

**Department of Human Resources  
Social Services Administration  
311 W. Saratoga St.  
Baltimore, MD 21201**

DATE: July 1, 2010

POLICY DIRECTIVE: SSA#11-04

TO: Directors, Local Departments of Social Services  
Assistant Directors for Services  
Child Protective and In-Home Services Supervisors  
and Workers

FROM: Carnitra D. White, Executive Director  
Social Services Administration

RE: Policy on Courtesy and Cross-Jurisdictional Interviews, and  
Conducting an Investigation at the Request of Another Jurisdiction

PROGRAMS AFFECTED: Child Protective Services Investigation, In-Home Services

ORIGINATING OFFICE: Office of Child Welfare Practice and Policy

ACTION REQUIRED: Cooperation Between Local Departments of Social Services to  
Complete Investigations of Alleged Child Abuse and Neglect

ACTION DUE DATE: Immediately

CONTACT PERSON: Stephen Berry, Manager, In-Home Services  
(410) 767-7018  
Deborah Ramelmeier, Director, Office on Child Welfare Policy and  
Practice  
(410) 767-7506

I. Purpose

It is important for local departments of social services to work cooperatively to conduct certain investigations into allegations of child abuse and neglect. The following is provided to clarify when to ask for assistance from another local department and the responsibilities of the requesting and receiving agencies.

II. Foundation in COMAR

Guidance on courtesy and cross-jurisdictional interviews is covered by COMAR 07.02.07.06 Initial Response to a Report of Suspected Child Abuse or Neglect. Section E. of the regulation covers what should occur if the report of suspected abuse or neglect concerns conduct of a local department employee (or close relative) and section K. addresses investigations across

jurisdictional lines in Maryland. It is important that the local department of social services (LDSS) where the event allegedly occurred make the final determination as to the case dispositional finding and identification of an individual or individuals as responsible for child abuse or neglect irrespective of who conducts the interviews.

A. Conducting Interviews and Assessments at the Request of Another Jurisdiction to Protect Confidentiality

- 1) COMAR 07.02.07.06.E - Section E. provides that a LDSS should take actions to protect the confidentiality of an employee or close relative of the employee who is the subject of an investigation and, where needed, request that another local department conduct the interviews and assessments, or contact the Social Services Administration (SSA) for its intervention. The last section regarding contacting SSA is interpreted to mean that SSA will assist in securing assistance from another local department should the department with the suspected employee have difficulty obtaining assistance.

This section should not be read to mean that in all situations where a LDSS employee or close relative of an employee falls under investigation a LDSS must ask for assistance when completing the investigation. This should only occur when someone would reasonably suspect that confidentiality of the record and/or the employee's personal information could not be protected or that the investigation could be questioned due to bias.

- 2) Screening and Referral - Local departments shall use Structured Decision Making to determine whether an allegation of child abuse or neglect should be screened in for an investigation, referred to another agency service or community service, or screened out without intervention.
- 3) The Requesting LDSS shall:
  - i. Send the request to the other LDSS (receiving) within 2 hours if the allegation involves child abuse and within the same day if the allegation involves child neglect or mental injury.
  - ii. Make oral communication alerting the receiving jurisdiction of the request for assistance and the fact that this is a case involving an agency employee or close relative of an employee.
  - iii. Receive completed materials from jurisdiction conducting the interviews and assessments and make the investigation finding.
  - iv. Send out all required notices and coordinate any appeal of the CPS finding with the jurisdiction that conducted the interviews and assessments.
  - v. Initiate any court action needed and coordinate testimony from staff at the receiving LDSS; and
  - vi. Provide any needed ongoing service.
- 4) The Receiving LDSS shall:
  - i. See the child and other children as required by law and regulation (24 hours for alleged child abuse, 5 days for alleged child neglect and mental injury).

