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GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF HUMAN SERVICES  
LANSING



MARIANNE UDOW  
DIRECTOR

February 20, 2008

The Honorable Bill Hardiman, Chair  
Senate Appropriations Subcommittee on DHS  
Michigan State Senate  
Lansing, Michigan 48933

The Honorable Dudley Spade, Chair  
House Appropriations Subcommittee on DHS  
Michigan House of Representatives  
Lansing, Michigan 48933

Dear Senator Hardiman and Representative Spade:

The enclosed reports are provided pursuant to PA 131 of 2007 Section 514, the Department of Human Services (DHS) Fiscal Year 2008 Appropriations Act, and Sections 722.629a and 722.628d (5) & (6) of 1975 PA 238, the Child Protection Law. These sections require that DHS provide information on Children's Protective Services (CPS) statistical data, and a list of significant CPS policies implemented in the proceeding fiscal year.

The enclosed information includes the following:

1. [2007 Trends Summary Report](#).
2. A listing of Children's Protective Services [program definitions](#).
3. The total number of reports of abuse or neglect received, investigated, and substantiated from [1996-2007](#).
4. The number of cases classified under abuse/neglect [categories I through V](#).
5. The number of cases in [category III that escalated to category I or II](#).
6. ["Victims of Abuse and Neglect" report](#), which includes a breakdown of the age, race, and gender of child victims.
7. ["Perpetrators of Abuse and Neglect" report](#), which includes the perpetrator's relationship to the victim(s) and the type of abuse/neglect substantiated (listed on central registry).
8. ["Source of Complaints" report](#), which includes both mandated and non-mandated reporters, their relationship to the victim, and the percentage of their complaints that are substantiated.

9. A listing of significant [CPS policy changes and law changes](#) effective in 2007.

If you have any questions, comments, or would like additional information, please contact Ted Forrest at (517) 335-3704.

Sincerely,

A handwritten signature in black ink that reads "Ismael Ahmed". The signature is written in a cursive style with a large initial 'I'.

Ismael Ahmed

cc: Senate and House Appropriations Subcommittee on DHS  
Senate and House Fiscal Agencies  
Senate and House Policy Offices  
State Budget Office

## **Children's Protective Services 2007 Trends Report Summary**

The number of children's protective services (CPS) complaints received decreased from 126,690 in fiscal year 2006 to 123,149 in Fiscal Year (FY) 2007. This decrease can partly be attributed to policy and system changes that allow workers to add any subsequent complaints on the same incident (from a different reporting source) to the original complaint, as opposed to initiating a new complaint, as was previously the case. Even though slightly fewer cases were assigned for investigation, a higher percentage of investigated cases was confirmed (i.e., a preponderance of evidence of abuse and/or neglect was found). As in previous years, the most frequent reason that complaints were screened out (i.e.), not assigned for investigation was that the complaint did not meet the Child Protection Law definition of child abuse/neglect. Also during FY 2007, CPS policy and the Child Protection Law were revised to include increased protections for children (see pages 11-23).

### **Highlights of the report:**

- **CPS Complaint Trends Summary 1996-2007:**
  - The number of complaints steadily increased from 1999-2003, and then began to decline in 2004, 2005, and 2006. In 2007, complaints decreased by 3,541 compared to the previous year.
  - The percentage of complaints investigated increased from 49 percent (60,639) in 1996 to 55 percent (67,756) in 2007.
  - A higher percentage of investigations resulted in a preponderance of evidence finding. From 1996 to 2006, the percentage of investigations confirmed increased from 20 percent to 25 percent. In 2007, 26 percent of investigations resulted in a finding of preponderance of evidence.
- **Screened-Out (Rejected) Complaint Trends:**
  - From 2003 through 2007, the percentage of complaints screened-out has consistently ranged from 37 to 39 percent.
  - Fifty-seven percent of the screened-out complaints were rejected because they did not meet the Child Protection Law's definition of abuse/neglect.
- **Confirmed Investigations:**
  - While there has been a decrease in the number of investigations (76,694 in 2004 to 67,756 in 2007), a higher percentage of investigations were confirmed (23 percent in 2004, 25 percent in 2006, to 26 percent in 2007).
  - With the implementation of the five category disposition process in 1997, the number of perpetrators placed on Central Registry continues to decline. Beginning in FY 2002, only investigations disposed as category I and II are placed on Central Registry (see page 9).
- **Five Category Disposition System:**
  - Since the first year that data became available (FY 2002), the distribution of investigation dispositions has remained consistent. Twenty-two to twenty-five percent are category I, II, or III (confirmed - preponderance of

evidence), and 75 -78 percent are category IV or V (no preponderance of evidence). In FY 2007 those percentages were 26 and 74, respectively.

- In 2006, 38 percent of investigations in which a preponderance of evidence is found are low/moderate risk (category III). The perpetrator is not placed on Central Registry. That number increased slightly in 2007 to 39 percent (see 5 Category Disposition System, chart on page 6).

- **FY 2007 Victims of Abuse Neglect by Race, Gender:**

- In the 17,748 confirmed investigations in 2007, a total of 29,638 victims were identified (1.6 child victims per family).
- 51 percent of all victims were female, 49 percent male.
- 61 percent of all victims were white, 32 percent were African American, and 7 percent were a combination of Native American, Asian, Latino, and other undefined races.
- 32 percent were under the age of four.
- Of the 29,638 victims in 2007, 175 were victims in more than one incident.

