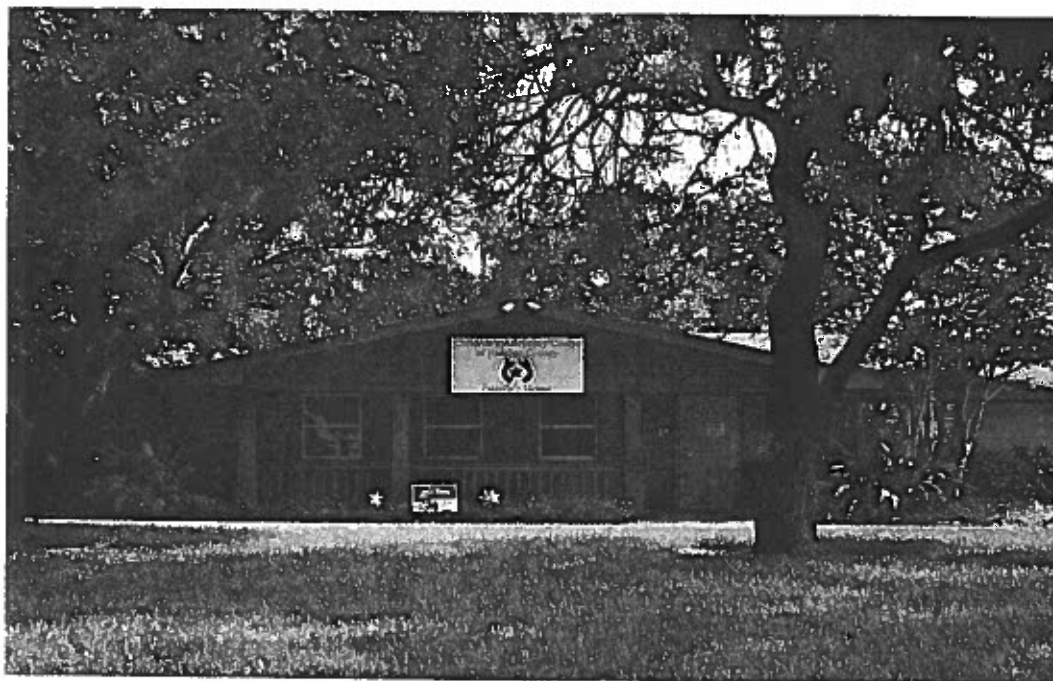


Children's Advocacy Center of Hidalgo County Inc.

Estrella's House



Interagency Memorandum of Understanding

&

Interagency Working Protocol



Hidalgo County 2015—2018

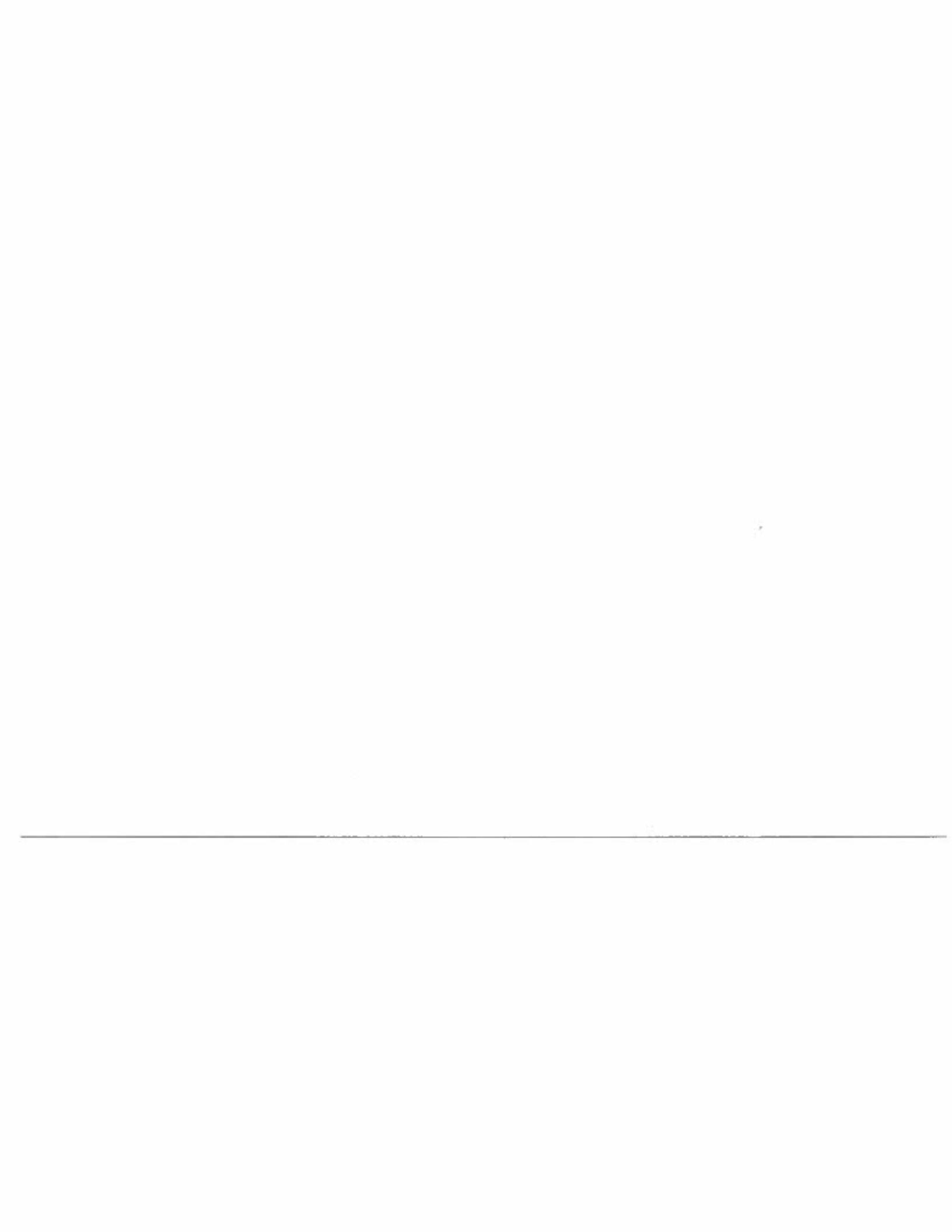


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INTERAGENCY MEMORANDUM OF UNDERSTANDING

THE UNDERSIGNED participating agencies agree to the following policy to support and maintain the Children's Advocacy Center of Hidalgo County, Inc.-Estrella's House (CACHC) as identified in the Texas Family Code Section 264 Subchapter E.

