
Charlie Crist, Governor
George Sheldon, Secretary

Department of Children and Family
Child on Child Sexual Abuse
Process Mapping

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Jacksonville
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Child on Child Statute References

- 39.303-Child protection teams; services; eligible cases.
- 39.201(f) Mandatory reports of child abuse
Florida Administrative Code

- 65C-28.007- Child-on-Child Sexual Abuse
- 65C-28.004 - Placement Requirements
  - (10) Placement of Children who are Victims of Abuse
  - (11) Placement of Children who are alleged juvenile sexual offenders, exhibiting sexually inappropriate behaviors or who are sexually reactive.
- 65C – 13.035- Administrative Action - Foster Care Referral
• (7) **Alleged juvenile sexual offender**- A child 12 years of age or younger who is alleged to have committed a violation of chapter 794, 796, 800, 827.071 or 847.0133; or a child who is alleged to have committed any violation of law or delinquent act involving “juvenile sexual abuse.”
  – “Juvenile Sexual Abuse” means any sexual behavior which occurs without consent, without equality, or as a result of coercion.

• (14) **Child who has exhibited inappropriate sexual behavior** means a child who is 12 years of age or younger and who has been found by the department or the court to have committed an inappropriate sexual act.

• (71) **Victim** – any child who has sustained or is threatened with physical, mental or emotional injury identified in a report involving child abuse, neglect or abandonment or child-on-child sexual abuse.
Child-on-Child Sexual Abuse

At least one of the following three statutory definitions **MUST** apply for the allegation to meet the criteria of child on child sexual abuse. The incident **must** have occurred without consent, without equality, or as a result of coercion.
Hotline

• Receive Hotline Call alleging incident and complete interview assessment
• Determine if call meets Child on Child Special Conditions or handled alternatively (foster care referral, Referral, Template or screened).
• Enter into FSFN or Phoenix, transfer call and fax to sheriff and submit electronically to circuit
If not a formal Child on Child Special Condition the Hotline may use the following:

- Foster Care Referral – 13 & Over
- COC Template 13 & Over
- COC Referral All ages (17 & under)
- Screened All ages (17 & under)
Child Protective Investigations

- Complete Pre-commencement
- Assess immediate risk and assessment
- Commence investigation
- Notify CPT
- Assess need and make referral for services.
Child Protective Investigations

• Safety Plan
  – This can be immediate
  – Anytime issues are disclosed or identified
  – Develop with caregiver
  – Schedule Multidisciplinary staffing

• Child on Child Special Conditions
  – Multiple options
Child Protective Investigations

- Multi-disciplinary staffing
- A Case Manager is assigned at the Multi-disciplinary staffing.
- 30 Days to develop plan if needed
CASE Plan

• Services should be accepted by the juvenile sexual offender or child who has exhibited inappropriate sexual behavior, the victim, and respective caregiver
Child Protection Teams (DOH-CPT)
The case manager shall periodically review the progress toward achieving the objectives of the plan in order to:

1. Make adjustments to the plan or take additional action as provided in this part; or

2. Terminate the case if indicated by successful or substantial achievement of the objectives of the plan.
Services

• Services provided to the alleged juvenile sexual offender or child who has exhibited inappropriate sexual behavior, the victim, and respective caregivers or family must be voluntary and of necessary duration.
Failure to participate

If the family or caregiver of the alleged juvenile sexual offender or child who has exhibited inappropriate sexual behavior fails to adequately participate or allow for the adequate participation of the child in the services or treatment delineated in the case plan, the case manager may recommend that the department:

(a) Close the case;
(b) Refer the case to mediation or arbitration, if available; or
(c) Notify the appropriate law enforcement agency of failure to comply.
Mediation or Arbitration Services

• If the family or caregiver refuses to participate in mediation or arbitration, the child protective investigator will refer the child to the Child Protection Team to determine if the parent’s refusal to follow the recommendations of the multi-disciplinary staffing will place the child at risk of emotional, physical or medical harm.

• The child protective investigator will also staff the case with Child Welfare Legal Services for consideration of filing a petition for dependency based on medical neglect or the risk of harm, as determined by the CPT assessment.
Refusal to Participate

• Child at Risk?
• Placement Change?
• Risk or Harm BY CPT
Dependency considerations?

- Dependency Petition for non DCF children?
- Motion for Change of Placement for Children in Relative /non-relative placement
- Shelter Petition for In-Home Placements
Placement Change or Removal

• Request Placement from Child placing Agency
• Identify Placement
• Place Child with Caregiver and Provide Written Documentation of Event Details to Caregiver
Continue or Complete Services

- Case Plan
- Mental Health, Substance Abuse or other Treatment
- Update information with Case Manager or Courts