMENT

- Policy requires that child death complaints be assigned for investigation if:
 - There are allegations that the death was due to child abuse/neglect
 - It is a sudden and unexpected infant death
- The fact that a deceased child has no siblings is **not** a sufficient reason to reject a CPS complaint.

CRITERIA FOR CPS ASSIGNMENT

- Other child death cases may be assigned after a preliminary review at intake which may include any/all of the following:
 - Consultation with medical and law enforcement personnel involved
 - Criminal history/central registry clearances
 - Review of case records and history
 - Any other collateral contacts as needed to obtain additional information

REQUIRED REFERRALS

- The Michigan Child Protection Law (CPL) requires that within 24 hours of receipt, DHS refer to the prosecutor and law enforcement any complaint that alleges abuse or neglect is the suspected cause of a child's death.

PRIORITY: CHILD SAFETY

- When a child death investigation is assigned, the CPS worker must take steps to ensure the safety of any surviving children in the home, **as soon as possible**.

COORDINATED INVESTIGATION

- When a complaint includes allegations that abuse or neglect may be the cause of the child's death or if it is a sudden and unexplained infant death, CPS workers are **required** to seek the assistance of and cooperate with law enforcement at the point the investigation is commenced.
 - Every effort must be made to maintain communication, coordination and cooperation with law enforcement throughout the investigation.

COORDINATED INVESTIGATION

- With law enforcement, CPS should observe the scene where the alleged abuse/neglect causing the child's death occurred and/or where the child was found deceased as soon as possible.
- Any objects alleged to have been involved should be observed and photographed.
- The general appearance of the scene, any environmental hazards, surrounding surfaces should be noted and photographed if necessary.

COORDINATED INVESTIGATION

- If a child death scene reenactment is being conducted, the CPS worker should make every effort to be present.
- The reenactment can assist in determining contributing factors to the child's death, as well as the feasibility of the sequence of events provided by alleged perpetrators and/or caretakers.

COORDINATED INVESTIGATION

- CPS should seek to conduct interviews with alleged perpetrators and other case members in conjunction with law enforcement to maintain collaborative approach.
- CPS may also need to interview neighbors, EMS, medical staff, teachers, extended family members to gain additional information and make an informed decision about the circumstances of the child's death and create a timeline of events leading up to the fatality.

COORDINATED INVESTIGATION

- If law enforcement completes an interview without CPS present, this interview may be utilized for purposes of the CPS investigation **only if** it can be verified that law enforcement made proper inquiry into all allegations and other information needed by CPS.
 - If it cannot be verified that proper inquiry was made by law enforcement, CPS must coordinate with law enforcement in conducting a follow-up interview to obtain the information needed.

CPS SHOULD OBTAIN & REVIEW THE FOLLOWING:

- Medical records
- Mental health records
- In-home services reports
- School records
- Criminal history/police reports
- Family history (DV, substance abuse, etc.)
- CPS history for the family
 - Any previous findings of CA/N?
 - Any previous child deaths?

GUIDES & TOOLS

- CPS workers may chose to utilize the Child Death Investigation Checklist (DHS-2096) to assist in the completion of a thorough child death investigation.
- The Child Death Investigation Checklist is not a law/policy requirement, but an optional tool available to CPS workers.
- CPS workers may provide information gathered on the Child Death Investigation Checklist with law enforcement and medical examiners involved with the investigation.

SLEEP RELATED FATALITIES

- If an unsafe sleep environment may have been a contributing factor:
 - CPS must inquire about caregiver knowledge of safe sleep and document this in the DHS-154 Investigative report.
- NOTE: An unsafe sleep environment **does not** in and of itself constitute child abuse or neglect.

SLEEP RELATED FATALITIES

- Evidence of the following should be considered and may impact the case disposition:
 - Substance Abuse
 - Supervision
 - Hazardous Environment

CPS DISPOSITION

- Category V or IV
 - no preponderance of evidence of child abuse/neglect
- Category III or II
 - Preponderance of evidence of child abuse/neglect
- Category I
 - Preponderance of evidence of child abuse/neglect **and** court petition

COURT INVOLVEMENT

- CPL requires CPS to refer cases to the prosecuting attorney (by sending DHS-154) if there is a preponderance of evidence of child abuse or neglect, and the case involves the death of a child.
- CPL requires that a petition for court jurisdiction be filed within 24 hours of determining a preponderance of evidence exists that a child's death is the result of abuse or neglect.

ASSESSING FOR SERVICES

- Throughout a child death investigation, CPS must maintain awareness of the services the family may need during this time of crisis.
 - Referrals for counseling
 - Resources for public assistance (burial fees, etc.)
 - Any other services or assistance the family may need or request

QUESTIONS?

CONTACT INFORMATION

CPS Program Office: (517) 335-3407

Colin Parks, CPS Program Office Manager
(517) 388-5125 ParksC@michigan.gov
