

THE CHILDREN'S ADVOCACY CENTER OF HIDALGO COUNTY, INC.

INTERAGENCY MEMORANDUM OF UNDERSTANDING
&
INTERAGENCY WORKING PROTOCOL



HIDALGO COUNTY FY 2020 EFFECTIVE 9/1/2019.
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TABLE OF CONTENTS	2-5
INTERAGENCY MEMORANDUM OF UNDERSTANDING	6
Memorandum	7
Agency Signatures	7-9
INTERAGENCY WORKING PROTOCOL	10-20
Mission Statement	10
Goals	10
Objectives	10
Specific Criteria for Cases to be referred for an MDT Response	10-11
Overall Target Population	
Composition of Multidisciplinary Team (MDT)	11
Participating Agencies	11
Agency Roles	12-20
A. Law Enforcement	12-13
B. District Attorney (Prosecution)	13
C. Juvenile Justice Center	13-14
D. Texas Department of Family and Protective Services (TDFPS)	14-17
E. Medical Roles	18-19
F. Mental Health Providers	19
G. Children's Advocacy Center	19-20
Conflict Resolution	20
Confidentiality	20-21
Facility /Alleged Perpetrators	21
Presence of Other Individuals	21-22
Agencies other than Hidalgo County Utilizing CACHC Services	22
INTAKE AND CASE COORDINATION	22-23

COLLABORATIVE ACTIVITIES AND PROGRAM SERVICES **23-41**
CASE CRITERIA FOR FORENSIC INTERVIEWS, MEDICAL EXAMS, MENTAL HEALTH AND VICTIM SUPPORT AND ADVOCACY

Priority One Cases Criteria	23-24
Priority Two Cases Criteria	24
Collateral/Witness Interviews by Partner Agencies	24
After Hours Overall MDT Respond	24

FORENSIC INTERVIEWS **24-33**
SPECIFIC TARGET POPULATION

A. Appointment/ CACHC Intake Process	25
B. Joint Investigation Coordination and MDT Notification	25-26
C. Individual Conducting the Interview	26
D. Interpreter	26
E. Availability/Presence of MDT Members on Joint Interviews	26-27
F. Who observes the interview	27
G. Pre-Interview Procedures	27-28
H. During the Forensic Interview	28-29
I. Post Interview Procedure	29
J. Subsequent Forensic Interview	29-30
K. Multi-Session Forensic Interview	30
Multi – Session Forensic Interview Work Product	30
L. Video Recordings	30-31
M. After Hour Forensic Interviews	31-32
N. Off-Site Interviews /Portable	32
O. Equipment	32-33
P. Tracking of Portable Forensic Interviews	33

VICTIM SUPPORT AND FAMILY ADVOCACY 33-35

SPECIFIC TARGET POPULATION

A. Greeting and Orientation	34
B. Assessment	34
C. Crisis Information	34
D. Information and Referral	34
E. MDT Case Review Meetings	34-35
F. Family Follow-Up	35
G. Accompaniment	35

MENTAL HEALTH SERVICES 35-38

SPECIFIC TARGET POPULATION

A. Post Debrief	35-36
B. Crisis Intervention	36
C. On Site – Counseling	36-37
1. Referrals	36
2. Intake Appointment	36
3. Screenings	36-37
4. Counseling	37
D. Referrals to Off-Site Mental Health Providers	37
E. MDT Case Review Meetings	37
F. Mental Health Records	37-38

MEDICAL EVALUATION SERVICES 38-41

A. On Site Sexual Assault Exam	39
B. Non-Acute Examinations	39
C. Acute Examinations	39
D. Off-Site Sexual Assault Exam	39-40

E. Medical Evaluations for Child Victims of Alleged Physical/Neglect Abuse	40
F. Documentation of Medical Findings	40-41
G. Record Keeping, Confidentiality of SANE Exams, and Subpoenas	41
H. MDT Case Review Meetings	39
MDT Case Review Meetings	41-42
A. Location	41
B. Coordination and Facilitation	41
C. Attendees	41
D. Case Criteria Selection Categories	42
E. Special Case Review Meetings	42
F. Frequency of Meetings	42
G. Agendas	42
H. Case Review Recommendations	42
I. Case Tracking	42
Court Accompaniment and Court Preparation	43
Cultural Competency and Diversity	43
Volunteer and Internship Program	43
Review, Revision, Re-Execution of MDT Interagency Working Protocols	43-44
Signatures	44-46

INTERAGENCY MEMORANDUM OF UNDERSTANDING

Memorandum

The UNDERSIGNED participating agencies agree to the following policy to support and maintain the Children's Advocacy Center of Hidalgo County, Inc., (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, the CACHC along with partner agencies will commit to working collaboratively to better serve child abuse cases and provide an intervention response. 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, Inc.

WHEREAS, citizens of Hidalgo County have developed a multidisciplinary team (MDT) approach for the investigation of child abuse and neglect cases to better protect children and provide services. In efforts to facilitate an MDT approach, The Children's Advocacy Center of Hidalgo County, Inc. will enhance the cooperation and coordination of the partner agencies involved in the investigation and prosecution of crimes against children.

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

1. To minimize re-victimization of alleged abuse and neglect victims and non-offending family members through the investigation, assessment, intervention, and prosecution processes; and
2. To maintain a cooperative, team approach to facilitate successful outcomes in both the criminal and child protection systems through shared fact finding and strong, collaborative case development; and
3. To develop, maintain and support the Children's Advocacy Center, an environment that emphasizes the best interests of the children in Hidalgo County and that provides investigative and rehabilitative programs services.

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

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.

The MOU must be reviewed, revised as needed, and re-executed, at a minimum, every three years, upon significant changes to the document, or upon a change of authorized partner agency signatories.

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

EXECUTED this 1 day of September, 2019.

Signatures:

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

Doctor's Hospital at Renaissance Health System
<i>Dr. Javier Cortinas, Medical Director</i>

Texas Department of Family and Protective Services – Child Protective Investigations
<i>Marina Yzaguirre, Child Protective Investigations Regional Director</i>

Alton Police Department
<i>Jonathan Flores, Police Chief</i>

Texas Department of Family and Protective Services – Child Protective Services
<i>Tara O'Connell, Child Protective Services Regional Director</i>

Edcouch Police Department
<i>Javier Garza, Police Chief</i>

Children's Advocacy Center of Hidalgo County Inc.
<i>Jesus A. Sanchez, Executive Director</i>

Elsa Police Department
<i>Robert McGinnis, Police Chief</i>

Hidalgo Police Department
<i>Jesus Ortega, Police Chief</i>

Judge Mario E. Ramirez, Jr. Juvenile Justice Center
<i>Maryann Denner, Chief Juvenile Justice Probation Office</i>

Texas Department of Family and Protective Services – Child Care Investigations
<i>Ashland Spencer-Batiste, Child care Investigations Director</i>

Texas Department of Family and Protective Services – Adult Protective Services
<i>Ann Cortez, In Home Investigations Regional Director</i>