- **Perpetrators of Abuse Neglect:**

- In approximately 90 percent of all cases the perpetrator is the parent.
- There are 1.3 perpetrators for every confirmed investigation.

- **Reporting Sources of Complaints:**

- Law enforcement represents the largest source of complaints filed of all mandated reporters (23 percent).
- The largest non-mandated reporting source is “anonymous” (22 percent followed closely by relatives (18 percent).

- **Changed Policy and Law in 2007:**

- To enhance the collection, accuracy, and thorough review of all available information during an investigation.
- To require mandatory petitions, coordination with law enforcement, and medical examinations in cases involving the production and use of methamphetamine.
- To ensure that services workers continue to monitor child safety throughout the life of the case.
- To ensure proper handling of complaints of the pregnancy of a child less than 12, and a child with a sexually transmitted disease.
- To clarify and expand the release of confidential information.
- To provide exceptions to when a petition must be filed.

## Children's Protective Services Definitions 2007

**Assigned for Investigation:** A child abuse and/or neglect complaint is assigned to a worker for the interview of family members, victims, etc., and to complete a thorough review of the evidence and circumstances of the complaint. The worker completes the investigation and submits a report of their findings and disposition of the case.

**Category Disposition:** Developed in July 1999 and fully implemented in FY 2001, the five category disposition system was developed to allow more definitive case dispositions and to provide an adequate level of services to families with varied risk levels. Those categories are as follows:

- **Category V** – CPS investigated and found no evidence of child abuse/neglect; or the family did not cooperate and the court did not require them to cooperate; or the family cannot be located.
- **Category IV** - CPS investigated and found there was not a preponderance of evidence of child abuse and/or neglect. CPS may assist the family in accessing community-based services.
- **Category III** – CPS investigated and found there was a preponderance of evidence of child abuse and/or neglect and the risk to children was low or moderate. CPS must assist the family in receiving community-based services commensurate with the risk to the child. The perpetrator is not listed on Central Registry.
- **Category II** – CPS investigated and found a preponderance of evidence of child abuse and/or neglect and the risk to children is high or intensive. CPS must open a protective service case and provide services. The perpetrator is listed on Central Registry.
- **Category I** - CPS found a preponderance of evidence of child abuse and/or neglect and the Child Protection Law or policy requires a petition for court action. The perpetrator is listed on Central Registry.

**Central Registry:** List of perpetrators who have been substantiated for child abuse and or neglect.

**Complaint (Referral):** The report taken by a CPS intake worker, entered into a database system at the DHS local office.

**Confirmed Investigations:** Investigations where a preponderance of evidence of child abuse and/or neglect is found. Includes category I, II, and III case dispositions.

**Disposition:** The results or findings of a worker's case investigation, submitted in the initial services plan report within 30 days of the complaint date.

**Non-Preponderance:** The investigation did not find a preponderance of evidence of child abuse and/or neglect. Includes category IV and V case dispositions.

**Pending Complaint:** Status of a complaint that is currently being investigated and pending disposition.

**Perpetrator:** A person responsible for a child's health and welfare that has abused and or neglected that child.

**Preponderance:** The level of evidence needed to confirm that abuse/neglect occurred; i.e., more evidence (at least 51 percent) indicates that an incident did occur than the evidence suggesting it did not.

**Re-Complaint or Re-Referral:** A separate case complaint taken on a family recorded in the data system after the original complaint.

**Recurrence:** The number of child victims that have subsequent victimizations. Usually reported as a rate by dividing the number of children that had subsequent victimization in a given time period by the total number of child victims.

**Screened Out (Rejected) Complaint:** A complaint that is not assigned for investigation (see page 6 for reasons for screen outs).

**Substantiated:** Investigations in which a preponderance of evidence of child abuse/neglect is found and the perpetrator is listed on Central Registry. Includes investigations disposed as Category I and II.

**Transferred Complaints:** A complaint that is transferred to another entity (e.g., law enforcement, licensing), and CPS is awaiting a determination of whether the investigation is subject to CPS involvement.

## Children's Protective Services Complaint Trends

	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Total Complaints Received	124,135	125,049	129,959	127,729	128,982	130,890	133,763	136,603	135,775	128,854	126,690	123,149
*Transferred Complaints	8,347	7,384	8,474	8,796	9,381	9,437	9,614	11,651	8,650	6,499	7,390	6,584
Screened Out Complaints (Rejected)	55,149	54,706	51,971	49,800	50,201	50,669	49,123	49,837	50,431	50,069	48,162	48,809
Total Assigned Investigations	60,639	62,959	69,514	69,133	69,400	70,784	75,026	75,115	76,694	72,286	70,069	67,756
Confirmed Investigations	12,002	11,570	12,580	13,721	15,210	16,494	16,425	17,052	17,847	16,889	17,523	17,748
**Pending Investigation											1,069	1,578

- The total number of complaints received steadily increased from 1999 -2003, then declined in 2004, 2005 and 2006. Complaints in 2007 decreased by 3,541 over the previous year. This decrease can partly be attributed to policy and system changes that allow workers to add any subsequent complaints (from a different reporting source) on the same incident to the original complaint, as opposed to initiating a new complaint, as was previously the case.
- A higher percentage of complaints are being investigated. The number of complaints assigned for investigation increased from 49 percent in 1996 to 55 percent in 2007.
- The number of confirmed investigations steadily increased from 20 percent in 1996, to 26 percent in FY 2007 with a corresponding result in more preponderance of evidence findings.

