

## Chapter 17

## INTERVIEWING THE ALLEGED MALTREATING CAREGIVER

17-1. Purpose. While not always possible, the identified maltreating caregiver should be the last household member interviewed. This means the investigator will have the most information available when questioning the identified maltreating caregiver about the specific maltreatment incident, circumstances accompanying it, and any out-of-control individual or family conditions that the investigator needs to assess relative to making a safety determination.

17-2. Procedures.

a. At the point the investigator determines, through direct observation or victim/witness disclosure, that the alleged maltreatment occurred and is serious or severe enough to warrant consideration as “criminal conduct”, the investigator shall immediately notify law enforcement prior to conducting the interview with the identified alleged maltreating caregiver.

b. The investigator will inform law enforcement personnel about the necessity for, and timing of, any protective actions the investigator will need to take to ensure child safety. If it is not possible to interview the identified alleged maltreating caregiver at the initial contact due to a criminal investigation, the investigator will request to be notified by law enforcement personnel at the earliest possible date when the individual is cleared to be interviewed. To facilitate notification, the investigator will check with law enforcement on at least a weekly basis to confirm there is still a “hold” on the interview. After law enforcement has interviewed and obtained statements from the alleged maltreating caregiver the investigator should gather information on:

- (1) Extent of Maltreatment.\*
- (2) Surrounding Circumstances of Maltreatment.\*
- (3) Child functioning.
- (4) Adult functioning.
- (5) General parenting.
- (6) Discipline and behavior management.\*

\*NOTE: At times, law enforcement and/or the alleged maltreating caregiver’s attorney will consent to an interview if the maltreatment “incident” is not discussed. In those instances the investigator should refrain from asking questions related to Information Domains One and Two. Questions on the use of disciplinary practice should be avoided as well when the maltreatment incident reportedly involved the use of excessive corporal punishment.

c. Prior to meeting with the identified alleged maltreating caregiver, the investigator may request discussion with a supervisor if the individual has a history of assaultive behavior or violence and consideration should be given to having law enforcement accompany the investigator or conducting the interview in a safer setting (i.e., office or other public site).

d. When meeting with the identified alleged maltreating caregiver, the investigator must:

- (1) Coordinate the interview with local law enforcement when law enforcement is conducting an investigation.

(2) Present agency credentials and contact information for both the investigator and his or her supervisor.

(3) Inform the individual of their specific rights as outlined in section [39.301\(5\)](#), F.S.:

(a) Purpose of the investigation.

(b) Right to obtain counsel and how the investigator may use the information provided.

(c) Possible outcomes and interventions resulting from the investigation.

(d) Right to be fully informed and engaged throughout the investigative process if a parent or legal guardian.

(e) Right to use audio or video recordings during interviews.

(f) Requirement to report any change in address to the investigator up until the investigation is completed.

e. The investigator must make diligent efforts to contact all parents residing in the focus household, legal guardians, caregivers, and identified alleged maltreating caregivers. If the investigator is unable to locate on the first attempt, multiple on-site attempts are required. Attempting contact at places of employment may be necessary. The investigator is required to contact parents incarcerated in a local jail setting and attempt an interview.

f. A parent's refusal to be interviewed, whether based on the legal advice of counsel (regardless of the setting) or their individual discretion, should be documented accordingly.

17-3. Supervisor. When initiated, the Supervisor Consultation should affirm:

a. To the degree possible, the investigator's interview of the alleged maltreating caregiver should provide sufficient information on all information domains, but particularly related to the extent of, and circumstances surrounding, the maltreatment (see exceptions noted above for reports involving law enforcement).

b. The investigator has made reasonable effort to locate and interview the alleged maltreating caregiver, when the individual is not responding to the investigator's request to be interviewed or is avoiding contact altogether.

17-4. Documentation.

a. The investigator will document all contacts and information obtained through interviews in case notes within two business days.

b. The supervisor will document the consultation using the supervisor consultation page hyperlink in the investigation module within two business days.