WHEREAS, Hidalgo County continues to experience an increase in the reported incidents of child abuse, a trend which has been seen nationwide. In responding to these reports, numerous problems have been encountered, including excessive interviews of child victims, development of physical evidence and lack of communication among involved agencies. The undersigned head of department agencies and offices in Hidalgo County agree to maintain and continue to support the Children's Advocacy Center of Hidalgo County.

WHEREAS, in response, to these problems, citizens of Hidalgo County have developed a multidisciplinary team (MDT) approach for the investigation of child abuse and neglect to better protect children from excessive interviews due to the lack of communication between investigating entities. In efforts to facilitate a MDT approach, the Children's Advocacy Center of Hidalgo County will enhance the cooperation and coordination of the partner agencies involved in the investigation and prosecution of crimes against children.

WHEREAS, to better protect the children of Hidalgo County, the undersigned agencies have agreed to the following:

1. To continue to develop, achieve and maintain a cooperative team approach to the investigation and prosecution of child abuse;
2. To reduce, to the greatest extent possible, the number of interviews required of a child victim;
3. To develop, maintain and support through a Children's Advocacy Center, an environment that emphasizes the best interests of the children in Hidalgo County and that provides investigative and rehabilitative program services;

AND WHEREAS, it is expressly understood that each agency will work within its department legal mandates and internal policies. Nothing contained in the investigative guideline supersedes the statues, rules and regulations or policies of each individual agency. All State and Federal confidentiality laws will be followed in connection with this agreement. This agreement can be terminated by any party without cause by giving written notice to the other parties.

NOW THEREFORE, the undersigned agencies have agreed to support the concept and philosophy of the Children's Advocacy Center of Hidalgo County, Inc.-Estrella's House.

Signatures

We the undersigned have reviewed and accepted the Children's Advocacy Center of Hidalgo County's Interagency Memorandum of Understanding.

EXECUTED this _____ Day of _____, 2015 and will be in force for three (3) years.

Hidalgo County District Attorney's Office
<i>Ricardo Rodriguez, District Attorney</i>

Judge Mario E. Ramirez, Jr. Juvenile Justice Center
<i>Israel "Buddy" Silva, Jr., Chief Juvenile Probation Officer</i>

Texas Department Of Family and Protective Services-Child Protective Services
<i>Lisa Black, CPS Assistant Commissioner</i>

Texas Department Of Family and Protective Services-Child Care Licensing
<i>Paul Morris, CCL Assistant Commissioner</i>

Texas Department Of Family and Protective Services-Adult Protective Services
<i>Beth Engelking, APS Assistant Commissioner</i>

Children's Advocacy Center of Hidalgo County Inc.-Estrella's House
<i>Victoria Medina, Executive Director</i>

Alton Police Department
<i>Enrique Sotelo, Police Chief</i>

Alamo Police Department
<i>Arturo Espinoza, Police Chief</i>

Edcouch Police Department
<i>Eloy Cardenas, Police Chief</i>

Donna Police Department
<i>Ruben De Leon, Police Chief</i>

Elsa Police Department
<i>Primitivo Rodriguez, Police Chief</i>

Edinburg Police Department
<i>Rolando Castañeda, Police Chief</i>

Signatures Continued

Hidalgo Police Department
<i>Rodolfo "Rudy" Espinoza, Police Chief</i>

La Villa Police Department
<i>Victor Garcia, Police Chief</i>

Mercedes Police Department
<i>Olga Maldonado, Police Chief</i>

Palmhurst Police Department
<i>Michael A. Vela, Police Chief</i>

Peñitas Police Department
<i>Roel Bermea, Police Chief</i>

Progreso Police Department
<i>Alberto Rodriguez, Police Chief</i>

Sullivan City Police Department
<i>Miguel Martinez, Police Chief</i>

Hidalgo County Sheriff's Office
<i>J.E. "Eddie" Guerra, Sheriff</i>

La Joya Police Department
<i>Ramon Gonzalez, Police Chief</i>

McAllen Police Department
<i>Victor Rodriguez, Police Chief</i>

Mission Police Department
<i>Robert Dominguez, Police Chief</i>

Palmview Police Department
<i>Christopher Robert Barrera, Police Chief</i>

Pharr Police Department
<i>Ruben Villescas, Police Chief</i>

San Juan Police Department
<i>Juan Gonzalez, Police Chief</i>

Weslaco Police Department
<i>Stephen Mayer, Police Chief</i>

INTERAGENCY WORKING PROTOCOLS

MISSION STATEMENT

The mission of the Children's Advocacy Center of Hidalgo County (CACHC) is to reduce the emotional trauma to child abuse victims by facilitating a child oriented multi-disciplinary team approach (MDT), which supports the prevention of child abuse through community education and promotes effective prosecution of those who perpetrate crimes against children.

COMPOSITION OF MULTIDISCIPLINARY TEAM (MDT)

The Multidisciplinary Team (MDT) is composed of representatives from law enforcement agencies located within Hidalgo County, Texas Department of Family and Protective Services, the Hidalgo County District Attorney's Office, the Children's Advocacy Center of Hidalgo County, Inc. and Judge Mario E. Ramirez, Jr. Juvenile Justice Center (Juvenile Probation Office), sexual assault nurse examiners, as well as participating Mental Health Providers who have signed the CACHC memorandum of understanding.

