



# MILWAUKEE POLICE DEPARTMENT

## STANDARD OPERATING INSTRUCTION

### FORENSIC INTERVIEWING OF CHILDREN

**ISSUED:** January 7, 2024

**EFFECTIVE:** January 7, 2024

**REVIEWED/APPROVED BY:**

Assistant Chief Steven Johnson

**DATE:** December 5, 2023

**ACTION:** Amends SOI (January 7, 2022)

**WILEAG STANDARD(S):** NONE

#### I. PURPOSE

The purpose of these instructions is to provide guidance on the forensic interviewing of children, relying on best practices and a trauma informed approach. While it is not always possible, the goal should be to have a child go to the Milwaukee Child Advocacy Center (CAC) for one visit during which they are interviewed and receive the medical and advocacy services needed.

#### II. BACKGROUND

A. A forensic interview is an opportunity to provide children with a safe place to tell their stories to experts who will listen to them, protect them, and help them heal. Forensic interviewers are specially trained to ask child victims a series of unbiased, non-leading questions to obtain information in an age and developmentally appropriate manner. Forensic interviews minimize trauma by ensuring that the child is able to provide the account in their own words and only has to detail information to one adult. Interviews are video-recorded to meet forensic standards.

B. In Milwaukee, the Milwaukee CAC, located at the Sojourner Family Peace Center, brings together a specially trained team of professionals to investigate cases of child maltreatment. The CAC is a child-focused location that provides comprehensive services in the form of specialized medical exams, forensic interviews, advocacy services, and health screenings for children in out of home placements. Through extensive services, the CAC enables children and their families to heal from abuse and advocates for safe and secure living environments. In addition, several investigators assigned to the Milwaukee Police Department Sensitive Crimes Division (SCD) are also trained as community interviewers.

#### III. THE NEED FOR COMMUNITY INTERVIEWERS IN LAW ENFORCEMENT

In many police agencies across the country, the investigator in charge of a child abuse case does not usually interview the child, but instead turns that job over to CAC, who have forensic interviewers who are well-trained and proficient at child interviewing. There are many reasons provided as to why this is considered best practice. However, it is also understood that there may be times when a forensic interviewer from CAC is not available, which is why SCD will have a core group of community interviewers who will conduct interviews. Community interviewers must be well trained, with knowledge and skills that are above average and up to date.

#### **IV. QUALIFICATIONS FOR SCD COMMUNITY INTERVIEWER**

Forensic interviewers assigned to SCD will be appropriately trained and qualified based on standards outlined by the National Child Advocacy Center (NCAC). These standards are provided in detail in the Department of Justice Forensic Interviewers Guidelines (2022). A summary of the qualifications are:

1. Forensic interviews are provided by staff that has specialized training in conducting forensic interviews.
2. It must be demonstrated that all forensic interviewer(s) have successfully completed training that includes a minimum of 32 hours instruction and practice, and at a minimum includes the following elements:
  - a. Evidence supported interview protocol;
  - b. Pre and post testing reflecting understanding of the principles of legally sound interviewing;
  - c. Content includes at a minimum: child development, question design, implementation of the protocol, dynamics of abuse, disclosure process, cultural competency, suggestibility;
  - d. Practice component with a standardized review process;
  - e. Required reading of current articles specific to the practice of forensic interviewing.
3. This curriculum must be included on NCAC's approved list of nationally or state recognized forensic interview trainings or submitted with the accreditation application.
4. Any training received must be documented in the member's training records, along with the completion of peer reviews. This training and peer review will become part of their permanent training file.

#### **V. REQUIREMENTS FOR A CHILD TO UNDERGO A FORENSIC INTERVIEW**

[Wis. Stat. § 908.08](#) discusses situations in which a recorded interview of a child can be admissible in court. The district attorney's office has stated that in cases of intra-familial abuse, or when a child over age 12 shows signs of distress, forensic interviews can be admitted in court. The DA's office prefers that teenagers under age 17 have recorded forensic interviews in all maltreatment cases, as teenagers have a tendency to recant their statements.