Alamo Police Department
<i>Rogelio Alaniz, Interim Police Chief</i>

Donna Police Department
<i>Gilbert Guerrero, Police Chief</i>

Edinburg Police Department
<i>Cesar Torrez, Police Chief</i>

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

La Villa Police Department
<i>Adolfo Flores, Police Chief</i>

La Joya Police Department
<i>Adolfo Arriaga, Police Chief</i>

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

Pharr Police Department
<i>Jose Lenguo, Police Chief</i>

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

Donna ISD Police Department
<i>Daniel Walden, Police Chief</i>

Mercedes Police Department
<i>Dagoberto Chavez, Police Chief</i>

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

Penitas Police Department
<i>Roel Bermea, Police chief</i>

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

McAllen ISD Police Department
<i>Crisoforo Esquivel - Police Chief</i>

Sullivan Police Department
<i>Richard Ozuna, Police Chief</i>

Edinburg CISD Police Department
<i>Ricardo Perez Jr. Police Chief</i>

Weslaco Police Department
<i>Joel Rivera, Police Chief</i>

Palmview Police Department
<i>Gilbert Zamora, Police Chief</i>

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

CHILDREN'S ADVOCACY CENTER OF HIDALGO COUNTY, INC.
INTERAGENCY WORKING PROTOCOL

MISSION STATEMENT

The mission of the Children's Advocacy Center of Hidalgo County, Inc. (CACHC) is to provide a child-focused setting and facilitate a multi-disciplinary team (MDT) approach, which supports hope, healing and justice to child victims of sexual, physical, and emotional abuse.

GOALS

1. The CACHC will strive to reach every child within the overall CACHC case acceptance criteria.
2. The CACHC will strive to provide every service a child needs and recommend services identified through a need's assessment.
3. The CACHC will strive to make every effort to ensure all Core CACHC services are provided to children and their non-offending caregivers.

OBJECTIVES

1. The CACHC will make a concerted effort to review all Hidalgo County Statewide intake reports generated by the Texas Department of Family and Protective Services (TDFPS), and will review referrals from the community, and partner agencies in order to recommend services through an MDT approach so every child can be reached.
2. The CACHC will identify through a needs assessment and professionally recommend services to include: a forensic interview, a child abuse forensic medical evaluation, a mental health referral, involvement from a Victim Advocate Team Member, and conduct an MDT Case Review to ensure every service is provided to a child victim and their non-offending caregivers.
3. The CACHC will ensure all core CACHC services are evidence-based, meets or exceeds Texas Family Standards and quality metrics identified for each CACHC service.

SPECIFIC CRITERIA FOR REFERRAL OF CASES TO BE REFERRED FOR AN MDT RESPONSE AND SPECIFIC CRITERIA FOR THE REFERRAL AND PROVISION OF EACH SERVICE

TARGET POPULATION

The CACHC overall target population consists of child victims for all types of maltreatment to include; sexual abuse, physical abuse, human trafficking, and witness to violent crimes as well as adults with substantial impairment (with the direction of the District Attorney's Office) referred by Law Enforcement Agencies or Texas Department of Family and Protective Services-Child Protective Investigations, Child Protective Services, Adult Protective Services In-Home Investigations and Child Care Investigations. Services will also be provided to cases involving a child fatality, child endangerment, neglect or children at risk of abuse. In unique circumstances,

the CACHC along with MDT partner agencies, reserves the right to provide services outside of the target population (with the direction of the District Attorney's Office). Mental Health and Victim Advocacy services will also be provided to non-offending caregivers who meet the overall case criteria for an MDT response. In addition, Mental Health Services will be provided on a case by case basis to children and/or family members from the community when approved by the Executive Director.

MULTIDISCIPLINARY TEAM (MDT)

COMPOSITION OF MULTIDISCIPLINARY TEAM

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 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), Forensic Interviewers, Victim Support and Advocacy, Sexual Assault Nurse Examiners (SANES). As well as participating Mental Health Providers who have signed the CACHC Memorandum of Understanding.

PARTICIPATING AGENCIES

- Alamo Police Department
- Alton Police Department
- Doctor's Hospital at Renaissance Health System
- Donna ISD Police Department
- Donna Police Department
- Edcouch Police Department
- Edinburg CISD Police Department
- Edinburg Police Department
- Elsa Police Department
- Hidalgo County District Attorney's Office
- Hidalgo County Sheriff's Office
- Hidalgo Police Department
- Judge Mario E. Ramirez Jr. Juvenile Justice Center
- La Joya Police Department
- La Villa Police Department
- La Grulla Police Department
- McAllen ISD
- McAllen Police Department
- Mercedes Police Department
- Mission Police Department
- Palmhurst Police Department
- Palmview Police Department
- Penitas Police Department
- Pharr Police Department
- Progreso Police Department
- San Juan Police Department
- Sullivan City Police Department
- Texas Department of Family and Protective Services
- The Children's Advocacy Center of Hidalgo County
- Weslaco Police Department

AGENCY ROLES

Each of the partner agencies involved with the CACHC has agreed to participate as a member of a multi-disciplinary team (MDT). Cases will focus primarily on the child victim's individual needs; followed by the needs of the non-offending caregivers 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

- Will refer maltreatment cases that meet the overall acceptance criteria for an MDT response.
- Law enforcement investigators will investigate and determine whether or not a crime has been committed and present information to the proper authorities for prosecution.
- Will be present and collaboratively participate with the forensic interview process conducted at the CACHC and satellite offices. In the event, an agency is not able to participate in the forensic interview, it is the responsibility of the assigned agency to make arrangements to pick up a copy of the forensic interview from the assigned TDFPS Investigator.
- Contact the CACHC in the event an emergency forensic interview is needed after hours and remain on the premises at the center or satellite offices until all services with the child victim and non-offending caregivers is completed.
- Will schedule a Sexual Assault Nurse Examination (SANE) with the CACHC or a Safe Ready Medical Facility (SAFE) for any child or an adult with substantial impairment who has made an outcry of sexual abuse by a **family member** and/or meets the overall acceptance criteria for an MDT response.
- Will refer physical abuse and neglect cases for an evaluation that meets the overall acceptance criteria for a medical evaluation.
- Provide all relevant information/reports when appropriate (Texas Family Code 264.406); provide center staff with ongoing information pertaining to the direction and status of the criminal investigation.
- Facilitate, as necessary, the safe transportation of children and non-offending caregivers to the CACHC, satellite offices, and other program services.
- Advise the prosecutors(s) on the outcome of the forensic interview and/or the sexual/medical assault exam in a timely manner following its conclusion.
- Provide direction when deemed appropriate regarding the sharing of case information/specifics with the victim's non-offending caregivers.

- Conduct and complete witness interviews and evidence collection pertaining to child abuse investigations by using the collaborating sheet (recommended).
- Attend all scheduled MDT Case review meetings and participate in the sharing of information regarding current case status and plan for continued investigative activity with MDT members (Texas Family Code 264.406). If unavailable, contact the CACHC in advance to provide pertinent information or send a representative from the investigative agency that is prepared to update team.
- Participate in individual case review/staffing prior to and following the forensic interviews.
- Coordinate with the CACHC and report suspected child abuse to TDFPS.
- Participate in CACHC activities including professional education, community educational efforts, and team building programs.
- Provide feedback and suggestions regarding procedures and operations of CACHC and the MDT process.

