

**OKLAHOMA COUNTY JUVENILE BUREAU
POLICY AND PROCEDURE MANUAL**

CHAPTER ONE: ADMINISTRATION AND MANAGEMENT

POLICY 1.10: REPORTING CHILD ABUSE

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I. POLICY:

- A. To ensure the safety of juveniles with whom the Oklahoma County Juvenile Bureau (OCJB) supervises, as well as to comply with all legal mandates under 10A O.S. §1-2-101 and 1-2-104. All incidents of child abuse or neglect shall be reported to the Department of Human Services (DHS) and, under certain circumstances, to law enforcement, by the reporting staff member contacting the DHS Child Abuse Hotline at 1 (800) 522-3511. **(3-JDF-3D-06-1) (2-7133-1)**
- B. In instances of failure to report suspected child abuse and/or neglect or false reporting, a recommendation for disciplinary action by the Facility Administrator or Chief of Court Services shall be made. The Director shall make the final decision regarding disciplinary action, which may include suspension without pay, demotion, and/or termination.

II. DEFINITIONS: As used in this document, the following definitions as defined by 10A O.S. § 1-1-105 shall apply:

- A. **Abuse:** Harm or threatened harm or failure to protect from harm or threatened harm to the health, safety, or welfare of a child by a person responsible for the child's health, safety, or welfare including, but not limited to non-accidental physical or mental injury, sexual abuse, or sexual exploitation.
- B. **Child:** Any unmarried person under eighteen (18) years of age.
- C. **Harm or Threatened Harm to the Health or Safety of a Child:** Any real or threatened physical, mental, or emotional injury or damage to the body or mind that is not accidental including but not limited to sexual abuse, sexual exploitation, neglect, or dependency.
- D. **Heinous and shocking abuse** includes, but is not limited to, aggravated physical abuse that results in serious bodily, mental, or emotional injury.
- E. **Heinous and shocking neglect:** includes, but is not limited to chronic neglect that includes, but is not limited to, a persistent pattern of family functioning in which the caregiver has not met or sustained the basic needs of a child which results in harm to the

child; Neglect that has resulted in a diagnosis of the child as a failure to thrive; An act or failure to act by a parent that results in the death or near death of a child or sibling, serious physical or emotional harm, sexual abuse, sexual exploitation, or presents an imminent risk of serious harm to a child; or Any other similar aggravating circumstance.

- F. **Serious Bodily Injury:** Injury that involves a substantial risk of death; extreme physical pain; protracted disfigurement; a loss of impairment of the function of a body member, organ, or mental faculty; an injury to an internal or external organ or the body; a bone fracture; sexual abuse or sexual exploitation; chronic abuse including, but not limited to, physical, emotional, or sexual abuse, or sexual exploitation which is repeated or continuing; torture that includes, but is not limited to, inflicting, participating, in or assisting in inflicting intense physical or emotional pain upon a child repeatedly over a period of time for the purpose of coercing or terrorizing a child or for the purpose of satisfying the craven, cruel, or prurient desires of the perpetrator or another person; or any other similar aggravated circumstance.
- G. **Sexual Abuse:** includes but is not limited to rape, incest, and lewd or indecent acts or proposals made to a child, as defined by law, by a person responsible for the health, safety, or welfare of the child.
- H. **Sexual Exploitation:** includes but is not limited to allowing, permitting, or encouraging a child to engage in prostitution, as defined by law, by a person responsible for the health, safety, or welfare of a child, or allowing, permitting, encouraging, or engaging in the lewd, obscene, or pornographic, as defined by law, photographing, filming, or depicting of a child in those acts by a persons responsible for the health, safety, and welfare of the child.

III. **PROCEDURE:**

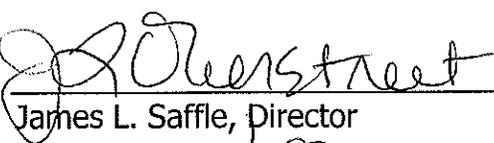
- A. Legal responsibility per statute:
 - 1. Any person who, in good faith, and exercising due care, reports suspected child abuse or neglect, or who allows access to a child by persons authorized to investigate a report concerning the child shall have immunity from any liability, civil or criminal action that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participant in any judicial proceedings resulting from such a report.

