



City of Racine Police Department
Policy and Procedure

Number: 711

Table with 3 columns: Subject (Abuse & Neglect Complaints With Juvenile Victims), Date Issued (6-26-81), Effective Date (08-05-11), Revision Number (3)

POLICY:

This procedure is in place to provide basic guidelines as to the manner in which we address complaints about abuse or neglect of children. Protection of the child is the primary role of law enforcement personnel in these cases.

DEFINITIONS:

Child – refers to any person who has not yet attained the age of 18 years, except that for the purposes of prosecuting a person who is alleged to have violated a state or federal criminal law, “child” does not include a person who has attained the age of 17 years.

Abuse – other than when used in referring to abuse of alcohol beverages or other drugs, means any of the following:

Physical injury inflicted on a child by other than accidental means.

When used in referring to an unborn child, serious physical harm inflicted on the unborn child, and the risk of serious physical harm to the child when born, caused by the habitual lack of self-control of the expectant mother of the unborn child in the use of alcohol beverages, controlled substances or controlled substance analogs, exhibited to a severe degree.

Sexual intercourse or sexual contact under statute 940.225, 948.02 or 948.025.

Sexual exploitation of a child under statute 948.05.

Permitting, allowing or encouraging a child to violate statute 944.30.

Causing a Child to View or Listen to Sexual Activity under statute 948.055.

Exposing Genitals or Pubic Area under statute 948.10.

Emotional damage for which the child’s parent, guardian or legal custodian has neglected, refused or been unable for reasons other than poverty to obtain the necessary treatment or to take steps to ameliorate the symptoms.

Wisconsin Statutes, Chapter 48.02(1)

Physical injury – includes but is not limited to lacerations, fractured bones, burns, internal injuries, severe or frequent bruising or great bodily harm, as defined in s. 939.22(14). Wisconsin Statutes, Chapter 48.023(14g)

Neglect – means failure, refusal or inability on the part of a caregiver, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of the child. Wisconsin Statutes, Chapter 48.02(12g)

PROCEDURE:

COMMUNICATIONS:

When a call for service reporting a child abuse or neglect complaint: is received:

- 1. Initiate an entry into Phoenix.
2. Send an officer as a first responder to the address of the complaint.
3. Notify the Shift Commander and advise of the circumstances in order for him or her to determine the need for a response by the Detective Unit.

MEMBER:

- 1. Respond to the scene as directed.
2. Take an incident report and initiate interviews of all persons concerned.

- a. Victims (Attempt to establish probable cause without interviewing victims under 10 years of age. They need to be scheduled for a forensic interview at an approved Child Advocacy Center).
- b. Witnesses
- c. Offenders
3. Request an Evidence Technician to process the scene of any potential evidence.
4. Direct Communications to contact HSD.
5. If victim(s) are believed to be in immediate danger:
  - a. Take the victim(s) into protective custody.
  - b. Transport them away from the area to the Police Department unless medical treatment is required first.
    - 1) If immediate medical treatment is needed, have a rescue squad transport the victim(s) to All Saints.
      - a) In some cases, if medical treatment is not life threatening or transport in the rescue squad would aggravate the victim's mental state, he or she can be transported to the hospital by the investigating officer.
    - 2) Prepare a Request for Temporary Physical Custody Form (JI-03).
    - 3) Transfer custody of the victim(s) to the responding Racine County Human Services Crisis Intervention worker or the approved foster facility (this may be an extended family member or an HSD approved foster family).
6. Forward all reports to your supervisor.

**SUPERVISOR:**

1. Respond to the scene or medical facility as necessary.
2. Confirm the nature of the call for service and take charge of the scene.
3. Keep the Shift Commander informed as to the circumstances and if necessary, request assistance from a Detective Unit Investigator.
4. Review all reports per Procedure #200 and forward them as required.

**SHIFT/UNIT COMMANDER:**

1. Once notified by Communications of a potential child abuse or neglect situation, determine the need for additional resources such as an initial response by a Detective Unit Investigator.
  - a. If it requires an immediate response and a Detective Unit Investigator is working, check with the Unit Commander to have one assigned.
  - b. If it requires an immediate response and Detective Unit Investigators are not working, contact the Detective Unit Commander so that he or she can determine the appropriate responding Investigator.
2. Review any reports forwarded and distribute them appropriately.

**EVIDENCE TECHNICIAN:**

1. Respond as directed by Communications or a Supervisor on the scene.
2. Gather, collect, and process evidence per training and procedure.

**DETECTIVE UNIT COMMANDER:**

1. Once notified of a call for service requiring assistance from your unit, assign an Investigator to respond to the location of the victim to assist the initial responding Officer(s).
2. Ensure that as incident reports come into the unit, that they are assigned to an Investigator as soon as practical.
3. Make sure that all reported cases of abuse/neglect of juveniles are forwarded to the Racine County Human Services Department.

**DETECTIVE UNIT INVESTIGATOR:**

1. Respond as necessary to the call for service and assist the initial responding officer in any way necessary to insure a complete and thorough investigation.
2. Complete all investigations assigned for follow-up in an expedient but complete and thorough manner.

**LEGAL REFERENCES:**

Wisconsin Statutes:  
 Chapter 48.02                      Children's Code Definitions  
 Chapter 48.023                    Guardianships  
 Chapter 48.981(2)                Mandatory Reporting

Chapter 939.22(14)	Great Bodily Harm defined
Chapter 939.45	Privilege
Chapter 940.225	Sexual Assault
Chapter 944.30	Prostitution
Chapter 948.01	Crimes Against Children Definitions
Chapter 948.02	Sexual Assault of a Child
Chapter 948.025	Repeated Sexual Acts of Sexual Assault of a Child
Chapter 948.05	Sexual Exploitation of a Child
Chapter 948.055	Causing a Child to View or Listen to Sexual Activity
Chapter 948.10	Exposing Genitals or Pubic Area

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