B. District Attorney (Prosecution)

- Will represent the state in prosecuting child abuse felony cases.
- Work with law enforcement officers in the investigation of criminal child abuse cases.
- Will present cases to the grand jury.
- Represent victims of violence in protective orders and represent the state in removing children from abusive household.
- Coordinate efforts for trial preparation and court accompaniment with CACHC staff and 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).
- Share information with other team members concerning the status of child abuse cases as they move through the legal system.
- Prosecution when appropriate, will assist CACHC in the review of conflict cases prior to providing services at the CACHC.
- Participate in CACHC activities including professional education, community education efforts, and team building programs.
- Provide feedback and suggestions regarding procedures and operations of CACHC and the MDT process.

C. Judge Mario E. Ramirez Jr. Juvenile Justice Detention Center

- Juvenile Justice Detention Center will provide CACHC staff with information pertaining to the direction, scope and status of a case when deemed appropriate.
- Responsible for referring any allegations of child abuse in the juvenile system to local authorities and TDFPS as defined in Texas Family Code Sec. 261-101. PERSONS REQUIRED TO REPORT; TIME TO REPORT.
- Schedule services for the child victim that may include a Sexual Assault Nurse Examination (SANE), Forensic Interview, and/or a Medical Evaluation for Physical Abuse and Neglect Cases.
- Facilitate, as necessary, the safe transportation of children to the CACHC.
- In cases where a mobile interview is being requested, it is the responsibility of the Juvenile Justice Detention Center to secure a location for the interview to be conducted. The location must be agreed upon by both parties. Additionally; when a mobile interview is requested, the forensic interview will be scheduled at the earliest time available.
- May observe forensic interviews where the alleged offender is a juvenile, so an informed decision can be made in cases where law enforcement plans to file a criminal case.
- Cooperate with law enforcement on those cases when the alleged offender will be placed in detention where a criminal offense will be filed.
- Solicits information to assist in making recommendations or treatment decisions during case disposition where the alleged offender/respondent is a juvenile.
- Participate in CACHC activities including professional education, community educational efforts, and team building programs.
- Provide feedback and suggestions regarding procedures and operations of CACHC and the MDT process.

D. Texas Department of Family and Protective Services (TDFPS); Child Protective Investigations (CPI), Child Protective Services (CPS) Adult Protective In-Home Investigations (APS), and Child Care Investigations (CCI).

MULTIDISCIPLINARY TEAM RESPONSE REQUIRED.

(a)The department shall refer a case to a center and the center shall initiate a response by a center's multidisciplinary team appointed under Section [264.406](#) when conducting an investigation of:

(1) a report of abuse or neglect that is made by a professional as defined by Section [261.101](#) and that:

(A)alleges sexual abuse of a child; or

(B) is a type of case handled by the center in accordance with the working protocol adopted for the center under Section 264.4031 [264.411(a) (9)]; or

(2) a child fatality in which there are surviving children in the deceased child's household or under the supervision of the caregiver involved in the child fatality.

(b) Any interview of a child conducted as part of the investigation under Subsection (a) must be a forensic interview conducted in accordance with the center's working protocol adopted under Section 264.4031 unless a forensic interview is not appropriate based on the child's age and development or the center's working protocol adopted under Section 264.4031.

(c) Subsection (a) applies only to an investigation of abuse or neglect in a county served by a center that has executed an interagency memorandum of understanding under Section 264.403. If a county is not served by a center that has executed an interagency memorandum of understanding, the department may, if appropriate, directly refer a case to a center in an adjacent county to initiate a response by that center's multidisciplinary team [, if appropriate].

Child Protective Investigations (CPI)

- Child Protective Investigations **will schedule** a forensic interview of children who are listed as victims in the Statewide Intake for a Priority One and Priority Two, who meets the overall acceptance criteria in accordance with the working protocols, and the report is made by a ***professional reporter*** as defined by TFC Section 261.101.
- Will be present and collaborative participate with the forensic interview process conducted at the CACHC and satellite offices along with any other program services.
- Contact the CACHC in the event an emergency forensic interview is needed after hours and remain on the premises at the CACHC or satellite offices along with any other program services.
- Facilitate, as necessary, the safe transportation of children and non-offending caregivers to the CACHC.
- Provide all relevant information/reports when appropriate (Texas Family Code 264.406);
- Participate in individual case review/staffing prior to and following the forensic interviews.
- Coordinate with the CACHC, law enforcement, as well as medical staff if the children who have made an outcry of abuse or neglect meet the protocol of a SANE or Medical Evaluation.
- Provide direction when deemed appropriate regarding the sharing of case information/specifics with the victim's non-offending caregivers regarding any placement of and protection of the child, advice CACHC staff of any plans for mental, health, medical or other social services referrals for the child victim and/or family members.

- Report referrals to law enforcement and conduct joint investigations as required by law.
- Attend all scheduled MDT Case review meetings and participate in the sharing of information regarding current case status and plan for continued investigative activity with MDT members (Texas Family Code 264.406). If unavailable, contact the CACHC in advance to provide pertinent information or send a representative from the investigative agency that is prepared to update team.
- Participate in CACHC activities including professional education, community educational efforts, and team building programs.
- Provide feedback and suggestions regarding procedures and operations of CACHC and the MDT process.

Adult Protective Services In-Home Investigations (APS)

- Adult Protective Investigations **will schedule** a forensic interview of elder and disabled individuals who are listed as victims on Statewide Intake for a Priority One and Priority Two, who meets the overall acceptance criteria in accordance with the working protocols; and the report is made by a **professional reporter** as defined by TFC Section 261.101.
- Will be present and collaboratively participate with the forensic interview process conducted at the CACHC and satellite offices along with any other program services.
- Contact the CACHC in the event an emergency forensic interview is needed after hours and remain on the premises at the CACHC or satellite offices until all services with the child victim and non-offending caregivers are complete.
- Provide all relevant information/reports when appropriate (Texas Family Code 264.406)
- Participate in individual case review/staffing prior to and following the forensic interviews.
- Coordinate with the CACHC, law enforcement, as well as medical staff of the children who have made and outcry of abuse or neglect meet the protocol of a SANE exam or medical evaluation.
- Provide direction when deemed appropriate regarding the sharing of case information/specifics with the victim's non-offending caregivers regarding any placement of and protection of the child, advice CACHC staff of any plans for mental health, medical, or other social services referrals for the child victim and/or non-offending caregivers.
- 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). If unavailable, contact CACHC Coordination Staff in advance to provide pertinent information or send a representative that is prepared to update the team.
- Report referrals to law enforcement and conduct joint investigations as required by law.

- Participate in CACHC activities including professional education, community education efforts and team building programs.
- Provide feedback and suggestions regarding procedures and operations of CACHC and the MDT Process.