- ii. Interview the family and alleged maltreater within 24 hours for alleged child abuse and 5 days for alleged child neglect or mental injury.
- iii. Complete the SAFE-C and any needed Safety Plan.
- iv. Complete the Maryland Family Risk Assessment.
- v. Assess the service needs of the family; and-
- vi. Share information from interviews and assessments with the requesting LDSS as the home jurisdiction which shall provide any needed ongoing services unless it is determined that confidentiality of the record and/or the employee's personal information could not be protected. If court action is required (CINA or Shelter), the home jurisdiction must retain case management responsibility.

5) Entering Information into MD CHESSIE

- i. Enter case information into MD CHESSIE regardless of whether the action is being taken by- the LDSS with primary or secondary access to the investigation. This includes coordinating with and notifying the other LDSS of data entry and important decisions. (For example, alerting the other LDSS of outcomes of the interviews and recommendations for the investigation finding.)
- ii. When assistance from another LDSS is sought, the investigations should be opened in MD CHESSIE in the jurisdiction where the alleged event occurred with secondary access granted to the LDSS conducting the interviews and assessments. The investigations must be marked "Restricted" by the Assistant Director or their designee from the originating (requesting) LDSS, giving access only to those needing to input information and their supervisors. Restricting a case is accomplished by going to Manage Workload Section of MD CHESSIE. Search for the Unit, Worker and Referral or Investigation to be restricted. Select the "Restrict / Unrestrict" button found on the bottom right hand corner of the screen. The case should only be unrestricted after the Appeal has been finalized.

B. Courtesy Interviews Across Jurisdictions Where Individuals Important to an Investigation Reside Outside of the Jurisdiction Where the Maltreatment Event is Alleged to Have Occurred

1. COMAR 07.02.07.06.K offers more direction when one LDSS needs to contact another LDSS because an event has occurred in their jurisdiction, and one or more of the involved parties who need to be interviewed live in another jurisdiction within the state of Maryland. The most common scenario is when an allegation of child abuse is made and the victim resides in the jurisdiction where the event is alleged to have occurred, but the alleged maltreater lives outside that jurisdiction but in Maryland. The LDSS where the child lives and the event allegedly occurred contacts the jurisdiction where the alleged maltreater resides and asks that jurisdiction to conduct the interview and forward its information to the requesting LDSS. In these cases the LDSS where the event is alleged to have occurred opens an investigation in MD CHESSIE, contacts the LDSS providing assistance, and gives it secondary access to the investigation. This allows the LDSS providing assistance to enter contacts and complete any necessary assessments.

Also covered in the same section of the regulation is the more complicated scenario where alleged child abuse or neglect occurs in a jurisdiction but all of the parties associated with the alleged event reside outside of that jurisdiction but still in Maryland. In these cases the LDSS where the event is alleged to have occurred coordinates the investigation with its local law enforcement, opens an investigation in MD CHESSIE, and requests assistance from the other jurisdiction or jurisdictions where the involved parties reside, and grants them secondary access to the investigation. The LDSS (one or more) asked to complete the interviews is then able to enter their contact and other related information into the record.

2. Screening and Referral - Local departments shall use the Structured Decision Making process to determine whether an allegation of child abuse or neglect should be screened in for an investigation, referred to another agency or community service, or screened out without intervention.
3. The Requesting LDSS shall:
  - i. Contact the receiving LDSS with the specifics of the request. Contact should be at the Assistant Director level.
  - ii. Coordinate the investigation including contacts with law enforcement, and make the needed introductions.
  - iii. Receive completed materials from the jurisdiction(s) conducting the interviews and assessments and make the investigation finding.
  - vi. Send out all required notices and coordinate any appeal of the CPS finding with the jurisdiction(s) that conducted the interviews and assessments if needed.
  - v. Initiate any necessary court action and coordinate testimony from staff at the receiving LDSS if needed; and
  - vi. Provide any needed ongoing service.
4. The Receiving LDSS shall:
  - i. See the child, and other children as required within the mandated timeframes (if the child resides in the receiving jurisdiction).
  - ii. Interview the family and alleged maltreater within the required mandated timeframes if any of these individuals reside in the receiving jurisdiction.
  - iii. Complete the Safe-C and MFRA on the family should the alleged victim reside in the receiving jurisdiction.
  - iv. If a Safety Plan is established, the receiving jurisdiction shall notify the referring jurisdiction immediately and, when necessary, have any party in the requesting jurisdiction sign the plan should action on his or her part be necessary (Example - one parent in one jurisdiction and the other in a different jurisdiction).
  - v. Initiate court action as appropriate if the alleged victim resides in the receiving jurisdiction (to address safety issues).
  - vi. Assess the service needs of the family.
  - vii. Share information from interviews and assessments with the sending LDSS often (do not wait for the conclusion of all activities to communicate with the other jurisdiction); and

