



NH Department of Health & Human Services  
Division for Children, Youth & Families

## DCYF Standard Operating Procedure

### 1172.3 INTERVIEWING CHILDREN

Policy Directive: **22-52**

Effective Date: **August 2022**

Implements Policy: **1172**

Approved:

Joseph E. Ribsam, Jr., DCYF Director

This SOP defines how CPSWs conduct interviews of children for the purpose of investigating allegations of abuse or neglect.

#### Procedure

*The following information is to support the implementation of the above referenced policy. This document shall not preclude staff from using their professional judgement based on individual circumstances, consistent with the requirements of the policy.*

- I. Alleged victims, siblings, and any other children residing in or frequently visiting the home of concern (as age and developmentally appropriate) are interviewed to assess each child's safety and well-being.
  - A. Each child should be interviewed separately whenever possible.
  - B. Interviews with siblings or other children residing in or frequently visiting the home of concern not initially identified as an alleged victim should focus on their own safety, the safety of the alleged victim, what they might know about what happened to the alleged victim, and their overall well-being.
  - C. Children reported to reside in the home of concern (currently or in previous CPS/JJS involvement) who are no longer in the home must be accounted for and interviewed as appropriate, given the nature of the concerns and length of time since they have been in the home.
  - D. If there is a need to interview a child who resides outside New Hampshire or in another catchment area, the CPSW consults with their Supervisor to determine if it is appropriate to ask another state's child welfare agency or another DCYF office to do the interview.
  - E. If the CPSW is not allowed access to any child in the home, they will consult with a CPS Supervisor immediately to determine the best course of action.
  - F. Any decision to not interview siblings or other children in the home (e.g. children not named as alleged victims when there is low to moderate risk) needs to be approved by the CPSW's Supervisor and documented in the DCYF electronic information system.

- II. Prior to interviewing alleged victims, CPSWs coordinate with law enforcement to ensure a [multidisciplinary team \(MDT\) approach](#) when appropriate, in accordance with the [New Hampshire Attorney General's protocols](#).
- III. When it is determined that a MDT approach is appropriate, CPSWs gather minimal facts from a variety of sources, as needed to determine the immediate safety of the child and avoid interviewing the child before the CAC interview whenever possible.
  - A. The child is still seen and engaged in non-interview rapport building to meet timeframes (when necessary) while waiting for a CAC interview.
  - B. If it is necessary to obtain minimal information from a child to ensure their immediate safety, law enforcement should be present (at their discretion) and the child should only be interviewed to the extent necessary to establish immediate safety.
  - C. There should be follow-up with the child after the CAC interview to further explore their overall safety and well-being.
- IV. CPSWs need to consult with a CPS Supervisor before making any plan to interview or observe a child before contacting the parents/guardians. Interviewing the child without parental permission may be warranted in situations where:
  - A. The child is believed to have been physically or sexually abused by a parent/guardian and it is not clear if there is a protecting parent/guardian;
  - B. The child is believed to have been physically or sexually abused by another who has access to the child and the parents/guardians are not protecting;
  - C. The child has been abandoned;
  - D. The child has disclosed abuse by a parent (or another, but their parent was aware of the abuse and did not protect), and the child is fearful of going home;
  - E. The child presents with indications of significant neglect to where there are concerns for their immediate safety;
  - F. The parents/guardians have a documented history of not allowing DCYF access to an alleged victim in previous Assessments; or
  - G. Concerted efforts to contact parents to arrange an interview have been unsuccessful.
- V. Any interview of a child conducted in a public setting (including day care) must be recorded (preferably video, but at least audio) in its entirety, without interruption, regardless of parental/guardian consent.
  - A. Recording begins just prior to the child entering the room (if the child is already in the room, this can be explained on the recording).

1. There should be as minimal conversation as possible between the CPSW and the child before the recording begins.
- B. The CPSW states their name, the child's full name, the name of anyone else present (such as law enforcement), the date and time of the interview, and the location of the interview for the record before beginning the interview.
- C. Any interruption in the interview needs to be explained on the recording.
  1. If the recording itself stops for any reason, the CPSW stops interviewing until they are able to record again and must note the reason for the disruption on the new recording.
- D. With the exception of law enforcement (or an interpreter, as necessary), no others should be present during the interview.
  1. If the child requests another adult be present, such as a teacher or school nurse, the individual must be told ahead of time that they are not to participate in the interview in any way and must be seated behind the child.
  2. Only DHHS approved interpreters or translators can be used for interviews with children.
  3. To the degree possible, interpreters or translators should be seated behind the child during the interview, unless face-to-face contact with the child is essential to their process (e.g. sign language interpreters).
- E. Multiple children interviewed for an Assessment may be on the same recording, but each Assessment is required to have its own recording(s) and the names and dates of birth of all children must be noted on the recording (or file for digital recordings) in order of how they were interviewed.
- F. Recorded interviews are labeled as follows:
  1. Assessment number;
  2. Date and time of the interview;
  3. First and last name of the child;
  4. Child's date of birth (DOB);
  5. First and last name of the interviewer; and
  6. Place where the interview occurred.
  7. Digital recordings are saved with the child's name, Assessment number, and date of the interview, with all other information noted directly above captured in the first contact log regarding the interview.