Child Care Investigations (CCI)

- Child Care and Registered Child Care Investigations **will schedule** a forensic interview for victims of abuse and neglect in child-care operations, and child placing agencies facilities, who are listed as on the Statewide Intake for a Priority One and Priority Two, who meets the acceptance criteria in accordance with the working protocols, and the report is made by a **professional reporter** as defined by TFC Section 261.101.
- Will be present and collaboratively participate with the forensic interview process conducted at the CACHC and satellite offices along with any other program services.
- Contact the CACHC in the event an emergency forensic interview is needed after hours and remain on the premises at the CACHC or satellite offices until all services with the child victim and non-offending caregivers are completed.
- Facilitate, as necessary, the safe transportation of children and non-offending caregivers to the CACHC and satellite offices.
- Provide all relevant information/reports when appropriate (Texas Family Code 264.406);
- Participate in individual case review/staffing prior to and following the forensic interviews.
- Coordinate with the CACHC, law enforcement, as well as medical staff if the children who have made an outcry of abuse or neglect meet the protocol for a SANE exam.
- Provide direction when deemed appropriate regarding the sharing of case information/specifcics with the victim's non-offending caregivers regarding any 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 non-offending caregivers.
- Report referrals to law enforcement and conduct joint investigations as required by law.
- Attend all scheduled MDT Case review meetings and participate in the sharing of information regarding current case status and plan for continued investigative activity with MDT members (Texas Family Code 264.406). If unavailable, contact the CACHC in advance to provide pertinent information or send a representative from the investigative agency that is prepared to update the team.
- Participate in CACHC activities including professional education, community educational efforts, and team building programs.
- Provide feedback and suggestions regarding procedures and operations of CACHC and the MDT Process.

E. Medical Roles

- A Sexual Assault Nurse Examiner (SANE), Physicians, Nurse Practitioners, Physician's Assistant, who has met the training standards, has pediatric experience, and child abuse expertise will conduct a comprehensive medical exam to sexual/physical and neglect abuse patients to include photo and written documentation of injuries/and or other physical findings and collect evidence.
- **Acute** SANE exams (less than 120 hours since the sexual assault occurred) will be performed at the nearest sexual assault forensic exam ready medical facility (SAFE) to ensure evidence is collected, the need for emergency contraception, and post-exposure prophylaxis for sexually transmitted infections (STI'S), pain management, and document evidence or complaint of anogenital bleeding or injury; and/or the need for a mental health evaluation.
- **Chronic** SANE exams (more than 120 hours since the sexual assault occurred) will be performed through a scheduled appointment at the CACHC or satellite offices by a CACHC SANE Nurse and/or referred to the closest SAFE ready medical facility. The medical sexual assault examination will consist of history/narrative of the alleged incident, a full body and a detailed anogenital exam, collection of photographic evidence, and/or the need for a mental health evaluation.
- They will actively and collaboratively participate with program services when appropriate.
- Provide direction when deemed appropriate regarding the sharing of case information/specifics with the victim's non-offending caregivers regarding medical evaluation, advise CACHC staff of any plans for mental health, medical or other social services referrals for the child victim and /or non-offending caregivers.
- Attend all scheduled MDT Case review meetings and participate in the sharing of information regarding current case status and plan for continued investigative activity with MDT members (Texas Family Code 264.406). If unavailable, contact the CACHC in advance to provide pertinent information or send a representative from the investigative agency that is prepared to update the team.
- Participate in CACHC activities including professional education, community educational efforts, and team-building programs.
- Provide feedback and suggestions regarding procedures and operations of the CACHC and the MDT process.
- Cases of child victims of alleged abuse who receive medical care from a non-MDT medical provider and/or a medical provider who does not specialize in child abuse will be reviewed by the designated MDT Medical Provider to assess the need for further evaluation/and or treatment.

- A medical facility who will be providing services as part of a multidisciplinary approach for the purpose of child abuse cases will have an additional linkage agreement detailing their roles and responsibilities.

F. Mental Health Providers

- Off-site participating Mental Health Providers with a CACHC Memorandum of Understanding will share pertinent information regarding victims, which may include progress in treatment, attendance, and other information deemed appropriate for sharing with MDT involved.
- Off-site Mental Health Providers will also be advised and encouraged to attend any MDT Case Review meetings, where their client's case will be discussed.
- Provide a clinical tracking form explaining the treatment goals, progress or lack of progress in treatment, and any concerns needing to be addressed by the MDT, during the initial month, and every three months thereafter as part of the MHP-MOU requirements.

G. Children's Advocacy Center

- The CACHC will serve as an interagency coordinated response center in order to facilitate an MDT approach with Law Enforcement, Texas Department of Child Protective Services, Juvenile Justice Center, and Doctor's Hospital at Renaissance Health System, The District Attorney's Office and off-Site Mental Health Providers.
- Will help to coordinate through a multi-disciplinary approach the investigation, prosecution, and intervention efforts of child abuse cases.
- Provide a child-focused setting designed to provide a safe, comfortable and neutral place for victims and their non-offending caregivers.
- Provide trained Forensic Interviewers to conduct legally sound, non-leading, neutral interviews for the purpose of investigations;
- Provide Victim Support and Advocacy services to the children and families who are referred to our center.
- Assist families with Mental Health and Medical Referrals.
- Provide a place for MDT Members to meet with the child and non-offending caregivers.
- 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 on a monthly or as needed basis.
- Will receive and review TDFPS Statewide Intakes for acceptance criteria and collaboration between MDT members.
- Track each case as it moves through the investigative and legal process until final disposition.

- Advocate and provide support for the children and families served by the CACHC.
- Assist families with crime victim applications, as needed, and maintain contact to monitor the progress of any victim services provided.
- Provide continued support to clients and non-offending caregivers.
- Provide Mental Health Therapists who meet the qualifications to conduct trauma-based counseling services.
- The CACHC will serve as a clinical consultant and will support, and monitor the treatment progress and outcomes of any child victim and their non-offending caregivers.

CONFLICT RESOLUTION

In the event of a conflict arising between team members regarding management of cases, conducting of interviews, staffing of cases, etc. the CACHC Executive Director shall contact the agency supervisors who 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.

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 (TDFPS), 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. TDFPS, 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 and audio interview of a child made at the center will become property of the prosecuting attorney involved in the criminal prosecution of the case involving the 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.

FACILITY

ALLEGED PERPETRATORS

The CACHC will provide a safe, neutral, child-focused facility for children and their non-offending caregivers.

No alleged or confirmed perpetrators will be allowed in the facility and/or the CACHC premises. Only caregivers/family members who are directly involved with a case will be allowed in the facility and or the CACHC premises. Involvement is defined as a caregiver/family member who is supportive of the child victim and/or caregiver/family member. The CACHC staff may limit the amount of caregivers/family members in the facility.

No interviews of alleged or confirmed perpetrators (adult or child) will be conducted at the CACHC facility. Juvenile (ages 10 years or older) will be allowed in the facility when services are provided to them as a child victim. CACHC coordination staff will ensure that the victim is scheduled on a different day and/or time from their alleged juvenile's perpetrator's appointment. Consideration will be given to allow alleged 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. In some situations, it may be allowable for a parent/guardian or caregiver that is an alleged or confirmed offender of neglectful supervision, but not for sexual/physical abuse to bring the child to the center for a forensic interview or SANE exam concerning sexual abuse or a medical evaluation concerning physical abuse or neglect.

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 agencies, the CACHC will extend program services to other agencies of Hidalgo County.

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

INTAKE AND CASE COORDINATION

The Children's Advocacy Center of Hidalgo County, Inc. receives case intakes in any of the following manners:

- A. Direct referral from local law enforcement partner agencies via phone, email etc.
- B. Direct referral from local TDFPS partner agency via phone, email, etc.
- C. Referral from TDFPS Statewide Intake/Hotline via email

Regardless of method of receipt, the CACHC Coordination Staff will work to assist in coordination of joint investigations for any and all cases that meet the agreed upon case criteria within these MDT Protocols. The CACHC will strive to communicate with and connect the appropriate investigative agencies with one another and assist, as requested with the scheduling of any and all of the following core CAC services/activities appropriate for the respective cases: Forensic Interview, Victim Support and Advocacy, Medical Evaluations, Mental Health Evaluations and/or MDT Case Review.