AGENCY ROLES

Each of the partner agencies involved with the CACHC has agreed to participate as a member of a multi-disciplinary team. Cases will focus primarily on the child victim's individual needs; followed by the needs of the non-offending family members who are supportive of the child and whose concerns are consistent with the best interest of the child; and finally, on law enforcement, prosecution and civil proceedings involving the case. However, each of these partner agencies also have specific responsibilities and duties unique to their discipline, which are briefly outlined below:

A. Law Enforcement

Law enforcement investigators will actively and collaboratively participate with the forensic interview process conducted at the center and other program services; provide all relevant information/reports when appropriate (Texas Family Code 264.408); provide Center staff with ongoing information pertaining to the direction and status of the criminal investigation; provide direction when deemed appropriate regarding the sharing of case information/specifics with the victim's non-offending family members; conduct and complete witness interviews and evidence collection pertaining to child abuse investigations; provide final case reports/investigative summary to district attorney's office, attend all scheduled MDT case review meetings and participate in the sharing of information regarding current case status and plans for continued investigative activity with MDT members (Texas Family Code 264.406).

B. Texas Department of Family and Protective Services (TDFPS)

TDFPS will actively and collaboratively participate with the child forensic interview process conducted at the center along with any other program services; provide all relevant information/reports when appropriate (Texas Family Code 264.408); participate in individual case review/staffing prior to and following the forensic interviews; provide direction when deemed appropriate regarding the sharing of case information/specifics with the victim's non-offending family members regarding any placement of and protection of the child, advise CACHC staff of any plans for mental health, medical or other social services referrals for the child victim and/or family members; will attend all scheduled MDT case review meetings and participate in the sharing of information regarding case status and plans for continued family involvement with other MDT members (Texas Family Code 264.406).

C. Prosecution

Investigative team members will advise the prosecutor(s) on the outcome of the child forensic interview and/or the sexual assault exam in a timely manner following its conclusion. They will provide CACHC staff with information pertaining to the direction, scope and status of prosecution efforts for the purpose, when deemed appropriate, of sharing this information with the victim's non-offending family members; to coordinate efforts for trial preparation and court accompaniment with CACHC staff, conduct criminal prosecution proceedings, attend all scheduled MDT case review meetings and participate in the sharing of information regarding case status and plans for future court proceedings with other MDT members (Texas Family Code 264.406). Prosecution when appropriate, will assist CACHC in the review of conflict cases prior to providing services at the CACHC.

D. Juvenile Justice Center

Juvenile Probation will provide CACHC staff with information pertaining to the direction, scope and status of case a when deemed appropriate. They will attend all scheduled MDT case review meetings and participate in the sharing of information regarding case status when relevant.

E. Medical

Specialized medical evaluation and treatment services will routinely be made available to clients and coordinated with the investigative agencies. A physician, nurse practitioner, physician assistant that is specifically educated in sexual assaults or a sexual assault nurse examiner will conduct medical evaluations as requested by MDT. They will actively and collaboratively participate with program services when appropriate; provide all relevant information/reports when appropriate; provide

direction when deemed appropriate regarding the sharing of case information/specifics with the victim's non-offending family members regarding medical evaluation, advise CACHC staff of any plans for mental health, medical or other social services referrals for the child victim and/or family members; will attend all scheduled MDT case review meetings and participate in the sharing of information regarding case status and plans for continued family involvement with other MDT members.

F. Mental Health

Participating mental health providers with a CACHC memorandum of understanding will share pertinent information regarding victim, which may include progress in treatment, attendance, and any other information deemed appropriate for sharing with MDT involved. Mental Health providers will also be advised and encouraged to attend any MDT case review meetings, where their client's case will be discussed.

G. Children's Advocacy Center

The CACHC will provide a child-focused setting designed to provide a safe, comfortable and neutral place for victims and their non-offending family members. They will assess victims of abuse and their non-offending family members to determine their need for services relating to the investigation of abuse. They will provide services determined to be needed based on the assessment. CACHC will provide a facility at which a Multidisciplinary Team can meet to facilitate the efficient and appropriate disposition of child abuse cases through the civil and criminal justice systems. They will coordinate the activities of governmental entities relating to child abuse victims and their non-offending family members (TFC 264.405). The CACHC will coordinate and facilitate the MDT case review meetings and provide all relevant information/reports when appropriate.

TARGET POPULATION

The CACHC target population consists of child victims of sexual abuse, physical abuse, human trafficking, and witnesses to a violent crime ages 2-17, as well as adults with substantial impairment (with the direction of the District Attorney's Office) referred by law enforcement or Texas Department of Family and Protective Services-Child Protective Services, Adult Protective Services and Child Care Licensing. Services will also be provided to cases involving a child fatality, child endangerment, neglect or children at risk of abuse.

PROGRAM SERVICES

CRITERIA FOR SERVICES

The Children's Advocacy Center of Hidalgo County, Inc. (CACHC) is committed to providing program services and treatment with the following priority criteria:

Priority One Criteria

1. Sexual Abuse allegations to include, but not limited to (as defined in the Texas Penal Code):
 - a. Aggravated Sexual Assault (Sec. 22.021)
 - b. Sexual Assault (Sec. 22.011)
 - c. Continuous Sexual Abuse of a Child (Sec. 21.02)
 - d. Indecency with a Child (Sec. 21.11)
 - e. Prohibited Sexual Conduct (Sec. 25.02)
 - f. Indecent Exposure (Sec. 21.08)
2. Possession or Promotion of Child Pornography (Sec. 43.26)
3. Sexual Performance by a Child (Sec. 43.25)
4. Human Trafficking
5. Trafficking of Persons and Compelling Prostitution (Sec. 20A.02)
6. Solicitation of a Child (Sec. 22.06)
7. Injury to a Child (Sec. 22.04)

Priority Two Criteria

1. Allegations of Physical Abuse
2. Child Fatality
3. Child Witnesses to a Crime
4. Allegations of Neglect
5. Child at Risk of Abuse

Non-Offending Family Members

Partner agencies are encouraged to conduct all interviews of non-offending adults/siblings at CACHC whenever space and schedule permits.

