

**POLICY  
330**

**EFFECTIVE  
DATE  
11-21-17**

**Eugene  
Police Department**



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## **Child Abuse Reporting**

### **330.1 PURPOSE AND SCOPE**

The purpose of this policy is to provide guidelines and procedures for reports of suspected child abuse and the taking of minors into protective custody.

### **330.2 DEFINITIONS**

For purposes of this policy the following definitions are provided:

**Child** means an unmarried person under the age of 18 years (*ORS 419B.005[2].*)

**Child Abuse** means any of the following:

- (a) Murder by Abuse (*ORS 163.115[1][c]*)
- (b) Any act described in *ORS 419B.005[1][a]*.

Abuse does not include reasonable discipline unless the discipline results in one of the conditions described above (*ORS 419B.005[1][b]*).

**Suspicious physical injury** includes, but is not limited to, any of the following:

- (a) Burns or scalds.
- (b) Extensive bruising or abrasions on any part of the body.
- (c) Bruising, swelling, or abrasions on the head, neck, or face.
- (d) Fractures of any bone in a child under the age of three.
- (e) Multiple fractures in a child of any age.
- (f) Dislocations, soft tissue swelling, or moderate to severe cuts.
- (g) Loss of the ability to walk or move normally according to the child's developmental ability.
- (h) Unconsciousness or difficulty maintaining consciousness.
- (i) Multiple injuries of different types.
- (j) Injuries causing serious or protracted disfigurement or loss or impairment of the function of any bodily organ.

- (k) Any other injury that threatens the physical well-being of the child.

### **330.3 CHILD ABUSE REPORTING**

All sworn officers of this department are responsible for the proper reporting of child abuse. Any sworn officer who has reasonable cause to believe that any child with whom the employee comes into contact has suffered abuse, or that any person with whom the employee comes in contact has abused a child, will ensure that the matter is immediately reported in the manner required by *ORS 419B.015 (ORS 419B.010.)*

#### **330.3.1 PRELIMINARY INVESTIGATION**

If an officer becomes aware of an alleged incident involving suspected child abuse, as defined in this policy, or if an officer observes a child who has suffered a suspicious physical injury and there is a reasonable suspicion that the injury may be the result of abuse, the officer will:

- (a) Cause an investigation to be made to determine the nature and cause of the abuse of the child.
- (b) If the officer finds reasonable cause to believe that abuse has occurred, the officer will notify the Violent Crimes Unit Supervisor and the local Child Welfare office and request their assistance if appropriate.
- (c) Officers will obtain a medical assessment of any injured party as soon as reasonably possible from a medical professional designated by our agency to conduct medical assessments as described in *ORS 418.782*. The officer will inform a shift supervisor if an exam by a designated medical professional cannot be obtained after reasonable effort was made to do so. Other medical attention should be sought for injured parties if a designated medical professional is unavailable and the injuries require immediate care.
- (d) The primary responsibility of the investigating officer is to protect the child from further abuse. If the child cannot be safely placed with a parent or guardian, or the child's environment puts the child at continuing risk, the child should be placed in temporary protective custody and a Custody Report written. If the child is taken into protective custody, Child Welfare should be contacted to assist in providing shelter care for the child and develop longer term arrangements to prevent further abuses to the child or to safeguard the child's welfare.
- (e) Preserve and photograph the scene, collect evidence, and interview witnesses. A preliminary interview with the victim should be done to the extent necessary to determine whether a crime has been committed. Officers who have not been trained in interviewing child victims should refrain from attempting to conduct a more extensive interview.
- (f) Document and immediately photograph any physical injuries including suspicious physical injuries, except for injuries of the anal or genital region, which may only be photographed by medical personnel. If there is indication of sexual abuse, detectives will attempt to arrange for an appropriate medical exam to be conducted by a specifically trained medical professional.

### **330.3.2 REPORTING AND DOCUMENTATION**

Investigating officers will submit a complete investigative report in all cases of alleged child abuse. Officers responding to incidents of suspected child abuse where it cannot initially be shown that a crime occurred will still document the incident in a police report.

### **330.3.3 RELEASE OF REPORTS**

Reports of child abuse or suspected child abuse are confidential and may only be disclosed pursuant to *ORS 419B.035* and applicable department policies.

## **330.4 INVESTIGATION RESPONSIBILITY**

It is the duty of the Violent Crimes Unit Supervisor to ensure that contact information for a qualified medical professional designated to conduct child abuse related assessments is available to patrol and investigative personnel. The VCU Supervisor will participate in the multidisciplinary team that investigates and prosecutes child abuse cases.

The duties of the detectives assigned to investigate child abuse include, but are not limited to, the following:

- (a) Responsibility for the investigation, collection of evidence, and preliminary preparation for prosecution of all cases of child abuse and molestation. The assigned officer should remain aware of ORS mandates related to Child Abuse investigations and should ensure those mandates are followed.
- (b) Detectives will work cooperatively with Child Welfare and the District Attorney's Office to provide for the welfare of the victim, interview the victim in an appropriate environment, interview all witnesses and involved parties, and collect any additional evidence.
- (c) Investigate the deaths of children that could be attributed to abuse, molestation, or Sudden Infant Death Syndrome (SIDS).
- (d) Investigate reports of unfit homes, child abandonment, child endangering, or child neglect.
- (e) Provide follow-up on suspected child abuse reports (compliance calls).
- (f) Provide appropriate training to patrol personnel, if assigned.
- (g) Coordinate with other enforcement agencies, social service agencies, and school administrators in the application and enforcement of the laws regarding child abuse cases.
- (h) Ensure that a designated medical professional conducts a medical assessment of the child within 48 hours or sooner according to the medical needs of the child. If a designated medical professional is unavailable for the assessment, the investigator must ensure the child is evaluated by an available physician (*ORS 419B.023[4].*)
- (i) Ensure that photographs of injuries are distributed and filed as required by *ORS 419B.028[2]* within 48 hours or by the end of the next regular business day, whichever occurs later.

**PETE KERNS**  
Chief of Police

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