For Intakes received via the TDFPS Statewide Intake/Hotline System

The CACHC MDT Coordination Staff will read, review and log all SWI reports received to determine if the Intake meets the agreed upon criteria for a multidisciplinary response and/or CACHC services, the MDT Coordination Staff will check to determine whether or not the case has already been referred by local law enforcement and/or TDFPS. For cases that have not yet been referred to the CACHC for a multidisciplinary team response and/or CACHC services, the MDT Coordination Staff will contact the appropriate investigatory agencies to:

- Alert them about the intake.

- Communicate how the case appears to meet agreed upon case criteria for an MDT response and/or CACHC services.
- Inquire as to what actions the investigating agencies wish to take at that time.

This outreach to the investigating agencies will be conducted through email, phone and/or text within 72 hours.

Coordination Staff will assist with communication and coordination among investigating agencies regarding the Intake and also offer to assist with scheduling services, as directed by the agencies. The MDT Coordination Staff will log details of the Intake through Collaborate (Pre-Intake function) as well as any actions determined to be taken at that time.

In the event an Intake meets the agreed upon case criteria for an MDT response and/or CACHC services, but the investigating agencies, for whatever reason, advise that no further action is needed/will be taken, the Investigator will provide the reason for dismissal of the Intake and that information will also be logged into the case record for future reference, as needed.

The CACHC's role in reviewing the reports is to review and identify Statewide Intake reports within the overall case acceptance criteria as defined by the Children's Advocacy Center's Working Protocol, and facilitate the CACHC's multidisciplinary team services related to case investigation, assessment, and intervention. In addition, we understand that the CACHC's access to the Statewide Intake reports shall not be construed to change, reduce, or expand the authority or jurisdiction of the Children's Advocacy Center or any multidisciplinary team partner agency as it relates to initiating and conducting investigations, assessments, and/or interventions.

The CACHC will store, retain, and destroy all Intake Reports in accordance with the CACHC Records Retention Policy.

COLLABORATIVE ACTIVITIES AND PROGRAM SERVICES

SPECIFIC CASE CRITERIA FOR SERVICES FOR FORENSIC INTERVIEWS, MEDICAL EXAMS, MENTAL HEALTH, AND VICTIM SUPPORT AND ADVOCACY.

The Children's Advocacy Center of Hidalgo County, Inc. (CACHC) is committed to providing collaboratively activities and program services with the following overall criteria outlined within these MDT Protocols.

The following cases that meet the overall criteria will be referred for an MDT response:

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.43.25)
2. Possession of promotion of Child Pornography (Sec.43.26)
 3. Sexual Performance by a child (Sec.43.25)
 4. Trafficking of Persons (Sec.20A.02)
 5. Human Smuggling (Sec.20.05)
 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 Witness to a Crime
4. Allegations of Neglect
5. Child at Risk of Abuse

Collateral/Witness Interviews by Partner Agencies

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

After Hours Overall MDT Respond

The CACHC will be available during business hours from 8:30 AM to 5:30 PM and after business hours to respond to TDFPS cases related to a report of abuse that is made by a professional reporter and that alleges sexual abuse of a child; or is a type of case handled by the center in accordance with the case criteria outlined in these working protocols; or a child fatality in which there are surviving children in the deceased child's household or under the supervision of the caregiver involved in the child fatality.

FORENSIC INTERVIEWS

TARGET POPULATION

The CACHC target population for forensic interviews consists of child victims of maltreatment to include; sexual abuse, physical abuse, human trafficking, and witness to a violent crime ages 2-17, as well as adults with substantial impairment (with the direction of the District Attorney's Office).

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 and are coordinated to avoid multiple interviews. Interviews are conducted by a 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 with specialized training in conducting forensic interviews at the CACHC, satellite offices, or approved mobile site via scheduled appointments in a CACHC interview room. All forensic interviews will be conducted utilizing the CAC of Texas Semi-Structured Narrative Interview Process or a Nationally Recognized process. A CACHC interview room is defined at any location that has been established by the CACHC.

A. Appointment/CACHC Intake Process

MDT members requesting a Forensic Interview are required to schedule an appointment with CACHC Coordination Staff. Coordination Staff will gather pertinent information from the referring agency necessary to complete the intake process.

Appointment will be scheduled at the CACHC location closest to the victim's residence when possible.

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 and their date of birth.
5. Victim's address/city.
6. Information regarding additional investigative agency involved (TDFPS 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 a 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 abuse and serious physical abuse will be conducted jointly by an Investigator from the appropriate TDFPS, and Law Enforcement Agency, pursuant to Section 261.301 of the Texas Family Code. CACHC Coordination 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 team (TDFPS or Law Enforcement) scheduling the appointment is responsible for all communication with and/or non-offending caregivers/guardian and /or an agency responsible for the transportation of the victim to the appointment.

C. Individual Conducting the Interview

Forensic interviews will be conducted by a CACHC trained Forensic Interviewer who has completed the required trainings. Only the alleged victim, a forensic interviewer, as well as an interpreter when needed, will be allowed in the interview room.

Forensic interviews will be conducted based on the outlined overall acceptance criteria for Program Services and a trained Forensic Interviewer will be selected for each specific case that fits appropriately to the child victim's needs.

Forensic Interviewers will have successfully completed documentation of timely progress towards or satisfactory completion of the Children's Advocacy Centers of Texas, Inc., Forensic Interviewer Core Curriculum; and/or a curriculum that is a national; and/or state recognized forensic interview trainings and adheres to current research and best practices.

Forensic Interviewers who conduct forensic interviews will participate in a structured peer review process for forensic interviewers a minimum of two (2) times per year. In addition, all Forensic Interviewers will participate in ongoing education in the field of child maltreatment consisting of 8 contact hours annually.

D. Interpreter

In the event the victim and/or a non-offending caregiver require the use of an interpreter, the referring agency will coordinate services. The CACHC will assist with the coordinating of those services when needed. The interpreter will provide a copy of their credentials, a valid identification, and participate during the forensic interview when needed.

Additionally; the interpreter will be required to read and sign the "Guidelines for Interpreters During an Interview" form as well as a confidentiality agreement.

E. Availability/Presence of MDT Members on Joint Interviews

MDT members with investigative responsibilities **must observe** the forensic interview(s) to ensure necessary preparation, information sharing, and MDT/interviewer coordination throughout the interview and post-interview process.

Law Enforcement and/or a TDFPS investigator **must be present** for the observation of the forensic interview; however, in the event one is unable to be present, the case investigator or

their immediate supervisor must give approval for the forensic interview to be conducted in his or her absence.

No interview will be conducted at the CACHC when **not observed** by at least one Law Enforcement or TDFPS *Investigator*. CACHC staff will allow 15 minutes after scheduled interview time for all agencies involved to arrive 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.