Alleged Perpetrators

No alleged or confirmed perpetrators will be allowed in the facility and/or the CACHC premises.

No interviews of alleged or confirmed perpetrators (adult or child) will be conducted at the CACHC facility. Juvenile alleged perpetrators will be allowed in the facility when services are provided to them as a child victim. CACHC staff will ensure that the victim is scheduled on a different day and/or time from their alleged juvenile perpetrator's appointment. Consideration will be given to allow alleged or confirmed perpetrators in the facility, if their participation in mental health services is conducive to the victim's treatment.

Every effort will be made to avoid the presence of known perpetrators on site at the CACHC whenever possible.

Presence of Other Individuals

Every effort will be made to avoid the presence of any known defense attorneys and/or lawyers representing a caretaker/alleged perpetrator on-site at the CACHC facility/premises. CACHC will seek further advisement from the Hidalgo County District Attorney's Office.

Agencies Other than Hidalgo County Utilizing CACHC Services

Upon request from our signature partner agencies, the CACHC will extend program services to other agencies outside of Hidalgo County.

When services are scheduled by DFPS for a law enforcement agency outside of Hidalgo County, DFPS will coordinate the appointment with a local law enforcement agency as a courtesy when available. Should a local law enforcement agency not be available, DFPS may assign a Special Investigator to be present for the scheduled appointment.

FORENSIC INTERVIEWS

A forensic interview is a developmentally sensitive and legally sound method of gathering factual information regarding allegations of abuse and/or exposure to violence using a semi structured narrative process. This interview is conducted by competently-trained, neutral professional utilizing research and practice informed techniques as part of a larger investigative process.

All interviews shall be conducted by a trained CACHC forensic interviewer at the CACHC via scheduled appointments in a CACHC interview room. All forensic interviews will be done utilizing the CAC of Texas Semi Structured Narrative Interview Process.

A. Appointment/Intake Process

MDT member requesting a Forensic Interview is required to schedule an appointment with CACHC staff. Monday mornings will be reserved for weekend referrals. CACHC staff will gather pertinent information from the referring agency necessary to complete the intake process.

Information Required at Intake:

1. Allegations
2. Identifying information for victim, non-offending parent and alleged perpetrator
3. Known victim's disability
4. Individual transporting the victim
5. Victim's address/city
6. Information regarding additional investigative agency involved (CPS or Law enforcement) case number and investigator assigned
7. Contact phone number for investigator(s) involved

B. Joint Investigation Coordination and MDT Notification

It is preferred CACHC policy that victims be exposed to a minimum number of interviews and interviewers pursuant to Section 264.403 of Texas Family Code. Interviews conducted with victims of sexual and serious physical abuse will be conducted jointly by an investigator from the appropriate state (CPS) and law enforcement agency, Pursuant to Section 261.301 of the Texas Family Code.

CACHC staff will follow-up and notify team members prior to the forensic interview of a child victim to ensure all investigative agencies involved are present. The investigative agency (CPS or Law Enforcement) scheduling the appointment is responsible for all communication with non-offending parent/guardian and/or agency responsible for the transportation of the victim to the appointment.

C. Individual Conducting the Interview

All forensic interviews will be conducted by a CACHC trained forensic interviewer. Only the alleged victim and forensic interviewer, as well as interpreter when needed, will be allowed in the interview room.

D. Availability/Presence of MDT Members on Joint Interviews

1. It is preferred CACHC policy that the forensic interview be scheduled when all case team members with jurisdictional authority and/or other direct involvement with the case are available.
2. Law enforcement and/or a CPS investigator should be present for the observation of the forensic interview, however in the event that one is unable to be present, it is preferred CACHC policy that the case investigator or their immediate supervisor give approval for the forensic interview to be conducted in his or her absence.
3. No interview will be conducted at the CACHC when **not observed** by at least one Law Enforcement or CPS *Investigator*.
4. CACHC staff will allow 15 minutes after scheduled interview for all agencies involved to arrive for the scheduled appointment before making alternative arrangements. Should an investigative agency not arrive within the 15 minutes and/or CACHC is unable to make contact, the CACHC may proceed with the scheduled interview if they were previously notified of the appointment.

E. Who Observes the Interview

All CACHC interviews shall be observed by at least **one** authorized team member (CPS, Law Enforcement (local, state or federal) and a designated/assigned prosecutor from the District Attorney's Office). To ensure the privacy for the victim and to minimize the number of witnesses involved in the case, observing the interview should be limited to those involved directly with the investigation and prosecution. Those who may observe the forensic interview may include:

- Other CACHC staff such as the Sexual Assault Nurse or CACHC Mental Health Counselor may observe the forensic interview when appropriate.
- A verified Ad Litem Attorney may observe the interview when appropriate.
- Off-site agency (e.g., Medical, Mental Health, etc.) will be by court order or with the approval of the District Attorney or the designated prosecutor whenever feasible.

Caretakers, lawyers representing caretaker(s), therapists, social workers, advocates, and/or significant others **shall not** be allowed to be present in the interview room or observation room during a forensic interview.

A partner agency intern and/or volunteer **shall not** be allowed to be present in the observation room during the forensic interview.

F. Pre-Interview Procedures

CPS and/or Law Enforcement Investigators should introduce themselves to the non-offending family member or guardian of the child victim and explain their roles in the investigation process prior to beginning the interview.

The forensic interviewer, when feasible, will introduce themselves and explain the interview process to the non-offending family member or guardian. In the event that the interviewer is unable to do so, the Family Advocate may explain the process.

The Family Advocate may introduce the victim to the interview room prior to the forensic interview. When possible the Forensic Interviewer or Family Advocate should assess the child's developmental level and inquire about any known disabilities the child may have with the non-offending family member or guardian.