- viii. Provide ongoing service to the individuals residing in the receiving jurisdiction as needed.

5. Entering Information into MD CHESSIE

- i. When assistance from another LDSS is sought, the investigations shall be opened in MD CHESSIE in the jurisdiction where the alleged event occurred and secondary access granted to the LDSS conducting the interviews and assessments.
- ii. The requesting LDSS shall enter its contacts, assessments, and any other appropriate information in the MD CHESSIE record.
- iii. The receiving LDSS does the same.
- iv. The amount of information entered by the requesting and receiving LDSS will differ from case-to-case depending on the extent of each local department's involvement.

**Note:** The LDSS where the alleged incident occurred may choose to conduct the investigation by traveling to the other jurisdiction to conduct the necessary interviews. If that is the case, it is expected that the initiating LDSS contact the other LDSS and inform them of its plans and give them contact information for the investigating worker and supervisor should questions or concerns arise. The exchange of information should be at the Assistant Director for Services level.

Also, irrespective of the decision to initiate an investigation when an LDSS chooses to travel to another jurisdiction, the LDSS shall cooperate with other jurisdictions requesting assistance with interviews and assessments.

III. Parents Refusing to Accept Children Back Home After Treatment

Situations involving children from one jurisdiction being placed by the family in another jurisdiction for treatment which now refuses to accept its children back are to be addressed by the jurisdiction where the parent/guardian resides. These situations are generally opened as child neglect investigations or Voluntary Placements Agreements (VPA) depending on the details of the situation. The jurisdiction where the family resides is the jurisdiction where the parents likely made the decision not to accept their child back home and, more importantly, is the jurisdiction where re-unification, VPA or placement activities will need to take place. The jurisdiction where the child resides with his/her family is the jurisdiction that should have primary responsibility for all case activity including filing court petitions or responding to requests for voluntary placements.

IV. Out-of-State Requests

Maryland is not in a position to dictate policy to other States. Situations involving children and families from other states need to be handled through contacts with the other state. In situations where the safety of a child is in question, irrespective of residence the LDSS, shall assess the situation to determine if immediate action is needed. The most commonly occurring scenario involves children allegedly abused or neglected in another state but who now reside in Maryland and have now disclosed the alleged maltreatment. Some such situations involve families where the alleged victim and maltreater now reside in Maryland in the same household. Referrals shall

be made to the appropriate state requesting that the allegation be investigated and action taken in Maryland to assess the service and/or safety needs of the child and family. This could include authoring an Order of Shelter Care or Child In Need of Assistance petition depending on the needs of the child and family.

Contact should be made with SSA should assistance be needed with contacting the appropriate party in the other state.

#### V. Conclusion

Not every potential scenario or situation where more than one LDSS need be involved in an investigation can be explicitly covered in this policy directive. Cooperation between local departments to successfully complete investigations and provide protection to children and service to families is expected. Local department staffs participating in investigations and delivery of service that believe that they are not finding cooperation from another local department are encouraged to forward their concerns up through their chain of command, including having their local director speak to another local director to get the situation remedied.

**General, in situations requiring filing a Child In Need of Assistance petition or authorizing an Order of Shelter Care, the jurisdiction where the child resides with his/her family shall initiate the action. In situations where a jurisdiction other than where the maltreatment event is alleged to have occurred is conducting an investigation in part or in whole, the jurisdiction where the event is alleged to have occurred shall reach the investigation finding.**