\*Transferred Complaints is defined as the number of complaints which were transferred to another agency such as Law Enforcement and/or Bureau of Adult and Child Licensing for investigation. The complaint pends until a determination is made whether the investigation is subject to CPS involvement.

\*\*Pending Investigation is defined as the status of a complaint currently being investigated by CPS and pending disposition.

**Note: The number of complaints for 2007 excludes an enhanced number of "information and referral" calls received by Wayne County which, due to a temporary procedure change, were originally recorded as abuse neglect complaints.**

## 5 Category Disposition System

The 5 category system for CPS was developed in July of 1999 and fully implemented FY2001. The system was developed to allow a gradation of case management possibilities for CPS workers by allowing them to provide an adequate level of services to families with varied risk levels. For the first time in DHS history, CPS workers are able to provide services to low-moderate risk families without the perpetrator being placed on Central Registry (Category III Cases).

Category Trends	FY2002	FY2003	FY2004	FY2005	FY2006	FY 2007		
Category I	5,285	5,251	5,368	5,114	5,530	5,049	<b>Total number of substantiated cases with perpetrators placed on Central Registry 10,691.</b>	<b>Total Number of Confirmed Abuse and/or Neglect Cases 17,748.</b>
Category II	5,548	5,265	5,598	5,932	5,400	5,642		
Category III	5,744	6,536	6,881	5,843	6,593	7,057	<b>Preponderance of evidence cases. Perpetrators not placed on Central Registry 7,057.</b>	
Category IV	40,338	44,317	45,564	46,030	44,538	40,461	<b>Total number of unsubstantiated investigated cases 48,492.</b>	
Category V	14,670	13,746	13,283	9,367	8,008	8,031		
<b>Total</b>	<b>71,585</b>	<b>75,115</b>	<b>76,694</b>	<b>72,286</b>	<b>70,069</b>	<b>66,240</b>		

Since the first year that data was available in 2002, the distribution of investigation disposition has remained consistent:

- 22% to 26% Case investigations are category I, II, or III (preponderance of evidence).
- 74% to 78% Case Investigations are category IV or V (no preponderance of evidence).

### The category definitions are as follows:

**Category I** – The disposition of a case that was investigated where CPS found a preponderance of evidence of child abuse and/or neglect and the Child Protection Law or policy requires a petition for court action. The perpetrator is listed on Central Registry.

**Category II** – The disposition of a case that was investigated where CPS found a preponderance of evidence of child abuse and/or neglect and the risk to children is high or intensive. CPS must open a protective service case and provide services. The perpetrator is listed on Central Registry.

**Category III** – The disposition of a case that was investigated where CPS found there was a preponderance of evidence of child abuse and/or neglect and the risk to children is low or moderate. CPS must assist the family in receiving community-based services commensurate with the risk to the child. The perpetrator is not listed on Central Registry.

**Category IV** – The disposition of a case that was investigated where CPS found there was not a preponderance of evidence of child abuse and/or neglect. CPS may assist the family in accessing community services based on the needs of the family.

**Category V** – The disposition of a case that was investigated with no evidence and/or CPS was unable to locate the family.



**5 Category Disposition System (continued)**

Investigations that result in a preponderance of evidence finding are monitored or managed by the CPS worker and the children and families may receive services. During this period the CPS worker continues to assess the safety of the child, the level of future risk to the child, and the family's cooperation and participation in services. At anytime during this process the case may be closed or the category may be escalated to a higher level. The category is escalated in those cases where the risk remains high, the child is not safe, and/or the parents are not cooperating or participating in services. This escalation could result in more intensive monitoring and services and even removal of the child from the home. The table below outlines the result of those cases that were escalated.

<b>Category Analysis Two Year Trend</b>	<b>FY 2006</b>	<b>FY 2007</b>
A. Category III cases that remained Category III Cases.	6,250	6,952
B. Category III cases that escalated to Category II Cases.	271	208
C. Category III cases that escalated to Category I Cases.	171 (110 children removed)	155 (96 children removed)
D. Category II cases that were esclated to Category I Cases.	1,120 (804 children removed)	950 (622 children removed)
E. Category II or I cases where the case was closed and the children were not removed.	6,301	7,382

A. Assessments of both the risk of future harm to the child and the current safety of the child indicated no threat or child protective services are not needed - family is receiving services from another provider.

B. In these cases the risk level increased and child protective services were needed.

C and D. In these cases the risk level increased, the child was not safe, and a petition to the court was needed/required. Note: 96 of C. and 622 of D. were placed in foster care.

E. In these cases risk was reduced, the child was safe, or the court did not authorize petition for removal.

Michigan Department of Human Services  
 Child Protective Services Management Information  
 Race and Age of Victims  
 PSMIS Data Warehouse FY 2007