The Forensic Interviewer will meet with the case team prior to beginning an interview to discuss any pertinent information regarding the case or alleged victim. Should an audio/video recording and/or written statement be conducted by CPS or a law enforcement agency with the victim(s), the audio/video recording and/or written statement will be provided to the jurisdiction involved in the joint investigation (Pursuant to Section 261.301 of the Texas Family Code) case prior to a forensic interview. If the interview is agreed upon by the case team, the case team should agree upon the parameters of this interview.

Should a child be present for multiple CACHC services, the case team will discuss and determine which service should be completed first (i.e. medical, interview, etc.).

G. During the Forensic Interview

Case Team will observe and take notes as the forensic interview is being conducted. Should the case team have any questions during the interview process, they may communicate with the forensic interviewer via the personal assistive listening device. Case team may utilize a mic to communicate with the interviewer, should they have questions or need clarification. The interviewer will receive their questions through an ear piece, which they may wear during the forensic interview. Should the forensic interviewer need to communicate with the case team, the interviewer may step out of the interview room (taking into consideration the victim's age and/or demeanor) to discuss their questions or concerns with the case team.

The forensic interviewer may use aids during the interview process which may include male and/or female anatomical drawings and dolls, assessment tools, as well as any other aids deemed necessary by the case team.

Should a forensic interview require the use of an interpreter, only a certified interpreter will be utilized. Coordination for the use of an interpreter will be done by the designated investigative agencies. All interpreters will be required to provide a copy of their certification/license, sign the Pledge of Confidentiality as well as the Guidelines for Interpreters during a Forensic Interview form.

H. Post Interview Procedure

After the interview, the interviewer, family advocate, law enforcement, and/or CPS (case team) should meet to discuss the outcome of the interview, clarify any questions or concerns regarding the case and identify any additional needed services.

Law Enforcement will provide, if any, an offense category for CACHC record keeping. A family advocate may share information gathered through their assessment of the non-offending parent/guardian with the case team. Following that meeting, Law Enforcement and/or CPS should meet with the parent or guardian to explain the outcome of the interview and answer any questions they may have.

When relevant, the case team will discuss and determine the need for a medical evaluation or if an evaluation has already been performed. If the examination was completed, CACHC will document when and where it was done. If one has not been done, and one is needed, CACHC staff may facilitate scheduling the medical evaluation on- site or off-site.

I. Subsequent Interview

A subsequent interview is an interview to supplement the initial completed forensic interview.

While it is the CACHC's goal to minimize the number of interviews per child, if a MDT member believes that a subsequent interview is necessary, the procedure shall be as follows:

1. Case Team should confer and discuss the need for a subsequent interview and reach a consensus.
2. If an audio/video recording and/or written statement interview has been conducted by CPS or a law enforcement agency with the victim(s), the audio/video recording and/or written statement will be provided to the jurisdiction involved in the joint investigation (Pursuant to Section 261.301 of the Texas Family Code) case prior to a subsequent interview. If the follow-up/repeat interview is agreed upon by the case team, the case team should agree upon the parameters of this interview.
3. CACHC will seek the assistance of the District Attorney's Office when a consensus is not met with the case team.

J. Multi-Session Forensic Interview (MSFI)

A multi-session forensic interview is one forensic interview completed over multiple sessions for children and cases with special considerations. Special Considerations include:

1. Children with disabilities
2. Children from diverse cultural backgrounds

3. Preschool Children
4. Children who have experienced extreme trauma
5. Children who are victims of human trafficking

The case team should make the decision to have a MSFI conducted in place of a traditional forensic interview. A MSFI should only be conducted with a unanimous case team support.

Prior to scheduling a MSFI for a courtesy law enforcement jurisdiction, the partner agency scheduling the appointment, or CACHC staff should consult with the designated investigative agency for MSFI approval.

All MSFI successive sessions will be coordinated through the forensic interview and will be scheduled promptly.

Multi-Session Forensic Interview Work Product

An original DVD will be created after each successive session of a MSFI. The DVDs will be stored by the forensic interviewer at the CACHC under double lock until the MSFI has concluded.

The forensic interviewer will make a full color copy of the original work product completed during the MSFI for each successive session. All work product will be stored by the forensic interviewer under double lock at the CACHC until the MSFI has concluded.

K. Video Recordings

Interviews conducted at the Children's Advocacy Center of Hidalgo County, Inc.- Estrella's House with victims will be video recorded pursuant to **Texas Family Code Section 261.302. (For further details see Texas Code Criminal Procedures Ann. § 38.071).**

~~Interviews will be burned on to a DVD and one original DVD will be provided to each investigative agency. An original video recording and copies of all work products used during the interview (i.e. anatomical drawings) may be created for the District Attorney's Office on a case by case basis or as requested by the designated/assigned prosecutor.~~

Each DVD will be labeled with the following:

- Date of the Interview
- CACHC Case Number
- Victim's Name
- Law Enforcement and/or CPS Case Number and assigned Investigator
- Name of the Forensic Interviewer

CPS and law enforcement investigators will sign and date CACHC records that reflect that an original DVD recording was provided.

CACHC will not store any audio/video recording/DVD interviews at the center. Should a case team member not be present for the recording of the forensic interview, the DVD/Video recording(s) will be turned over to law enforcement and/or CPS and/or Prosecutor present at that time of the recording.

L. After Hour Forensic Interviews

On a case-by-case basis MDT members will assess whether it is in the **best interest of the child** to conduct a child forensic interview after hours (e.g., night and/or weekends). CACHC on call staff will consider the following when scheduling after hour interviews:

1. Allegations
2. Time of requested interview
3. Child's health and emotional state at the time of request.
4. Availability of staff
5. Case details

MDT members will contact the CACHC through the 24-hour, seven day a week answering service at telephone number 956-287-9754 for emergency **Forensic Interviews** or **Medical Evaluations**. When the interview cannot be conducted after hours, priority will be given to the case and it will be scheduled at the earliest date and time feasible and agreeable to all agencies involved.