- G. Recorded interviews are secured at all times to maintain the integrity of the interview and the child's confidentiality.
  - H. Access to any video/audio recordings must comply with policy [2765 Division Case Records](#).
- VI. All interviews of children should address the reported concerns, as well as the overall safety and well-being of the child and any other children in the home. The CPSW should, to the best of their ability in the circumstances presented:
- A. Conduct interviews in a private space where interruptions are unlikely;
  - B. Avoid interviewing where the abuse (or significant neglect) is thought to have occurred;
  - C. Interview the child alone (unless law enforcement needs to be present);
  - D. Introduce themselves, explain their reason for speaking with them, and explain the presence of any recording equipment as age and developmentally appropriate;
  - E. Take sufficient time to acclimate the child to the situation and build rapport;
  - F. Allow the child the opportunity to ask questions; and
  - G. Include age appropriate discussion of what will happen next, how the information will be presented to the parents/guardians, when and how the CPSW may use the information, and who may see or hear the recording (as applicable).
    - 1. It is critical that the CPSW does not make any promises to the child; and
    - 2. The child must never be asked to keep the interview a secret.
- VII. When the child has observable injuries, or reports injuries under their clothing, the CPSW asks the parents/guardians to have the child [medically evaluated](#) (as appropriate for the circumstances).
- VIII. If it is necessary for the CPSW to take photographs (using only DHHS-approved equipment) of the child to document their injuries (when necessary to preserve evidence):
- A. The CPSW shows the child the camera and explains that they would like to take pictures (as age and developmentally appropriate);
  - B. The child is asked for their consent (when age and developmentally able to do so) to the taking of photographs;
    - 1. Children are never forced or coerced to submit to being photographed;

- C. The first picture taken is of the child's face, for future reference, regardless of if they have facial injuries or not;
  - D. A full-body picture is also taken for reference purposes; and
  - E. All observable injuries are photographed, using an object for reference (e.g. ruler, quarter, or pen).
    - 1. The injury needs to be clearly visible and identifiable as to its location on the child's body.
- IX. When it is necessary to remove a child's clothing to observe or document injuries, CPSWs respect and comfort the child throughout the process, moving at the child's pace and explaining what is occurring (as developmentally appropriate).
- A. The removal of any clothing to take photographs occurs in private, with another adult present.
  - B. The child's modesty is respected and care is taken to only expose areas needing to be photographed.
  - C. CPSWs never photograph a child's genitalia, regardless of potential injury or not.
    - 1. If the examination or photographing of the child's genitalia is necessary, the CPSW arranges for the child to have a medical evaluation with a qualified medical provider.
    - 2. If a CPSW needs to check an infant's or toddler's groin area to determine if the child has significant diaper rash, care is taken to expose no more of the child's body than is necessary.
    - 3. If a CPSW needs to photograph an area of significant diaper rash, they do so by pulling the child's diaper or clothing away or by draping a washcloth/towel or other fabric over the child's genitals so that only the groin area is exposed.
  - D. Each photograph is labeled with:
    - 1. The Assessment number;
    - 2. The child's first and last name;
    - 3. The child's DOB;
    - 4. The date, time, and location the photograph was taken; and
    - 5. The first and last name of the CPSW taking the picture.

- X. All interviews of children will be documented in the DCYF electronic information system under the child’s name and the type of contact by the end of the next business day. The contact should include a description of:
  - A. Where the child was interviewed;
  - B. The child’s over-all presentation (demeanor, dress, developmental stage);
  - C. Anyone else present during the interview (name, relationship to the child, where they were in proximity to the child, their demeanor during the interview, etc.); and
  - D. The salient points of the interview, such as:
    - 1. The child’s demonstration of knowing the difference between truth and non-truth;
    - 2. The child’s ability to answer open-ended questions versus more specific questions;
    - 3. The details of any disclosures made by the child;
    - 4. Any supports or connections reported by the child; and
    - 5. Details as to how the interview concluded.
  
- XI. CPSWs continue to assess the safety and risk of all children in the home for the duration of the Assessment in accordance with [policy 1173 Engaging Families During An Assessment](#).

**Glossary and Document Specific Definitions**

[A - B](#)   [C - D](#)   [E - F](#)   [G - I](#)   [J - L](#)   [M - N](#)   [O - Q](#)   [R - S](#)   [T - V](#)   [W - Z](#)

<b>Document Change Log</b>			
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