**FY 2006 Victims of Abuse/Neglect by Race, Gender and Age**

AGE	Age	ALASKAN NATIVE, OR AMERI	ALASKAN NATIVE, OR AMERI	ASIANS AND PACIFIC ISLAND	ASIANS AND PACIFIC ISLAND	African American	African American	HISPANIC (INCLUDE S MEXIC	HISPANIC (INCLUDE S MEXIC	UNABLE TO DETERMIN E (FEW	UNABLE TO DETERMIN E (FEW	WHITE	WHITE	Total Female	Total Male	Totals
		FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	Sum:
<1	0	7	12	2	4	735	852	38	31	94	109	1,124	1,195	2000	2,203	<b>4,203</b>
0	1	9	9	4	2	277	281	34	29	11	8	560	637	895	966	<b>1,861</b>
1	2	8	12	1	1	248	271	30	35	8	12	546	646	841	977	<b>1,818</b>
2	3	7	11	4	1	220	263	37	43	2	5	559	608	829	931	<b>1,760</b>
3	4	5	10	3	3	230	227	33	43	9	4	511	542	791	829	<b>1,620</b>
4	5	2	10	2	5	222	249	29	40	6	6	511	582	772	892	<b>1,664</b>
5	6	11	11	3	5	253	269	41	44	2	4	518	534	828	867	<b>1,695</b>
6	7	3	4	6	4	238	237	36	43	7	8	495	498	785	794	<b>1,579</b>
7	8	11	9	7	1	222	242	40	52	7	8	465	475	752	787	<b>1,539</b>
8	9	4	6	3	3	202	246	31	38	6	11	407	428	653	732	<b>1,385</b>
9	10	3	3	2	3	196	211	26	35	10	8	435	410	672	670	<b>1,342</b>
10	11	2	2	3	4	226	214	22	29	8	7	399	394	660	650	<b>1,310</b>
11	12	5	4	3	1	228	214	33	21	3	12	421	418	693	670	<b>1,363</b>
12	13	3	6	3	2	263	249	31	26	10	7	440	405	750	695	<b>1,445</b>
13	14	2	4	3	1	320	208	26	12	10	7	524	347	885	579	<b>1,464</b>
14	15	6	2	5	3	295	212	44	18	11	10	517	352	878	597	<b>1,475</b>
15	16	6	3	6	3	287	181	24	13	10	2	421	315	754	517	<b>1,271</b>
16	17	1	0	3	3	165	99	19	9	7	9	277	154	472	274	<b>746</b>
17	>17	0	0	1	0	6	9	1	3	1	0	20	8	29	20	<b>98</b>
<b>State Total</b>		<b>95</b>	<b>118</b>	<b>64</b>	<b>49</b>	<b>4,833</b>	<b>4,734</b>	<b>575</b>	<b>564</b>	<b>222</b>	<b>237</b>	<b>9,150</b>	<b>8,948</b>	<b>14939</b>	<b>14,650</b>	<b>29,638</b>

- A total of 29,638 victims were identified in the 17,758 investigations where abuse/neglect was confirmed or 1.6 child victims per family.
- 51 percent of all victims were female, 49 percent male.
- 61 percent of all victims were White, 32 percent African Americans, Native American, Asian, Latino, and other undefined races make up the remaining 7 percent.
- 32 percent of victims were under the age of 4.

**Recurrence Rate of Victims for FY 2007**

Number of Victims	*Victim Recurrence
29,683	175

\*The number of victims within the fiscal year that became victims again is recurrence.

## Perpetrators of Abuse/Neglect

The role of the perpetrators in child abuse/neglect cases is labeled in the first column of the table below.

In approximately 90 percent of all cases the perpetrator is the parent, whether they be in the home or outside of the home. Some cases include multiple perpetrators. There is an average of 1.3 perpetrators for each case of confirmed abuse/neglect.

A decrease in the number of perpetrators placed on Central Registry occurred in 2001, following full implementation of the 5 category disposition process (see shaded area below). With the implementation of that process, services could be provided to low/moderate risk families without placing them on Central Registry.

	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Parent in the home	11,711	11,187	12,177	13,171	14,687	16,110	17,103	16,992	17,981	17,002	17,022	18,528
Sibling	112	115	107	113	111	147	104	127	129	121	133	107
Other relative	343	455	517	523	612	712	753	673	756	643	742	740
Other person in the home	642	614	574	661	668	687	728	716	766	712	752	881
Day care provider	7	6	8	18	12	19	21	24	9	22	11	24
Foster parent	37	48	30	46	61	74	72	58	92	48	58	58
Parent out-of-home	737	1,025	1,297	1,529	1,855	2,121	2,125	2,315	2,453	2,351	2,521	2,777
Institutional Staff CCI	1	4	5	7	6	1	9	7	10	4	2	2
Other perpetrator	1,009	884	987	984	954	1,049	1,039	988	987	937	678	761
Perpetrator TOTAL	14,599	14,334	15,697	17,045	18,960	20,920	21,954	21,893	23,183	21,840	21,919	23,878
Perpetrators put on Central Registry	14,599	14,334	15,697	17,045	18,960	16,215	13,040	13,867	14,350	13,617	13,830	*14912

\* The number of perpetrators placed on central registry represents an average of more than one perpetrator on all substantiated cases.

## Reporting Sources of Complaints

Reporting sources include mandated and non-mandated reporters.

- Mandated reporter - An individual defined under the Child Protection Law, MCL722.623 required to report child abuse and/or neglect.
- Non-mandated reporter - All other individuals who are not listed under the Child Protection Law MCL 722.623 as mandated reporters.

The tables below contain the number and source of complaints that were **investigated, and the percentage of those that resulted in confirmed abuse/neglect**. Law enforcement has consistently been the largest mandated reporting source, educational community second, and health care community third. The leading non-mandated reporter category has consistently been "anonymous". Clergy was added to the list of mandated reporters per Child Protection Law in 2004.