M. Mobile Equipment/Off-site Interviews

Off-site Forensic Interviews will be available on a case-by-case basis through the use of the CACHC portable equipment. Off-site forensic interviews will be conducted in an appropriate environment conducive to audio and video recording. CACHC staff and MDT member(s) will ensure that the location of where the interview will be conducted will be to the best of their ability and appropriate for the child to be interviewed.

FAMILY ADVOCACY AND VICTIM SUPPORT

The focus of family advocacy and victim support is to help reduce trauma for the child and non-offending caregivers/family members and to improve outcomes. Coordinated victim advocacy services encourage access to, and participation in investigation, prosecution, treatment and support services and thus are a necessary component in the MDT's response.

A. Assessment

The family advocate will conduct an assessment with the parent/legal guardian present to determine the need for services relating to the investigation of abuse for their child and/or the parent/guardian. They will also assess the child's and non-offending caregiver's/family's attitudes and feelings about participation in the investigation/prosecution.

B. Information and Referral

The family advocate will provide relevant educational literature/information which may include:

- Information about the Children's Advocacy Center
- Educational literature/information related to child abuse and services provided
- Off-site available resources
- Referrals for counseling services on-site or off-site
- Victim's Rights
- Provide information about the investigation process
- Texas Crime Victim's Compensation as well as assistance with the completion and submission of the application.
- Victim Identification and Notification Everyday (VINE) as well as assistance with the registration process.

C. Crisis Intervention

The family advocate may provide crisis intervention and support at all stages of the investigation and prosecution process for the victim and their non-offending family members.

D. MDT Case Review Meetings

The family advocate will attend and/or coordinate MDT case review meetings. They will provide updates to the non-offending family members on case status, continuances, dispositions, sentencing, and offender release from custody when appropriate. The family advocate will also provide MDT updates regarding the victim and/or the caregiver/family status during case review meetings.

E. Family Follow Up

The family advocate and/or other CACHC staff will conduct a follow-up telephone call with the victim or the victim's non-offending family member within 72 hours after their visit to the CACHC.

F. Accompaniment

The family advocate may be available to the victim and/or the non-offending family members for accompaniment to court, medical and/or other types of accompaniment related to the investigation or prosecution of their case.

MENTAL HEALTH SERVICES

It is preferred practice of the CACHC – Mental Health Services to provide on-site debriefing, crisis intervention, and specialized trauma-focused mental health services to victims of abuse and their non-offending caregivers/family members. Priority will be given to victims that have received other CACHC services; however, outside referrals will be allowed on a case by case basis.

- A. On-site debriefing: CACHC staff will conduct debriefings with victims and non-offending caregivers/family members as needed after all forensic services have been completed to allow the victim to express their experience and feelings about forensic interview and/or medical evaluation. During the process CACHC Staff will identify the needs for mental health services, evaluate the need for immediate crisis intervention and formulate recommendations for additional services.
- B. Crisis intervention: A trained CACHC staff will evaluate the victim and/or non-offending caregivers/family members for risk of self-harm or suicide when appropriate. Staff will discuss findings, concerns and/or action plans with the non-offending caregivers/family members and/or investigators present.
- C. On-site Counseling:
 - 1. Referrals: A request for Mental Health Services must be made by completing a Counseling Referral Form. Internal referrals will be made by the family advocate. Partner agencies wishing to make outside referrals can contact a member of the CACHC Mental Health department to make a referral.

Information required to initiate a referral:

- a. Victim name, date of birth, home address.
 - b. Legal guardian name and phone number.
 - c. Identified symptoms/behavioral changes.
 - d. Contact information for CPS and Law Enforcement investigators (if applicable)
 - e. Date of CACHC Interview (if applicable)
 - f. Alleged Offense (if applicable)
 - g. Name/Relation of Alleged Perpetrator (if applicable)
- 2. Intake Appointment: The following documentation is required (if applicable) prior to the intake appointment:
 - a. Social Security Card
 - b. Insurance Card
 - c. Divorce Decree
 - d. Child Support Order
 - e. Crime Victim's Compensation Approval Letter

3. **Counseling:** CACHC staff will provide individual, group, and family counseling to victims of abuse and/or non-offending caregivers/family members. Evidenced-based and other practices will be used to reduce the emotional trauma and the risk of future abuse to help victims overcome their psychological difficulties and achieve optimal growth and development.

On a case by case basis counseling services may be provided to victims and/or their non-offending caregivers/family members off site at their home, CACHC satellite office or school of residence.

Victims and non-offending caregivers/family members needing specialized treatment and/or extended therapeutic treatment will be referred to other professionals in our community, if their needs cannot be met at the center.

D. Referrals to Off-site Mental Health Providers:

A separate Mental Health Provider Memorandum of Understanding (MHP-MOU) is established between the CACHC and local mental health providers to provide individual, group, and/or family counseling to victims of abuse including children and non-offending caregivers/family members.

CACHC staff will coordinate the initial appointment for the off-site service to assist family members, before leaving the center. A referral list of Mental Health providers will be provided to the non-offending caregivers/family members, should they decline services at the CACHC and/or do not leave with an initial appointment made with the off-site service.

Local mental health providers are requested to submit a clinical tracking form explaining the treatment goals, progress or lack of progress in treatment, and any concerns needing to be addressed by the Multi-disciplinary Team, during the initial month, and every three months thereafter as part of the MHP-MOU requirements.

E. Multi-Disciplinary Team (MDT)

CACHC Mental Health staff will be involved with case management and case review process (i.e. referral, follow-up, communication with mental health providers, and continued communication with Multi-disciplinary Team members) to ensure client needs have been met.

F. Mental Health Records

CACHC will keep clinical/mental health records in accordance with state and federal laws and board policy regarding Retention of Records. Client's mental health records are kept confidential. CACHC will not release client information without the proper authorization by the client/client's guardian. Records are made available through the subpoena process.