#### **VI. FORENSIC INTERVIEWS DURING CAC BUSINESS HOURS**

When SCD is apprised of an incident that necessitates a forensic interview of a child for a potential criminal matter, the SCD shift commander will make the determination as to who will conduct the interview. If it is during business hours and a community interviewer assigned to SCD is not readily available, CAC will conduct the interview. During CAC business hours, call [REDACTED] and schedule the interview.

**VII. FORENSIC INTERVIEWS AFTER CAC BUSINESS HOURS**

- A. After CAC business hours, SCD community interviewers will conduct interviews of children in those cases where there is a need for immediacy. Examples of this include, but are not limited to:
1. DA charging timeline considerations;
  2. When a child is not believed or is being influenced to recant;
  3. When the possibility for case contamination is high and cannot be controlled for.
- B. If it is after CAC business hours and there is no immediacy for the forensic interview, members shall complete and email the *Milwaukee Child Advocacy Center Appointment Request / Referral Form* (located in the N:/drive Forms folder) to [REDACTED]

**VIII. FORENSIC INTERVIEW REQUESTED BY THE ADA**

In cases in which an assistant district attorney (ADA) requests a forensic interview be conducted, the SCD supervisor receiving the request will determine if SCD has a community interviewer available to conduct the interview or if CAC should be contacted to conduct the interview. If CAC conducts the interview, a copy of the related documents will be provided to them so they have background knowledge of the case. Once the interview is completed, CAC staff will deliver the DVD to the Sensitive Crimes Division for dissemination to the requesting officer.

**IX. NOTIFICATION OF CAC REGARDING ALL FORENSIC INTERVIEWS**

If SCD conducts a forensic interview, it is essential that CAC be notified of the interview. This will prevent interviewers from conducting forensics on children who had already been interviewed. Conducting numerous interviews of the same child(ren) creates a variety of problems, not only for the victim, but also for the DA's office. Research and clinical experience indicate that the more times a child, especially young child, is interviewed about alleged abuse, the less reliable and legally defensible that child's testimony may become.

**X. RECORDING OF CHILD INTERVIEWS**

SCD interviewers can conduct interviews in the CAC interview suite at the Sojourner Family Peace Center. Members will retrieve a copy of the interview and will inventory the original as evidence and distribute copies to the ADA reviewing the case. After completing the interview, members must ensure that the category for the recording is set to "Sensitive Crimes Division - Restricted" if the interview is imported to Evidence.com. This will restrict viewing of the interview. The interview can then be shared with those department members who need to view the interview or can be downloaded and duplicated for presentation in a charging conference. As with all business of the department, interviews of children must be kept confidential.

**XI. IMPORTANT CONTACT NUMBERS****A. Milwaukee Child Advocacy Center – [REDACTED]**

This is the main number for CAC. Staff will direct the caller to the appropriate person. If no one answers this number, leave a message. The phone is only answered during business hours. Call this number to request a medical opinion about a child seen at CAC, to make an appointment for a forensic/medical exam.

**B. Milwaukee Child Advocacy Center – Health Care Coordination – [REDACTED]**

This is the number for the health care coordination team which is available 24-7.

**C. Child Advocacy – Hospital Based Team – [REDACTED]**

Staff will direct the caller to the appropriate person. If no one answers this number, leave a message. The phone is only answered during business hours. Call this number if an expert medical opinion is needed about a child that was seen at CAC, a medical opinion from a child abuse pediatrician about a child seen after hours at Children's Hospital, or a medical chart review for a child not seen at Children's Hospital or CAC (a fee may be incurred for this).

**D. Children's Hospital of Wisconsin Information Management – [REDACTED]**

This number is only answered during business hours. Call if medical records are needed from Children's Hospital of Wisconsin. (Medical records from CAC must be requested from CAC).

**E. Urgent after Hours Children's Hospital – [REDACTED]**

This number will get you to the Children's Hospital physician referral line. Ask the operator to page the child advocacy medical provider on call. This number should be used if an urgent medical opinion regarding a child is needed.



JEFFREY B. NORMAN  
CHIEF OF POLICE