Non Mandated Reporting Sources	Total Number Investigated Complaints	%	Mandated Reporting Sources	Total Number Investigated Complaints	%
ANONYMOUS	7,472	22.39%	PRIVATE DOCTOR	756	1.76%
COURT PERSONNEL	1,029	3.08%	HOSPITAL DOCTOR	1,326	3.09%
DHS FACILITY PERSONNEL	90	0.27%	CORONER	52	0.12%
FRIEND/NEIGHBOR	4,454	13.35%	DENTIST	64	0.15%
HOSPITAL PERSONNEL	255	0.76%	SCHOOL NURSE	342	0.80%
OTHER	5,374	16.11%	AUDIOLOGIST	8	0.02%
OTHER SOC WKR	974	2.92%	TEACHER	3,381	7.88%
PARENT IN HOME	2,192	6.57%	SCHOOL ADMIN	2,668	6.22%
PARENT OUT HOME	4,162	12.47%	SCHOOL COUNSELOR	6,541	15.25%
PUBLIC PERSONNEL	455	1.36%	LAW OFFICER	9,985	23.28%
RELATIVE	6,036	18.09%	CHILD CARETAKER	475	1.11%
SCHOOL PERSONNEL	355	1.06%	HOSPITAL SOC WKR	5,200	12.12%
SIBLING	222	0.67%	DMH SOC WKR	790	1.84%
VICTIM	296	0.89%	DHS PERSNL	431	1.00%
Total	33,366	100.00%	DHS SOC WKR	3,661	8.54%
			COURT SOC WKR	296	0.69%
			NON-SCHOOL NURSE	1,559	3.64%
			PRIVATE SOC WKR	2,929	6.83%
			PUBLIC SOC WKR	2,423	5.65%
			Total	42,887	100.00%

- Law enforcement represents the largest source of complaints filed of all mandated reporters where a preponderance of evidence was found (23 percent).
- The largest non-mandated reporting source that filed complaints where a preponderance of evidences was found is "anonymous" (22 percent), followed closely by relative

## **2007 CPS Policy Changes**

### **FACE-TO-FACE CONTACT STANDARDS (MARCH 2007)**

#### **CFP 712-4, 713-3**

Face-to-face contact with the parent, other person(s) responsible or alleged perpetrator can no longer be used to meet the face-to-face contact standard of promptness. Therefore, the following changes have been made to the face-to-face contact standard:

- Face-to-face contact standards are modified to require CPS workers to make face-to-face contact with the alleged child victim(s) based on the priority response criteria.
- Face-to-face contact with the parents, person(s) responsible and the alleged perpetrator must occur during the investigation.

*Reason:* To meet federal standards and to comply with the Department of Human Services program improvement plan.

### **MANDATED REPORTERS OF CHILD ABUSE AND NEGLECT (MARCH 2007)**

#### **CFP 712-1, 712-9**

The list of who is a mandated reporter of CPS complaints is updated to add the following: licensed master's social worker, licensed bachelor's social worker, registered social service technician, social service technician.

A hotline was established for mandated reporters to express concern about the actions taken on a specific complaint of child abuse or neglect they have made.

*Reason:* To comply with changes in Michigan's social worker licensing laws and to give mandated reporters an avenue to express concerns about the actions taken on a specific complaint of child abuse and/or neglect they have made.

### **CPS INVESTIGATION - GENERAL INSTRUCTIONS AND CHECKLIST (MARCH 2007)**

#### **CFP 713-1**

The following information is added to the item:

- When a complaint is received from a mandated reporter, the assigned worker must make contact with the reporter for additional information or for clarification/verification of information received.

- The worker must observe the scene (at the home or a location other than the home) where the alleged abuse/neglect occurred, as well as any objects alleged to have been involved. When the abuse occurred outside the home environment, conduct a scene investigation wherever the alleged abuse/neglect occurred.
- If one part of a child's disclosure is weak, false, or unsupported, that **does not** make the rest of the disclosure untrue. Every effort must be made to accomplish the forensic interview in one session; however, an additional interview may be necessary to clarify statements made during the child's previous disclosure.

*Reason:* To ensure the collection, accuracy, and thorough review of all available information during an investigation.

## **COMPLETION OF FIELD INVESTIGATION OVERVIEW (MARCH 2007)**

### **CFP 713-9**

The denial or alternative explanation of an alleged abuse/neglect event by a person responsible is to be weighed in light of all evidence and/or information gathered, including:

- Child's credibility.
- Child's motive.
- Evidence the child was coached.
- Child provides several explanations of how the incident occurred.
- Evidence or timelines made it impossible for the abuse/neglect to have occurred.
- Child's version of events is not consistent with other witness accounts.

*Reason:* To determine the weight to be given to the child's disclosure.

## **METHAMPHETAMINE (MARCH 2007)**

### **CFP 712-3, 713-4, 715-3**

The following changes were made:

- Mandatory petition policy was revised to include methamphetamine exposure and/or production.
- Coordination with law enforcement policy is revised to include cases of methamphetamine exposure and/or production.
- Medical examinations are required when a child is exposed to methamphetamine production.

*Reason:* Michigan Child Protection Law changes: Public Acts 256, 263, 264, and 266.

### **MEDICAL EXAMINATIONS (MARCH 2007)**

#### **CFP 713-4**

Medical exams for children under age five (or handicapped in some way or developmentally disabled) with particular conditions applying (such as the child is fearful of caretakers or the child appears to be malnourished or ill) was changed from under age five to **under age six**.