F. Who Observes the Interview

All CACHC interviews shall be observed by at least one authorized investigative team member (TDFPS, 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 minimize the number of witnesses 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 and CACHC Mental Health Counselor may observe the forensic interview when appropriate.
- Off-site agency (e.g., Medical, Mental Health, etc.) may observe a forensic interview by court order or with the approval of the District Attorney or the designated prosecutor whenever feasible.

Those **who may not** observe the forensic interview:

- 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.
- An Ad Litem Attorney may not observe the interview.
- A partner agency intern and/or volunteer shall not be allowed to be present in the observation room during the forensic interview unless otherwise approved by the Director or the Program Director of the CACHC.

G. Pre-Interview Procedures

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

The Forensic Interviewer, when feasible, will introduce themselves and explain the interview process to the non-offending caregivers. In the event the interviewer is unable to do so, the Victim Advocate may explain the process.

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

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 have been conducted by TDFPS 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.

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

H. During the Forensic Interview

The case team will observe and take notes as the forensic interview is being conducted. If the case team has any questions during the interview process, they may communicate with the Forensic Interviewer via a listening device. The case team may utilize a mic to communicate with the interviewer if they have questions or need clarification. The interviewer will receive their questions through an ear-piece, which they may wear during the forensic interview. In the event the Forensic Interviewer needs to communicate with the case team and choose not to use the listening device, 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. In some cases, it is necessary for the Forensic Interviewer to introduce evidence when deemed necessary by law enforcement and/or TDFPS.

The case team may request for the Forensic Interviewer when deemed necessary to introduce evidence during the interview. All information to include photographs, and or documentation

must come from Law Enforcement and/or TDFPS. The CACHC will not print, copy, or create documentation. All work product will become part of the forensic interview, and will be stored accordingly to policies and procedures and a copy will be provided to law enforcement.

I. Post Interview Procedure

After the interview, the interviewer, victim advocate, law enforcement, and/or TDFPS (case team) (when applicable) will meet to discuss the outcome of the interview, clarify any questions or concerns regarding the case, identify type of case review (expedited or full review) and identify any additional services.

Law enforcement will provide, if any, an offense category for CACHC record keeping. A Victim Advocate may share information gathered through their assessment of the non-offending caregivers with the case team. Following that meeting, law enforcement/and or TDFPS should meet with the non-offending caregivers 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 SANE exam or a medical evaluation. If a SANE exam or medical evaluation 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 SANE exam or medical evaluation with the CACHC or an approved Safe Ready Medical Facility (SAFE).

J. Subsequent Forensic 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 an 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 TDFPS 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.
3. If the follow-up repeat interview is agreed upon by the case team, the case team should agree upon the parameters of this interview.

4. CACHC will seek the assistance of the District Attorney's Office when a consensus is not met with the case team.
5. A subsequent interview will be conducted by the same Forensic Interviewer when possible.

K. 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 interview. A MSFI should only be conducted with a unanimous case team support for the initial Forensic Interviewer.

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 Interviewer 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 DVD (s) will be stored by the forensic interviewer at the CACHC under double lock until the MSFI sessions have 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 sessions have concluded.

L. Video Recordings

Interviews conducted at the Children's Advocacy Center of Hidalgo County, Inc. With victims will be video recorded pursuant to Texas Family Code Section 261.302.

Forensic Interviewers will burn all forensic interviews onto 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 TDFPS
- Case number and assigned investigator
- Name of the forensic interviewer

TDFPS 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. If a case team member is not present for the recording of the forensic interview, the DVD/Video recordings(s) will be turned over to law enforcement and/or TDFPS and/or Prosecutor present at that time of the recording.

A video recording of an interview of a child that is made is the property of the prosecuting attorney involved in the criminal prosecution of the case involving the child. If no criminal prosecution occurs, the video recording is the property of the attorney involved in representing the department in a civil action alleging child abuse or neglect. If the matter involving the child is not prosecuted, the video recording is the property of the department if the matter is an investigation by the department of abuse and neglect. If the department is not investigating or has not investigated the matter, the video recording is the property of the agency that referred the matter to the center (TFC Sec.264.408).

M. 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 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. 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.

On call CACHC staff will be available in the event of an emergency 24 hours a day 7 days a week. On call staff includes, but is not limited to; a Forensic Interviewer, a Victim Advocate, a Clinical Advocate, a SANE nurse, a Counselor and or Therapist.

N. Off-Site Interviews

Off -site forensic interviews will be available on a case-by-case basis using the CACHC portable equipment. Off-site forensic interviews will be conducted in an appropriate environment conducive to audio and video recording. CACHC Coordination Staff and MDT members will ensure 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. CACHC staff may include, but it's not limited to: A Forensic Interviewer, a Victim Advocate, and a Clinical Advocate.

O. Equipment

A portable laptop, camera, and microphone will be taken to an off-site approved location. The off-site location will be approved by the Director and Program Director of the CACHC. The equipment will be operated by a trained Forensic Interviewer.

The following guidelines will be used when choosing a site:

- Interview Room
- Observation room
- Waiting room
- Intake room

The following guidelines will be strictly enforced when conducting interviews using the mobile equipment:

- Maintaining Confidentiality

- Signs on doors when necessary
- Location of site
- Monitoring of parents
- Confidentiality agreements signed with interview site

P. Tracking of Portable Forensic Interviews

CACHC Coordination Staff will document the location of the forensic interview on an intake form. When an interview is recorded the original recorded interview will be provided to Law Enforcement and a copy will be given to the TDFPS Investigator. A separate copy of the interview will be saved on the CACHC's hard drive for the District Attorney's Office if applicable.

No copies of the mobile interview will be stored in the mobile lap top.

VICTIM SUPPORT AND ADVOCACY

The CACHC target population for victim support and advocacy consists of child victims of maltreatment to include; sexual abuse, physical abuse, human trafficking, and witness to a violent crime ages 2-17, as well as adults with substantial impairment (with the direction of the District Attorney's Office). Victim Advocacy services will also be provided to non-offending family members who meet the overall case criteria for an MDT response. In addition, Victim Support and Advocacy Services will be provided on a case by case basis to children and/or family members from the community when approved by the Executive Director.

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

Victim Advocate

A Victim Advocate or trained MDT member who has the specialized training in victim advocacy will provide victim support to child victims and their non-offending caregivers.

A Victim Advocate or trained MDT member will demonstrate that they have successfully completed a minimum of 24 hours of instruction within 6 months of hire. The training must consist of specific criteria as outlined by the CAC of Texas and/or appropriate training requirements specific to the services they provide, if an individual provides victim support and advocacy services as part of the CACHC/MDT response.

A Victim Advocate or trained MDT member will demonstrate participation in on going education in the field of Victim Advocacy and Child Maltreatment consisting of eight (8) contact hours annually.

A. Greeting and Orientation

The Victim Advocate will greet and provide an orientation to children/and their non-offending caregivers and will be available during the forensic interview to provide support to non-offending caregivers, and participate in pre and post interview case staffing when applicable.

B. Assessment

A Victim 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 parent/legal guardian. They will also assess the child(s) and non-offending family caregiver's/family's mental state and feelings about participation in the investigation/prosecution.

C. Crisis Intervention

A Victim Advocate may provide crisis intervention and support at all stages of the investigation and prosecution process of the victim and their non-offending caregivers.

