

Protecting Our Children: Recognizing Child Abuse from a Different Perspective

**Satellite Conference and Live Webcast
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Faculty

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Mandatory Reporters

- **First responders (law enforcement or EMS) should be aware of their role as mandatory reporters**

Mandatory Reporters

- **48 states, Washington D.C., American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands all designate certain professions as being mandated to report suspected child abuse or maltreatment**

Mandatory Reporters

- **18 states and Puerto Rico designate ALL persons as mandatory reporters**
- **Vary in each state but most include:**
 - **Law enforcement, EMS, physicians, nurses, teachers, coroners, day care providers**

Mandatory Reporters

- **Anyone can call in suspected abuse**
 - **These calls are investigated by state child welfare organizations and, based on findings, may be litigated**
 - **The child / children may be removed from care or services may be put in place to monitor family**

Mandatory Reporters

- **“Unknown” or non-family member child abuse**
 - Information from an investigation is passed on to law enforcement and the District Attorneys Office

Mandatory Reporters

- **First responders, law enforcement, and medical providers should be aware of their State, local agency, and professional responsibilities for reporting child abuse and neglect and to what agency that report is submitted**

Mandatory Reporters

- **In order to effectively respond when suspected child abuse is encountered, all stakeholders need to recognize various types and signs of maltreatment or abuse**
 - Includes: initial contact, scene response / observation, treatment, preparation to provide testimony in court

First Responders: EMS

- **Are often the first on scene and may not have been alerted to suspected abuse / maltreatment**
- **Must provide immediate medical care based on initial findings and transport**

First Responders: EMS

- **Observe, assess, and document the scene, conversations, and behaviors that may indicate a suspicion of abuse**

The Scene

- **Take medical control of your scene**
- **Stay calm and focused on providing care, but be aware of what is going on around you**
- **Do not prejudge**
 - Not everyone lives the same way we do, but that doesn't make it wrong!

The Scene

- **Keep in mind that language and cultural differences may be a barrier**
- **How you react may set the tone for all other interactions the family may have with hospital staff and law enforcement**

The Scene

- **Remember, everyone reacts differently to trauma and fear so there may be anger towards the situation that is directed at you**
- **Keep yourself safe and request law enforcement assistance if necessary**

Resuscitation

- **Per your local protocols**
 - **Many areas use the Broselow / Luten tape for medicine, ET tube sizes, fluids, etc.**
 - **Follow your services protocol**
- **Transport as soon as you judge it is safe to do so**

Resuscitation

- **Provide receiving ER with information pertinent to your patient as well as your ETA so they can prepare**
 - * **This is not the time to articulate your suspicions**
- **Make sure parents / caregivers know where you are going**

Non-accidental Injury or Illness

- **It is difficult for many to believe a family member or caregiver would intentionally injure a child but it happens more than you might suspect**

Non-accidental Injury or Illness

- **Often we clue in to potential abuse, not just with visual clues or reports but also by what is seen or heard at the scene that triggers that “gut reaction”**

Non-accidental Injury or Illness

- In cases where child abuse or death is the result of the injury or illness, what you see or hear may help to make the case against the perpetrator

Death of a Child

- When it is obvious on arrival that a death has occurred (lividity and / or rigor is present) and your location does not require resuscitation of an infant, you must:
 - Contact law enforcement immediately (if not present already) as well as the coroner if required in your state

Death of a Child

- Make sure the family understands, if possible, that the attempt to resuscitate will not change the outcome

Death of a Child

- Explain everything you do
 - This may be a gray area for some and, depending on family reaction, may change your decision to resuscitate
 - Follow your local protocols

Death of a Child

- One of the most difficult scenes to work
 - Responders must quickly assess the patient and make quick decisions regarding care while making sure the scene is preserved for law enforcement

Death of a Child

- In cases of child abuse, one of the most important things you can do is:
 - **DOCUMENT, DOCUMENT, DOCUMENT!**
 - What you are doing
 - Actions, behaviors, and conversations of those around you

Death of a Child

- Describe carefully anything unusual that is said or actions that don't quite "make sense"
- Your documentation may help make a case for an arrest
- Use quotation marks when quoting what was said that triggered your interest or suspicion

Law Enforcement

- Because of the presence within your communities, law enforcement may arrive first or simultaneously with EMS
- May see evidence of abuse during drug or other arrests

Law Enforcement

- Your role is to:
 - Determine (along with other stakeholders) if abuse occurred
 - Identify and apprehend the offender
 - File appropriate criminal charges
 - Remove children when safety is in jeopardy

Law Enforcement Response

- When child abuse is suspected, remember, the longer you wait, the more opportunity there is for the suspected abuser to conjure up a story or add details about how the child was injured
 - Time can be the enemy as the scene may be compromised prior to investigation

Law Enforcement Response

- Documentation of the scene(s) is essential in assisting to establish a cause of injury or death
- In the case of death, interviewing all parties involved, and noting the child's appearance, clothing, medications, and objects or toys near the position of where the child was found are very important

Law Enforcement Response

- Do not forget to include local child welfare offices in the investigation!