Also, mandatory second opinions for children under age five in certain circumstances was changed to **under age six**.

*Reason:* To make this section of CPS policy consistent with other sections of policy where age six and under is the guideline for increased concern for child vulnerability.

### **DHS EMPLOYEE MANDATED REPORTING REQUIREMENTS (JUNE 2007)**

#### **CFP 712-1**

Changes were made to how DHS employees who are mandated by law to report suspected child abuse and/or neglect must make complaints.

*Reason:* Michigan Child Protection Law changes, Public Act 583.

### **DEFINITION OF SEVERE PHYSICAL INJURY (JUNE 2007)**

#### **CFP 712-3, 715-3**

Definition of severe physical injury (for purposes of referral to law enforcement and the prosecuting attorney and for mandated petitions) was changed.

*Reason:* Michigan Child Protection Law changes, Public Acts 583, 630.

### **PRELIMINARY/ FIELD INVESTIGATIONS (JUNE 2007)**

#### **CFP 712-5**

The following was added:

If any field contacts are made during the preliminary investigation stage, the complaint **must** be assigned for field investigation.

*Reason:* To ensure that field investigations are done when necessary.

## **INTER-COUNTY COMPLAINTS (JUNE 2007)**

### **CFP 712-6**

The following step and exception for “counties where a child is found” was added:

Provide written documentation of all investigative activities and findings completed by the county where the child was found to the county of residence as soon as possible.

If the child attends school in an adjacent county, the county of residence should handle the complaint.

*Reason:* To ensure that inter-county complaints are handled and transferred properly.

## **CPS INVESTIGATION - GENERAL INSTRUCTIONS AND CHECKLIST (JUNE 2007)**

### **CFP 713-1**

Policy about obtaining a thorough family history, including previous addresses and Native American heritage was added.

Policy requiring separate interviews of children was added.

*Reason:* To ensure the collection, accuracy and the thorough review of all available information during an investigation.

## **FACE-TO-FACE CONTACTS (JUNE 2007)**

### **CFP 713-3**

Policy regarding CPS workers interviewing children at private schools was added.

*Reason:* To ensure that workers are not violating a client’s constitutional rights when entering homes or interviewing children at private schools.

## **SPECIAL INVESTIGATIVE SITUATIONS (JUNE 2007)**

### **CFP 713-8**

Policy outlining threatened harm was added.

The following note was added to the domestic violence section:



Interviewing the alleged victim of DV in front of or while the alleged perpetrator of DV is in the home could place the victim, the child, and the CPS worker in danger.

*Reason:* To clarify the intent of threatened harm policy and to highlight the importance of interviewing the alleged victim of domestic violence away from the alleged perpetrator of domestic violence.

### **LIMITED OR NON-ENGLISH SPEAKING CLIENTS (JUNE 2007)**

#### **CFP 713-8**

Policy on accommodation for limited or non-English speaking clients was added.

*Reason:* To ensure that clients are provided appropriate accommodation.

### **SUPERVISORY APPROVAL (JUNE 2007)**

#### **CFP 713-9, 714-4**

Policy on supervisory approval of reports was added to CFP 713-9 and CFP 714-4.

*Reason:* To ensure that supervision is reviewing and approving cases in a timely manner.

### **EXCEPTION TO CATEGORY III (JUNE 2007)**

#### **CFP 711-4, 713-9, 713-11, 714-1, 717-1, 718-7**

Exception for Category III cases in the Five Category Disposition is corrected/added.

If there is a finding of preponderance of CA/N and the perpetrator is a licensed foster parent, licensed child care provider or a non-parent adult who lives outside the child's home, the perpetrator must be identified on central registry, regardless of category.

*Reason:* To accurately reflect the Michigan Child Protection Law, Section 8(d)(3) & (4).

### **MONITORING ON CATEGORY III CASES (JUNE 2007)**

#### **CFP 714-1**

An exception allowing an extension on the 90-day monitoring period for Category III cases was added.

*Reason:* To allow for the monitoring of Category III cases when services are not immediately available.

## **CPS ONGOING CASES (JUNE 2007)**

### **CFP 714-1**

Policy regarding face-to-face contacts and unscheduled home visits for ongoing cases was added.

*Reason:* To ensure the safety of children during the provision of ongoing services to a family.

## **CPS UPDATED SERVICE PLAN AND CASE CLOSURE (JUNE 2007)**

### **CFP 714-4**

Policy on what information the progress report section of the Updated Services Plan (DHS-152) must include was added.

*Reason:* To ensure that ongoing services workers continue to monitor child safety based on the reason for case opening and on any new factors that arise.

## **MANDATORY PETITIONS (JUNE 2007)**

### **CFP 715-3**

Policy requiring petitions under certain circumstances was added. An exception to the mandatory filing of petitions under Section 17 of Child Protection Law was added.

*Reason:* To accurately reflect the Michigan Child Protection Law and Child Protection Law changes, Public Acts 583, 630.

## **NOTICE TO COURT OF CHANGES (JUNE 2007)**

### **CFP 715-3**

Policy regarding providing notice to the court of changes in case circumstances was added.

*Reason:* To ensure that the court is kept apprised of any significant changes in case circumstances.

## **CHILDREN ABSENT WITHOUT LEGAL PERMISSION (AWOLP) (JUNE 2007)**

### **CFP 715-3**

Policy on AWOLP children was added.

*Reason:* To ensure that cases involving AWOLP children are properly handled.

