



SAN JOSE POLICE DEPARTMENT

TRAINING BULLETIN

TO: ALL DEPARTMENT PERSONNEL

FROM: Anthony Mata
Chief of Police

SUBJECT: 2023 CHILD ABUSE PROTOCOL

DATE: May 11, 2023

Bulletin #2023-019

On April 13, 2023, the new Santa Clara County Child Abuse Protocol for Law Enforcement was adopted by the Police Chiefs' Association of Santa Clara County. It is the first update to the protocol since 2019.

The Child Abuse Protocol is used to describe and maintain the best practices for conducting child abuse investigations. It is also used to define and document the collaboration and cooperation between law enforcement, the Department of Family and Children Services (DFCS), the District Attorney's Office, the medical community, victim advocates, the Medical Examiner's Office, and many other entities in this important work.

The new protocol is available in its entirety on the SJPD internet and intranet website (sjpd.org **2023 child abuse protocol**). All sections that have been updated from the 2019 version are in **bold-face type**. Below is a summary of the key updates:

One Phone Number For Victim Medical Services: For cases in which a child is a victim of sexual abuse or physical abuse or neglect, call **669-299-8810** to obtain medical consultations, medical evaluations, and/or medical services for victims. The line is staffed 24 hours, every day of the year, including weekends and holidays. This one number replaces the multiple numbers that were listed (based on the circumstances) in the previous protocol.

Child Advocacy Center (CAC): All cases of suspected felony sexual assault or sexual abuse in which the victim is under 18 shall be referred to the CAC for forensic interviews and other services. In other cases involving allegations of misdemeanor sexual abuse, assault, or exploitation against a child and cases in which a child is a witness to violence, referral to the CAC is strongly encouraged.

10-Step Interviewing: The new protocol incorporates a 10-Step child interviewing method that is the best practice for interviewing children about abuse (see the complete protocol for details on each step).

100% Medical Handoff: After every forensic interview, law enforcement will connect the victim and their caregiver to the medical team at the CAC for the determination of possible medical services and/or evaluation for the child.

Sexual Assault Forensic Examination (SAFE) Offered to All Survivors (SJPD only): All survivors of sexual assaults in SJPD's jurisdiction will now be offered a SAFE, regardless of when the crime occurred. Sexual assault examiners no longer need law enforcement authorization to initiate a SAFE exam.

No Cost Medical Examinations: Even if law enforcement and DFCS do not request a sexual assault examination for a child, a medical exam can be done at the patient's or family's request by the SAFE team, by appointment. No costs will be billed directly or indirectly to the victim of the assault.

Parental Consent or a Court Order for Medical Examinations: DFCS requires parental consent or a court order (which DFCS will obtain) for all medical examinations of children under 12 in cases of suspected sexual abuse (SAFE) and children under 18 in cases of all other types of suspected abuse. If parental consent is inappropriate, DFCS will obtain a court order.

Joint Response: Law enforcement agencies will continue to call DFCS for joint response, just as we have been doing, in cases of child death and cases in which physical abuse, severe neglect, sexual abuse, kidnapping, and/or parental abduction of a child are suspected.

Written Cross-Reports for Non-Severe Physical Abuse: DFCS will not call the police for joint response in cases of non-severe physical abuse. In those cases, only written cross-reports will be made.

Multi-Disciplinary Interviews (MDI): DFCS must obtain either parental consent or a court order to be involved in an MDI. If a parent brings a child to the interview, parental consent is implied. DFCS can normally obtain a court order within 30 minutes.



Anthony Mata
Chief of Police

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