D. Information and Referral

The Victim 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
- Assistance with procuring services (housing, protective orders, domestic violence intervention, food, transportation, public assistance)
- Provide information about the investigation process
- Texas Crime Victim's Compensation as well as assistance with the completion and submission of the application.
- Victim Information and Notification Everyday (VINE) as well as assistance with the registration process

E. MDT Case Review Meetings

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

F. Family Follow Up

The Victim Advocate and/or other CACHC staff will conduct a follow-up telephone call with the victim or the victim's protective family member/caregiver after their visit to the CACHC.

G. Accompaniment

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

MENTAL HEALTH SERVICES

The CACHC target population for mental health services consists of child victims of maltreatment to include; sexual abuse, physical abuse, human trafficking, and witness to a violent crime ages 2-17, as well as adults with substantial impairment (with the direction of the District Attorney's Office). Mental health services will also be provided to non-offending caregivers who meet the overall case criteria for an MDT response. In addition, mental health services will be provided on a case by case basis to children and/or family members from the community when approved by the Executive Director.

Mental health services to include: debriefings, screenings, crisis intervention, and specialized trauma-focused and evidence based treatment are eligible to child victims of abuse and their non-offending caregivers. Priority will be given to victims that have received other CACHC services; however, outside referrals will be allowed on a case by case basis. Additionally, all mental health services to child victims and their non-offending caregivers will be free of charge for clients referred to the CACHC as part of an MDT response.

Mental health services are separate from the forensic process of gathering evidentiary information. Child victims and their non-offending caregivers are eligible to receive mental health treatment to assess and mitigate the long-term impacts of trauma or other diagnosable mental health conditions.

A. Post Debrief:

CACHC personnel will conduct debriefings with victims and non-offending caregivers after a forensic interview and medical exam. This will allow the victim to express their experience and

feelings about the forensic interview and/or medical exam. During the process CACHC personnel will identify the needs for mental health services, evaluate the need for immediate crisis intervention, and formulate recommendations for additional services.

B. Crisis Interventions:

A trained CACHC personnel will evaluate the victim and/or non-offending caregivers for risk of self-harm or suicide when appropriate. CACHC trained personnel will discuss findings, concerns and/or action plans with the non-offending caregivers and/or investigators present. If applicable and a safety plan is needed, CACHC trained personnel will follow-up as needed with the victim and guardian/parent to ensure the child's mental health concerns are addressed and take the necessary steps if additional intervention is needed.

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 Victim 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 indicate a referral:

- a. Victim name, date of birth, home address.
- b. Legal guardian name and phone number.
- c. Identified symptoms/behavior changes
- d. Contact information for TDFPS 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. Insurance Card
- b. Divorce Decree /Parenting Decree
- c. Child Support Order
- d. Crime's Victim's Compensation Approval Letter

3. Screenings:

CACHC trained Mental Health Personnel will conduct a screening after receiving a completed referral form. The screening will consist of indicators to ensure that a child victim and non-offending member meets the criteria for counseling.

4. Counseling:

CACHC trained Mental Health Personnel will provide individual, group, and family counseling to victims of abuse and non-offending caregivers. 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 non-offending caregivers off-site at their home or school of residence. Victims and non-offending caregivers needing specialized treatment and/or extended therapeutic treatment will be referred to other professionals in the community, if their need 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 their protective caregivers/family members.

CACHC personnel 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, 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. MDT Case Review Meetings

CACHC Mental Health Personnel will be involved with case management and case review (i.e. referral, follow-up, communication with Mental Health Providers, and continued communication with Multi-Disciplinary Team Members) to ensure clients' 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. Mental Health records may be legally available to other medical providers for the purpose of needed treatment of the patient and to those agencies mandated to respond to a report of alleged child abuse. In some circumstances a written consent or court order will be required. A log of all disclosures will be maintained with the medical record, in accordance with federal privacy rules.

A records request for mental health records from an attorney or other entity must be accompanied by a Subpoena. The CACHC reserves the right to request a court order made by a Judge before releasing any records and fulfilling a Subpoena.

MEDICAL EVALUATION SERVICES

The CACHC will recommend and facilitate SANES and medical evaluations for physical and neglect cases as part of the multidisciplinary response medical treatment to child victims of alleged abuse. 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, preferably after the child forensic interview. The MDT members discuss and agree to the need for medical exams to be scheduled on the same day as the interview (when feasible). MDT (Law Enforcement and TDFPS Investigators) members will inform the parents that a medical examination is needed. The victim will be seen at the CACHC, satellite offices, or at a SAFE ready medical facility. Calls received by the CACHC that are classified as an acute case will be recommended to be scheduled with a SAFE ready medical facility.

MDT members should schedule a SANE exam/medical evaluation when a child has disclosed sexual, physical or neglect abuse, or is suspected of being sexually abused by a family member, and meets the overall acceptance criteria for an MDT response; however, children should never be forced to undergo the examination.

MDT members requesting a sexual assault or medical examination are required to schedule an appointment with CACHC Coordination Staff. The CACHC Coordination Staff will gather pertinent information from the referring agency necessary to complete the intake process.

Information Required at Intake:

- a. History of the incident;
- b. Identifying information for victim, protective family member, and alleged perpetrator;
- c. Type of exam requesting;
- d. Individual transporting children;

- e. Victim's address/city;
- f. Additional investigative agency involved (TDFPS or Law Enforcement), case number, and investigator assigned;
- g. Contact phone number for investigator (s) involved;
- h. Case priority;
- i. History of mental health for the victim.

A. On-site Sexual Assault Exam

A CACHC SANE Nurse who is trained and meets the eligibility requirements will conduct all non-acute SANE examinations on a scheduled basis and will seek guidance from the Medical Director who is part of the multidisciplinary response team and who also meets the eligibility standards. In the event the CACHC SANE Nurse is not available, the investigative agency with legal jurisdiction will be responsible to coordinate with a SAFE medical ready facility who employs a provider who is trained and meets the eligibility standards.

MDT members requesting a sexual assault examination are required to schedule an appointment with CACHC Coordination Staff. The CACHC Coordination Staff will gather pertinent information from the referring agency necessary to complete the intake process.

B. Non-Acute Examinations

A sexual assault incident occurring more than 120 hours from the incident will be scheduled through the CACHC and conducted by a SANE Nurse at the CACHC or satellite offices. 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 a SANE Nurse at a SAFE ready medical facility.

C. Acute Examinations

A sexual assault incident occurring less than 120 hours prior to the report **WILL NOT be seen at the CACHC.**

1. CASES PRESENTING INITIALLY TO LAW ENFORCEMENT OR CHILD PROTECTIVE SERVICES: The agency receiving the initial report will refer the child to a SAFE ready medical facility for immediate assessment and treatment. 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 staff, and if available, request their participation with the examination.

D. Off- Site Sexual Assault Exams

When a CACHC Sexual Assault Nurse is not available, assistance by CACHC will be provided for an off-site SAFE ready medical facility.

In the event a child victim of alleged abuse is treated by a non- MDT medical provider and/ or a medical provider who does not specialize in child abuse a designated MDT medical provider will review and assess the need for additional evaluation and/or follow up care if deemed necessary.