## **COMPLAINTS INVOLVING CHILD CARE ORGANIZATIONS AND INSTITUTIONAL SETTINGS (JUNE 2007)**

### **CFP 716-6**

If a CPS complaint or investigation indicates that abuse/neglect is alleged or was committed by a child care provider, CPS must notify BCAL within 24 hours. Any written reports or documentation must be provided to BCAL.

*Reason:* Michigan Child Protection Law changes, Public Act 583.

## **DRUG AND ALCOHOL EXPOSED INFANTS (JUNE 2007)**

### **CFP 716-7, 718-2**

All preponderance of evidence complaints of drug or alcohol exposed infants must be confirmed as Physical Abuse. (This was changed from Failure to Protect.)

A note was added about when a petition may be required under Section 17 of the Child Protection Law.

*Reason:* To confirm these types of cases in the most accurate manner under the Michigan Child Protection Law, and due to changes in the CPL, Public Acts 583, 630.

## **COMPLAINTS INVOLVING LICENSED FOSTER HOMES (JUNE 2007)**

### **CFP 712-6, 716-9**

Policy was added on how to handle complaints involving licensed foster homes.

*Reason:* To ensure that thorough, unbiased investigations are being done on licensed foster homes.

## **SHARING OF INFORMATION DOCUMENTING SUBSTANCE ABUSE (JUNE 2007)**

### **CFP 717-6**

Policy on releasing information documenting substance abuse was clarified.

*Reason:* To ensure compliance with federal regulations, 42 CFR, part 2.

## **RELEASE OF CPS INFORMATION (JUNE 2007)**

### **CFP 717-4**

Additions were made to whom CPS information may be released.

*Reason:* To accurately reflect the Michigan Child Protection Law (CPL) and due to changes in the CPL, Public Act 621.

### **LEIN POLICY UPDATE (JUNE 2007)**

#### **CFP 713-2**

Law Enforcement Information Network (LEIN) policy was updated and clarified.

*Reason:* To ensure that the agreement with the Michigan State Police is not violated and compliance with MCL 28.214(1)(a)(ii).

### **ADJUDICATED JUVENILE SEX OFFENDERS (June 2007)**

#### **CFP 715-2**

Policy that children may not be placed in the home of a relative or unrelated caregiver if a juvenile adjudicated as a sex offender resides within the home was added.

*Reason:* To ensure a child's safety when placed in the home of a relative and unrelated caregiver and to ensure that CPS policy is consistent with foster care policy (CFP 722-3).

### **SWSS CPS (JULY 2007)**

Interim policy bulletin was released changing policy to reflect case processing changes due to the county/local office's conversion to the Services Worker Support System-Children's Protective Services (SWSS CPS) application. Policy was effective at the time of the county/local office's conversion to SWSS CPS. Policy manual changes due to SWSS CPS have a planned release of March 2008.

*Reason:* Ensure policy was accurate to reflect processing changes due to the implementation of SWSS CPS.

### **DEATH OF A CHILD (DECEMBER 2007)**

#### **CFP 712-6**

A CPS investigation must occur if there are allegations that the death was due to child abuse/neglect or if it is a sudden and unexplained infant death (e.g., SIDS, overlay, etc.).

*Reason:* To ensure deaths due to alleged child abuse/neglect and unexplained infant deaths are investigated.

**SIBLING ON SIBLING VIOLENCE (DECEMBER 2007)**

**CFP 712-6**

The policy on how sibling on sibling violence complaints was updated.

*Reason:* To ensure that law enforcement investigations are not jeopardized by CPS contacting the parent on a complaint that will be referred to law enforcement.

**PREGNANCY OF A CHILD LESS THAN 12 YEARS OF AGE AND CHILD WITH SEXUALLY TRANSMITTED DISEASE (DECEMBER 2007)**

**CFP 712-6**

New policy on how to handle complaints of pregnancy of a child less than 12 years of age and a child with sexually transmitted disease was added.

*Reason:* To ensure compliance with Section 3(8) of the Child Protection Law.

**Early On® (DECEMBER 2007)**

**CFP 714-1**

A referral to *Early On* is no longer required on Category III cases.

*Reason:* To ensure accurate compliance with CAPTA Legislation of 2003.

**SERVICE AGREEMENT (DECEMBER 2007)**

**CFP 714-1**

A service agreement is no longer required if all children in the home are in court ordered out-of-home placement.

*Reason:* To reduce duplication of paperwork completed by CPS and foster care workers.

**MULTIPLE COMPLAINTS (DECEMBER 2007)**

**CFP 712-5**

Multiple complaints policy was clarified.

*Reason:* To ensure that the policy on multiple complaints is clear and is followed when required.

## 2007 Child Protection Law Changes

**Effective January 3, 2007**

(Changes are indicated by underlined text.)