MEDICAL EVALUATION SERVICES

A. On-site Sexual Assault Exam Referral:

MDT member requesting a sexual assault examination is required to schedule an appointment with CACHC staff. The CACHC staff will gather pertinent information from the referring agency necessary to complete the intake process.

Information Required at Intake:

1. Allegations
2. Identifying information for victim, non-offending caregiver/family member, and alleged perpetrator
3. Type of exam requesting
4. Individual transporting the victim
5. Victim's address/city
6. Additional investigative agency involved (CPS or Law enforcement), case number, and investigator assigned
7. Contact phone number for investigator(s) involved
8. Case Priority

B. Non-Acute Examinations

A non-acute is an assault occurring 96-hours or more prior to the report and without indications of trauma: All non-acute assault examinations of child clients may be scheduled through the CACHC and conducted by a SANE at the CACHC. In the event of urgency and the CACHC's schedule does not permit for the examination, the investigative agency with legal jurisdiction in the case will schedule the exam with the SANE at their affiliated hospital.

C. Acute Examinations

An acute assault occurring within 96 hours of the report and presenting with trauma **WILL NOT be seen at the CACHC unless the child has been medically cleared by their private physician or by the local ER physician.**

1. **CASES PRESENTING INITIALLY TO LAW ENFORCEMENT OR CHILD PROTECTIVE SERVICES:** The agency receiving the initial report will refer the child to the Emergency Room for immediate assessment and treatment by ER personnel. When necessary, law enforcement will transfer the child to the hospital for treatment.
2. **CASES PRESENTING INITIALLY TO HOSPITAL EMERGENCY ROOM:** ER personnel should attempt to contact SANE on staff and, if available, request their participation with the examination.

CACHC provides a 24-hour, seven day a week answering services telephone number (956-287-9754) for partner agencies (MDT members) to call for emergency medical evaluations.

The investigative agency will set up an appointment for the victim and the examination should be conducted in a timely manner, preferably after the child forensic interview. The MDT members discuss and agree to the need for medical exams to be scheduled at the same day as the interview (When feasible). MDT (Law Enforcement and CPS Investigators) members will inform the parents that a medical examination is needed. The victim will be seen at the CACHC or at a local hospital for cases identified as non-acute and acute as described above (section B & C above). Calls received by the CACHC that are classified as an acute case will be recommended to be scheduled with a local hospital.

D. Reimbursement for Sexual Assault Exams:

A law enforcement agency that requests a medical examination of a victim of an alleged sexual assault for the use in the investigation or prosecution of the offense will pay costs of the examination, pursuant Article 56.06 (A) Texas Criminal Code of Procedures and within the state approved allowance.

E. Sexual Assault Examiner's Fee

A physician, nurse practitioner, or physician assistant that is specifically educated in sexual assaults or a sexual assault nurse examiner as defined by Section 420.003, Texas Governor Code, must perform the exam. Examination cost may be reimbursed to law enforcement agency by the Office of the Attorney General.

F. Off-Site Sexual Assault Exams

When CACHC Sexual Assault Nurse is not available, assistance by CACHC will be provided for off-site referral to local hospital.

MDT CASE REVIEW MEETINGS

MDT case review meetings are required by the Texas Family Code Section 264.406 and CAC of Texas Standards. The purpose of case review meetings are to ensure that each case is ~~worked from its onset through a cooperative and effective effort by the signatory agencies~~ and CACHC staff.

A. Location

MDT case review meetings will be conducted at the CACHC or other announced locations,

B. Coordination and Facilitation

Case review meetings will be coordinated by CACHC and facilitated by the CACHC MDT Chairperson or Co-Chair Person and/or a Forensic Interviewer.

C. Attendees

MDT case review will be attended by representatives of each signatory agency who are involved with the respective cases set for review.

D. Case Selection

Cases will be selected for review based on offense/outcry after a forensic interview and/or after a medical evaluation. Cases may also be reviewed by MDT request.

E. Special Case Review Meetings

Under special circumstance the CACHC will assist in the coordination of a special case review meeting to include, but not limited to:

1. Sexual assault involving multiple non-related victims in an institutional setting (i.e., day care, school and church).
2. Cases of physical/sexual abuse where the alleged perpetrator is an employee of one of the five signatory agencies, or state, Federal or Local government, or school district.
3. Any specific case requested by a signatory agency or CACHC.

F. Frequency of Meetings

Case review meetings will typically be scheduled biweekly, however, no less than once a month.

G. Agendas

The CACHC will prepare an agenda with identified cases to be reviewed and distribute it to identified MDT members involved with those cases. The agenda will be distributed only to those identified MDT members through a secured business e-mail and/or fax.

H. Case Review Recommendations

Designated CACHC staff will follow up on MDT recommendations identified during MDT case review meetings.

COURT ACCOMPANIMENT AND COURT PREPARATION

A CACHC family advocate who is familiar with the victim and their family may be available to accompany victims in CACHC cases to court, to provide them support during trials or hearings. The prosecuting attorney assigned a CACHC case should notify the CACHC family advocate when that case is scheduled for a trial and/or a hearing that the child victim will be required to attend.

CULTURAL COMPETENCY AND DIVERSITY

Cultural competency is defined as the capacity to function in more than one culture, requiring the ability to appreciate, understand and interact with members of diverse populations within the local community.

The CACHC will promote the highest levels of performance and integrity. They will provide services to a diverse population regardless of gender, ethnicity, race, color, creed, religion, sexual orientation, national origin, age, physical or mental challenges, marital status or any other cultural descriptors.

VOLUNTEER AND INTERNSHIP PROGRAM

A CACHC volunteer/intern must be 18 years of age or older in order to provide direct services. Volunteers under the age of 18 may assist with duties that do not include direct services to victims or their non-offending family members.

The CACHC Executive Director may approve the volunteer/intern candidate upon completion of the following:

1. Completed CACHC volunteer/internship application
2. Successfully pass a Child Abuse/Neglect Registry and DPS Criminal History Check
3. Reference check
4. Personal Interview
5. Current Resume/Curriculum Vitae
6. Signed Pledge of Confidentiality

Once accepted as a CACHC Volunteer/Intern, they will participate in a CACHC Orientation and training.