Law Enforcement Response

- With the cooperation of your local Emergency Department nurses and physicians, child welfare workers and EMS in the case of abuse / neglect, a picture really is worth a thousand words!

Law Enforcement Response

- Documenting a child's injuries through photographs can assist in:
 - Determining cause of injury
 - Determining whether a death is “natural”, accidental, or intentional

Law Enforcement Response

- Pictures, unlike bruises, do not fade
 - In this age of digital photography there's no reason for poorly documented injuries

Conversations

- Depending on the age of the child, interviewing can provide information as to how the injury really occurred
- Establishing a level of trust through communication and comfort can help a child open up to an investigator, physician, sexual assault nurse examiner, or caseworker

Conversations

- Use open-ended questions so you don't “lead” the conversation
 - Allow them to answer freely
- Continuity with person that has established trust is essential in obtaining information against a perpetrator / abuser, even if it's the child's own family

Conversations

- Make sure conversations are well documented or recorded

When the Answers Don't Fit the Questions

- Unfortunately, not all injuries or deaths are accidental
 - Using appropriate investigative skills can assist in providing evidence needed to find and prosecute the individual responsible

Medical Personnel

- EMS will contact you, if possible, with information about the child being transported
- Prepare for the child's arrival using your protocols already in place
- Keep the family "in the loop" about the child's care
 - They may not be aware of abuse

Medical Personnel

- Treat the family with respect and always use the child's name
- Ask what happened, use their words, and if the answers don't fit, re-word the question as there may be a communication issue

Medical Personnel

- The communication between you and the parent / caregiver must not be one of accusation or hostility but of caring, regardless of your personal feelings based on the injuries of the child

Medical Personnel

- Depending on injuries or illness, if abuse is suspected, documentation of injuries is paramount through pictures, x-rays, conversations with the child (if appropriate), and your own notes
 - Law enforcement needs to document injuries so contact them as soon as possible

Medical Personnel

- Once abuse is suspected, or has been determined, the role of mandatory reporting begins
 - Depending on your area, protocol may dictate that the physician or his designee makes the calls to your state agency as well as law enforcement

Medical Personnel

- A designated staff member should stay with the child to provide comfort
- Talking with the caregiver for a history of illness or injury is extremely important but may be difficult given the situation

Medical Personnel

- Documenting “unable to obtain information from parents” may be easier than facing someone who may have injured their own child, but this is still necessary so information can be obtained regarding the mechanism of injury

Medical Personnel

- If you do not feel you can talk to these parents or caregivers, contact an appropriate, experienced person comfortable having these discussions

CYA: Not Just 3 Letters of the Alphabet!

- In our current litigious society, the best way to cover yourself is the ever present mantra of:
 - DOCUMENT, DOCUMENT, DOCUMENT!!!

CYA: Not Just 3 Letters of the Alphabet!

- Every EMR system has a “free text” portion of the record
 - Use that to document details of your conversations with the caregivers

CYA: Not Just 3 Letters of the Alphabet!

- In the event the case is something more than “accidental”, the information you provide may be important and helpful in case of trial

CYA: Not Just 3 Letters of the Alphabet!

- In addition to the pictures taken by law enforcement, the “picture portion” of the EMR and your notes on it designating injuries is important

“Raise Your Right Hand”

- If you are called to court to testify based on your records, you do not want them to be incomplete
 - Your documentation reflects your professionalism and integrity of the job you do

“Raise Your Right Hand”

- You do not want the defense attorney “chewing you up and spitting you out” based on your records
 - It could cost the case and make people question your own abilities

Child Abuse

- Whatever your role in these cases, it is important to acknowledge your own emotions and do your job
- Communication between law enforcement, prosecutors, coroners, physicians, nurses, and social services steers the direction of the investigation

Yours, Mine, and Ours

- Having every stakeholder (law enforcement, fire rescue, EMS, emergency department staff, coroners, child death review teams, Forensic Science, child welfare) in the investigation is essential to determining cause of injury, illness, or death and law enforcement’s response to those findings

Yours, Mine, and Ours

- Each party has unique information to share in determining a child’s cause of injury or death
- Maintaining good relationships can assist in resolving a cause of injury or death
 - Can bring peace to the child and family or bring a perpetrator to justice

To Review

- Reviewed mandatory reporting in the U.S.
- Discussed the roles that EMS, law enforcement, and medical staff have in reporting abuse and dealing with families when abuse is suspected

To Review

- Discussed the importance of scene observation, behaviors, and conversations, and how they can help provide information about the suspected abuse of a child