E. Medical evaluations for child victims of alleged physical/neglect abuse

The CACHC Nurse will conduct a medical evaluation for signs of maltreatment (physical/neglect abuse), medical conditions, and mental health concerns and will take the following steps;

- If the victim child has sustained physical injuries or there are signs of neglect and/or physical abuse, the CACHC SANE Nurse will refer the victim child to a SAFE ready medical facility for immediate assessment and treatment by ER personnel. When necessary, law enforcement will transfer the child to the hospital for further evaluation and medical treatment.
- If the victim child is thought to have a medical condition, the CACHC SANE Nurse will refer the victim child to their Primary Care Physician and/or the nearest SAFE ready medical facility for further evaluation and medical treatment.
- When necessary the CACHC staff will notify the appropriate agencies if there is knowledge or suspected signs of abuse and neglect.
- CACHC staff will refer child victims for therapy to address trauma related to the abuse/assault within our members of our CACHC/MDT staff. In the event the CACHC has a waiting list, a referral for a Mental Health Provider will be initiated by our CACHC staff and all pertinent information will be provided to non-offending caregiver.
- The CACHC SANE Nurse and/or CACHC staff will conduct a 72-hour follow-up phone call with a non-offending caregiver to ensure the victim child received the necessary treatment and there are no concerns.

F. Documentation of Medical Findings

All medical findings to include; medical history and physical evaluation will be carefully, thoroughly recorded, and legibly documented by the CACHC SANE Nurse and CACHC staff. The medical record will include a statement as to the significance of the findings and treatment plan. The CACHC SANE Nurse is responsible for all photo documentation and will be completed in all cases when the SANE or a medical evaluation is conducted at the CACHC.

In the event a SANE or medical evaluation is conducted outside of the CACHC, it is the responsibility of the investigative team who has jurisdiction over the case to ensure all documentation is obtained and shared with all investigatory agencies, who are mandated to

respond to a report of alleged child abuse and be made available to other medical providers for the purpose of needed treatment of the patient.

G. Record Keeping, Confidentiality of SANE Exams, Medical Evaluations, and Subpoenas

Medical records will be maintained in compliance with federal rules governing protection of patient privacy. Medical records may be legally available to other medical providers for the purpose of needed treatment of the patient and to those agencies mandated to respond to a report of alleged child abuse. In some circumstances a written consent or court order will be required. A log of all disclosures will be maintained with the medical record, in accordance with federal privacy rules.

All medical records will be stored under double lock and key and only authorized CACHC staff will have access to the records. Medical records will be labeled with the child's first, middle (if applicable), and last names. Photos/ videos will be stored in a separate protective sleeve to ensure no damage occurs.

H. MDT Case Review Meetings

CACHC Medical Health personnel will be involved with case management and case review (i.e. referral, follow-up, communication with Mental Health Providers, and continued communication with Multi-Disciplinary Team Members) to ensure clients' needs have been met.

MDT CASE REVIEW MEETINGS

MDT case review meetings are required by the Texas Family Code Section 264.408 and CAC of Texas Standards. The purpose of case review meetings is 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 of Meetings

MDT case review meetings will be conducted at the CACHC or other announced locations; such as CACHC satellite offices, or District Attorney's Office. Case review discussions *may occasionally* be facilitated with the aid of technology (conference calls, Skype, or video conferencing).

B. Coordination and Facilitation

Case review meetings will be coordinated and facilitated by CACHC Coordination Staff Members.

C. Attendees

The following MDT members will attend and participate during the staffing of their case or have someone sit in with knowledge of the case:

- Law Enforcement

- Child Protection
- Prosecution
- Medical
- Mental Health
- Victim Support and Advocacy
- Forensic interviewing
- Children's Advocacy Center

D. Case Criteria Selection Categories

Cases will be selected for review based on offense/outcry after a forensic interview, SANE exam and/or a medical evaluation. The CACHC MDT will review every open case to identify and initiate the need of an MDT review.

E. Special Case Review Meetings referred by MDT

An MDT member wishing to refer a case for case review will contact the CACHC and provide the details of the case. CACHC Coordinating staff will gather all pertinent information and schedule a Case Review. The time-line of when the Case Review will happen will be based on the MDT's recommendation.

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 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.

H. Case Review Recommendations

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

I. Case Tracking

The CACHC monitors and tracks each case progress throughout the multidisciplinary interagency response. A database has been put in place in order to connect pertinent information for decision making and service provision to children and families at the CACHC. Information is maintained in a case log and can be retrieved by the CACHC Coordination Staff for the purposes of reporting statistical information to be shared with oversight agencies, CACTX, and/or state funding.

MDT partners wishing to access the database will contact the CACHC and request in writing details of the information needed and a timeline of when the information is needed.

COURT ACCOMPANIMENT AND COURT PREPARATION

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

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, marital status or any other cultural descriptions.

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.

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 the non-offending caregivers.

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
7. Sex Offender Registry Check

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

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

In order to maintain 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 given written notice to the other parties.

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

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

EXECUTED THIS 1 DAY OF September, 2019 and will be in force for three (3) years.

Signatures:

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

Doctor's Hospital at Renaissance Health System
<i>Dr. Javier Cortinas, Medical Director</i>

Texas Department of Family and Protective Services – Child Protective Investigations
<i>Marina Yzaguirre, Child Protective Investigations Regional Director</i>

Alton Police Department
<i>Jonathan Flores, Police Chief</i>

Texas Department of Family and Protective Services – Child Protective Services
<i>Tara O'Connell, Child Protective Services Regional Director</i>

Edcouch Police Department
<i>Javier Garza, Police Chief</i>

Children's Advocacy Center of Hidalgo County Inc.
<i>Jesus A. Sanchez, Executive Director</i>

Elsa Police Department
<i>Robert McGinnis, Police Chief</i>

Hidalgo Police Department
<i>Jesus Ortega, Police Chief</i>

Judge Mario E. Ramirez, Jr. Juvenile Justice Center
<i>Maryann Denner, Chief Juvenile Justice Probation Office</i>

Texas Department of Family and Protective Services – Child Care Investigations
<i>Ashland Spencer-Batiste, Child care Investigations Director</i>

Texas Department of Family and Protective Services – Adult Protective Services
<i>Ann Cortez, In Home Investigations Regional Director</i>

Alamo Police Department
<i>Rogelio Alaniz, Interim Police Chief</i>

Donna Police Department
<i>Gilbert Guerrero, Police Chief</i>

Edinburg Police Department
<i>Cesar Torrez, Police Chief</i>

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

La Villa Police Department
<i>Adolfo Flores, Police Chief</i>

La Joya Police Department
<i>Adolfo Arriaga, Police Chief</i>

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

Pharr Police Department
<i>Jose Lenguo, Police Chief</i>

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

Donna ISD Police Department
<i>Daniel Walden, Police Chief</i>

Mercedes Police Department
<i>Dagoberto Chavez, Police Chief</i>

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

Penitas Police Department
<i>Roel Bermea, Police chief</i>

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

McAllen ISD Police Department
<i>Crisoforo Esquivel - Police Chief</i>

Sullivan Police Department
<i>Richard Ozuna, Police Chief</i>

Edinburg CISD Police Department
<i>Ricardo Perez Jr. Police Chief</i>

Weslaco Police Department
<i>Joel Rivera, Police Chief</i>

Palmview Police Department
<i>Gilbert Zamora, Police Chief</i>

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