



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

113 – CRIMES AGAINST CHILDREN

GENERAL ORDER: 2021-XX
ISSUED: June 9, 2021

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REVIEWED/APPROVED BY:
Inspector Paul Formolo
DATE: April 28, 2021

ACTION: Amends General Order 2017-55 (October 17, 2017)

WILEAG STANDARD(S): 6.6.6, 6.6.7

ROLL CALL VERSION

Contains only changes to current policy.
For complete version of SOP, see SharePoint.

113.10 DEFINITIONS

E. ABUSE

Means any of the following:

1. Physical injury inflicted on a child by other than accidental means. Refer to ~~Wis. Stat. § 948.03.~~
2. 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.
3. Sexual intercourse or sexual assault contact under [Wis. Stat. § 940.225](#) (Sexual Assault), [948.02](#) (Sexual Assault of Child), [948.025](#) (Engaging in Repeated Acts of Sexual Assault of the Same Child), or [948.085](#) (Sexual Assault of a Child Placed in Substitute Care). (~~includes First Degree Sexual Assault, Second Degree Sexual Assault, Third Degree Sexual Assault, and Fourth Degree Sexual Assault.~~)
4. ~~Sexual intercourse or sexual assault contact under Wis. Stat. § 948.02 (includes First Degree Sexual Assault of a Child, Second Degree Sexual Assault of a Child and failing to act when a person responsible for the welfare of a child has knowledge that another person intends to have, is having or has had sexual intercourse or sexual contact with a child).~~
5. ~~Sexual intercourse or sexual assault contact under Wis. Stat. § 948.025 (engaging in repeated acts of sexual assault of the same child).~~
46. Violation of [Wis. Stat. § 948.05](#) (Sexual Exploitation)
5. A violation of [Wis. Stat. § 948.051](#) (Trafficking of a Child).

67. Permitting, allowing, or encouraging a child to violate [Wis. Stat. § 944.30](#) (Prostitution) or ~~Wis. Stat. § 948.051 (Trafficking of a Child)~~.
78. A violation of [Wis. Stat. § 948.055](#) (Causing a Child to View or Listen to Sexual Activity).
89. A violation of [Wis. Stat. § 948.10](#) (Exposing Genitals or Pubic Area).
9. Manufacturing methamphetamine in violation of [Wis. Stat. § 961.41\(1\)\(e\)](#) under any of the following circumstances:
 - a. With a child physically present during the manufacture.
 - b. In a child's home, on the premises of a child's home, or in a motor vehicle located on the premises of a child's home.
 - c. Under any other circumstances in which a reasonable person should have known that the manufacture would be seen, smelled, or heard by a child.

113.15 RESPONSIBILITIES OF THE INVESTIGATING MEMBER

- A. Department members responding to child physical abuse, sexual abuse or neglect calls for service shall adhere to the following procedures:
 4. Conduct a minimal fact interview of the victim to determine whether a crime has occurred.
 - c. Members will have probable cause if the child disclosed a crime occurred to a mandated reporter, which includes physicians, nurses, school counselor / social worker / school administrator, or first responder.
 - de. If the child does not engage with the interviewer or make a disclosure, the member shall still conduct a complete investigation and notify a supervisor who will contact the SCD for direction.

113.20 FORENSIC INTERVIEWS

- A. Forensic interview (FI) is a video recorded interview of a child that is non-leading and defensible in court. These interviews are conducted by specially trained forensic interviewers in a child friendly environment, which illicit free narrative from the child. The SCD has several trained forensic interviewers on staff, as well as the Children Advocacy Center of Children's Hospital of Wisconsin.
 1. A forensic interview shall be arranged by the SCD, or the investigating member if the incident will not be investigated by the SCD, for child victims of abuse/neglect or witness to a crime under the following circumstances:
 - a. The child is ages 4-14 3-12 (younger children can be considered based on their verbal skills).


2. Members shall arrange a forensic interview by calling the Child Advocacy Center, which is located at 619 West Walnut Street, at 414-277-8980. If the member is calling to arrange the interview when the Child Advocacy Center is closed, he/she shall leave a detailed message which shall include:
 - a. Name of the child.
 - b. The allegations of the incident (e.g., sexual assault, abuse).
 - c. Parent or guardian contact information.
 - d. The investigating member's name and contact information (including member's email address and work location phone number).
 - e. Members may also complete and fax the *Milwaukee Child Advocacy Center Appointment Request / Referral Form* (located in the N:/drive Forms folder) in lieu of calling CAC.

C. FORENSIC INTERVIEW REPORT

1. The Sensitive Crimes Division shall forward the disc containing the forensic interview from the Child Advocacy Center to the investigating member.
2. The investigating member shall complete a supplemental report in the Record Management System documenting the results of the forensic interview.
3. The investigating member shall make at least two (2) copies of the disc for the Milwaukee County District Attorney's Office and place the original on department inventory in accordance with SOP 560 Property.

113.35 REPORTS REQUIRED

- A. The investigating member shall complete the following reports:
 1. Original ~~Initial~~ report in the ~~Automated Reporting System (ARS)~~ RMS.
 2. Supplemental reports detailing all aspects of the investigation.



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ACTING CHIEF OF POLICE