### **722.623** (Changed by PA 583)

- (1) An individual is required to report under this act as follows:
- (b) A department employee who is 1 of the following and has reasonable cause to suspect child abuse or neglect shall make a report of suspected child abuse or neglect to the department in the same manner as required under subdivision (a):
- (i) Eligibility specialist.
  - (ii) Family independence manager.
  - (iii) Family independence specialist.
  - (iv) Social services specialist.
  - (v) Social work specialist.
  - (vi) Social work specialist manager.
  - (vii) Welfare services specialist.
- (6) If an allegation, written report, or subsequent investigation of suspected child abuse or child neglect indicates a violation of sections 136b and 145c or sections 520b to 520g of the Michigan penal code, 1931 PA 328, MCL 750.136b, 750.145c, and 750.520b to 750.520g, or section 7401c of the public health code, 1978 PA 368, MCL 333.7401c, involving methamphetamine has occurred, or if the allegation, written report, or subsequent investigation indicates that the suspected child abuse or child neglect was committed by an individual who is not a person responsible for the child's health or welfare, including, but not limited to, a member of the clergy, a teacher, or a teacher's aide, the department shall transmit a copy of the allegation or written report and the results of any investigation to a law enforcement agency in the county in which the incident occurred. If an allegation, written report, or subsequent investigation indicates that the individual who committed the suspected abuse or neglect is a child care provider and the department believes that the report has basis in fact, the department shall, within 24 hours of completion, transmit a copy of the written report or the results of the investigation to the child care regulatory agency with authority over the child care provider's child care organization or adult foster care location authorized to care for a child.

### **722.627** (Changed by PA 621)

**Central registry; availability of confidential records; closed court proceeding not required; notice to individuals; amending or expunging**

**certain reports and records; hearing; evidence; release of reports compiled by law enforcement agency; information obtained by citizen review panel; dissemination of information to pursue sanctions for dereliction of duty by agency employee.**

- (2) Unless made public as specified information released under section 7d, a written report, document, or photograph filed with the department as provided in this act is a confidential record available only to 1 or more of the following:
- (a) A legally mandated public or private child protective agency investigating a report of known or suspected child abuse or neglect or a legally mandated public or private child protective agency or foster care agency prosecuting a disciplinary action against its own employee involving child protective services or foster care records.
  - (t) A local friend of the court office, subject to the provisions of subsection (3) and sections 5 and 13, if there is a compelling need for child protective services records or information to determine custody or parenting time issues regarding a child. A local friend of the court office investigator, caseworker, or administrator directly involved in the custody investigation shall notify the appropriate department or child protective services local or central office that a child custody or parenting time investigation has been initiated involving a family and shall request in writing child protective services records and information that are pertinent to that investigation. Upon receipt of this notification and request, the local office of child protective services supervisor shall review child protective services information in the local office's possession to determine if there are child protective services records or information that is pertinent to that investigation. Within 14 days after receipt of a request made under this subdivision, the child protective services local office shall release the pertinent child protective services records and information to the investigator, caseworker, or administrator directly involved in the child custody or parenting time investigation. Child protective services is further authorized to report to the local friend of the court office any situation in which a parent, more than 3 times within 1 year or on 5 cumulative reports over several years, made unfounded reports to child protective services regarding alleged child abuse or neglect of his or her child.
- (10) An agency obtaining a confidential record under subsection (2)(a) may seek an order from the court having jurisdiction over the child or from the family division of the Ingham county circuit court that allows the agency to disseminate confidential child protective services or foster care information to pursue sanctions for alleged dereliction, malfeasance, or misfeasance of duty against an employee of the agency, to a recognized labor union

representative of the employee's bargaining unit, or to an arbitrator or an administrative law judge who conducts a hearing involving the employee's alleged dereliction, malfeasance, or misfeasance of duty to be used solely in connection with that hearing. Information released under this subsection shall be released in a manner that maintains the greatest degree of confidentiality while allowing review of employee performance.

**722.628** (Changed by PA 583 & 630)

- (1) Within 24 hours after receiving a report made under this act, the department shall refer the report to the prosecuting attorney and the local law enforcement agency if the report meets the requirements of subsection (3)(a), (b), or (c) or section 3(6) or (9), shall commence an investigation of the child suspected of being abused or neglected. Within 24 hours after receiving a report whether from the reporting person or from the department under subsection (3)(a), (b), or (c) or section 3(6) or (9), the local law enforcement agency shall refer the report to the department if the report meets the requirements of section 3(7) or shall commence an investigation of the child suspected of being abused or neglected or exposed to or who has had contact with methamphetamine production. If the child suspected of being abused or exposed to or who has had contact with methamphetamine production is not in the physical custody of the parent or legal guardian and informing the parent or legal guardian would not endanger the child's health or welfare, the agency or the department shall inform the child's parent or legal guardian of the investigation as soon as the agency or the department discovers the identity of the child's parent or legal guardian.
- (3) In conducting its investigation, the department shall seek the assistance of and cooperate with law enforcement officials within 24 hours after becoming aware that 1 or more of the following conditions exists:
  - (c) Abuse or neglect resulting in severe physical injury to the child requires medical treatment or hospitalization. For purposes of this subdivision and section 17, "severe physical injury" means an injury to the child that requires medical treatment or hospitalization and that seriously impairs the health or physical well-being of a child.

**722.637** (Changed by PA 630)

Except as provided in subsection (2), within 24 hours after the department determines that a child was severely physically injured as defined in section 8 or sexually abused, or allowing a child to be exposed to or to have contact with methamphetamine production, the department shall submit a petition for authorization by the court under section 2(b) of chapter XIIA of 1939 PA 288, MCL 712A.2.



- (2) The department is not required to file a petition for authorization by the court as described in subsection (1) if the department determines that the parent or legal guardian is not a suspected perpetrator of the abuse and the department determines that all of the following apply:
- (a) The parent or legal guardian did not neglect or fail to protect the child.
  - (b) The parent or legal guardian does not have a historical record that shows a documented pattern of neglect or failing to protect the child.
  - (c) The child is safe in the parent's or legal guardian's care.