CONFIDENTIALITY

The files, reports, records, communications, and working papers used or developed in providing communications, and working papers used or developed in providing services under this Chapter are confidential and not subject to public release under Chapter 552, Government Code, and may only be disclosed for purposes consistent with Chapter 264. All State and Federal confidentiality laws will be followed in connection with this agreement. Disclosure may be to:

1. The Texas Department of Family and Protective Services (DFPS), department employees, law enforcement agencies, prosecuting attorneys, medical professionals, and other state agencies that provide services to children and families; and,
2. The attorney for the child who is the subject of the records and a court-appointed volunteer advocate appointed for the child under Section 107.031. Information related to the investigation of a report of abuse or neglect under Chapter 261 and services provided as a result of the investigation is confidential as provided by Section 261.201.
3. DFPS, a law enforcement agency, and a prosecuting attorney may share with center information that is confidential under Section 261.201 as needed to provide services under this Chapter. Confidential information shared with or provided to the center remains the property of the agency that shared or provided the information to the center.
4. Courtesy services will be provided to other federal and state law enforcement agencies other than those identified in this protocol when appropriate. These agencies will be required to sign a statement of confidentiality prior to participating in any program service.
5. The video recorded interview of a child made at the center will become property of the prosecuting attorney involved in the criminal prosecution of the case involving a child. If no criminal prosecution occurs, the video recorded interview is the property of the attorney involved in representing the department in a civil action alleging child abuse or neglect. If the department is not investigating or has not investigated the matter, the video recorded interview is the property of the agency that referred the matter to the center.

CONFLICT RESOLUTION

In the event of a conflict arising between team members in regard to management of cases, conducting of interviews, staffing of cases, etc. the CACHC Executive Director shall contact the agency supervisors whom have authority over the individuals involved in the conflict/complaint.

The Executive Director will provide in writing specific information about the nature and context of the conflict/complaint. Each agency supervisor will have sole authority in determining what, if any, action will be taken toward the individual team members involved, in effort to resolve the conflict. In the event either agency involved deems a

greater urgency, a called meeting of all agency supervisors may be requested, scheduled and conducted.

When conflict resolution cannot be achieved between the MDT members after exhausting all other means, the heads of the respective agencies are contacted by the CACHC Executive Director to assist with the resolution of the conflict.

RE-EXECUTION OF THE MEMORANDUM OF UNDERSTANDING

To be in compliance with the Texas Standards for the Children's Advocacy Centers, the CACHC memorandum of understanding must be re-executed at a minimum every three years and upon significant changes to the document or upon a change of authorized partner agency signatories.

REVIEW, REVISION, RE-EXECUTION OF MDT INTERAGENCY WORKING PROTOCOL

To be in compliance with the Texas Standards for the Children's Advocacy Centers, the CACHC Interagency working protocol must be reviewed, revised and re-executed by partner agencies, at a minimum every three years or upon significant changes to the document or upon a change of authorized partner agency signatories. This agreement can be terminated by any party without cause by giving written notice to the other parties.

All partner agencies, MDT members and CACHC staff will be notified of the review and revision process.

Signatures

We the undersigned have read and understood the interagency protocols for case processing and management of the Children's Advocacy of Hidalgo County, Inc.-Estrella's House as partner agencies, agree to fully execute the Interagency Working Protocols.

EXECUTED this _____ Day of _____, 2015 and will be in force for three (3) years.

Hidalgo County District Attorney's Office
<i>Ricardo Rodriguez, District Attorney</i>

Judge Mario E. Ramirez, Jr. Juvenile Justice Center
<i>Israel "Buddy" Silva, Jr., Chief Juvenile Probation Officer</i>

Texas Department Of Family and Protective Services-Child Protective Services
<i>Lisa Black, CPS Assistant Commissioner</i>

Texas Department Of Family and Protective Services-Child Care Licensing
<i>Paul Morris, CCL Assistant Commissioner</i>

Texas Department Of Family and Protective Services-Adult Protective Services
<i>Beth Engelking, APS Assistant Commissioner</i>

Children's Advocacy Center of Hidalgo County Inc.-Estrella's House
<i>Victoria Medina, Executive Director</i>

Alton Police Department
<i>Enrique Sotelo, Police Chief</i>

Alamo Police Department
<i>Arturo Espinoza, Police Chief</i>

Edcouch Police Department
<i>Eloy Cardenas, Police Chief</i>

Donna Police Department
<i>Ruben De Leon, Police Chief</i>

Elsa Police Department
<i>Primitivo Rodriguez, Police Chief</i>

Edinburg Police Department
<i>Rolando Castañeda, Police Chief</i>

Signatures Continued

Hidalgo Police Department
<i>Rodolfo "Rudy" Espinoza, Police Chief</i>

La Villa Police Department
<i>Victor Garcia, Police Chief</i>

Mercedes Police Department
<i>Olga Maldonado, Police Chief</i>

Palmhurst Police Department
<i>Michael A. Vela, Police Chief</i>

Peñitas Police Department
<i>Roel Bermea, Police Chief</i>

Progreso Police Department
<i>Alberto Rodriguez, Police Chief</i>

Sullivan City Police Department
<i>Miguel Martinez, Police Chief</i>

Hidalgo County Sheriff's Office
<i>J.E. "Eddie" Guerra, Sheriff</i>

La Joya Police Department
<i>Ramon Gonzalez, Police Chief</i>

McAllen Police Department
<i>Victor Rodriguez, Police Chief</i>

Mission Police Department
<i>Robert Dominguez, Police Chief</i>

Palmview Police Department
<i>Christopher Robert Barrera, Police Chief</i>

Pharr Police Department
<i>Ruben Villescas, Police Chief</i>

San Juan Police Department
<i>Juan Gonzalez, Police Chief</i>

Weslaco Police Department
<i>Stephen Mayer, Police Chief</i>