2. Any person, who knowingly and willfully fails to promptly report suspected child abuse or neglect or who interferes with the prompt reporting of suspected child abuse or neglect may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor.
 3. The Facility Administrator or the Chief of Court Services shall report all allegations to the Director.
 4. All incidents of child abuse or neglect shall be reported to the Department of Human Services (DHS) at the earliest opportunity.
- B. Child Abuse Accusations in the Oklahoma County Juvenile Detention Center (OCJDC):
1. The OCJDC is neither an investigatory nor a treatment facility.
 2. Any employee having reason to believe that resident is a victim of abuse or neglect shall report the matter promptly to the DHS Child Abuse Hotline at 1 (800) 522-3511 within one (1) hour, and shall provide the following information:
 - a. Names, addresses, and telephone numbers of the juvenile and the juvenile's parents or other persons responsible for the juvenile's care.
 - b. The juvenile's age and names and ages of any other children in the household, if known;
 - c. Nature and extent of the juvenile's injuries, including any evidence of previous injuries;
 - d. If the juvenile is dependent on drugs or alcohol; and
 - e. Any other information that might be helpful in establishing the cause of the injuries, and the person responsible for committing, or allowing the injuries to occur.
 3. The OCJDC employee shall report the allegations to his/her supervisor immediately, who shall immediately advise the Facility Administrator.
 4. If an employee believes that a juvenile has been or is being abused and or neglected based on interactions with him/her
 5. Juveniles shall be screened within twenty-four (24) hours of arrival at the OCJDC for potential vulnerabilities or tendencies of acting out with sexually aggressive behavior. Housing assignments shall be made accordingly **(3-JDF-3D-06-3)**.
 - a. Any juvenile identified as high risk with a history of assaultive behavior is assessed by a mental health or other qualified professional. Such juveniles are monitored to the extent possible, since the OCJDC is a short-term placement facility and does not provide counseling and treatment **(3-JDF-3D-06-5)**.

- b. Any juvenile identified as at risk for sexual victimization is assessed by a mental health or other qualified professional **(3-JDF-3D-06-6)**.
 - c. Any juvenile who is a victim of sexual abuse has the option of reporting the incident to a staff member other than to an immediate point-of-conflict line staff member **(3-JDF-3D-06-9)**.
 - 6. Information regarding sexual abuse/assault is provided to residents upon their admission to the OCJDC. The information is communicated orally and in writing in the *Resident Handbook* in a language clearly understood by the juvenile. **(3-JDF-3D-06-2)** The information includes:
 - a. Prevention/intervention;
 - b. Self-protection;
 - c. Reporting sexual abuse/assault; and
 - d. Treatment and counseling.
- C. Child Abuse Accusations in Court Services:
 - 1. Any employee having reason to believe that a child under the age of eighteen (18) years is a victim of abuse or neglect shall report the matter promptly to the DHS Child Abuse Hotline at 1 (800) 522-3511 within one (1) hour, and shall provide the following information:
 - f. Names, addresses, and telephone numbers of the juvenile and the juvenile's parents or other persons responsible for the juvenile's care.
 - g. The juvenile's age and names and ages of any other children in the household, if known;
 - h. Nature and extent of the juvenile's injuries, including any evidence of previous injuries;
 - i. If the juvenile is dependent on drugs or alcohol; and
 - j. Any other information that might be helpful in establishing the cause of the injuries, and the person responsible for committing, or allowing the injuries to occur.
 - 2. The OCJB employee shall report the allegations to his/her supervisor immediately, who shall immediately advise the Chief of Court Services.
 - 3. If the reported abuse is recent and/or the juvenile is frightened or the employee believes the juvenile is in danger, he/she shall confer with the immediate supervisor who consults with the Chief of Court Services and the Assistant District Attorney and/or the DHS liaison to determine if the juvenile may need to be placed in protective custody by a law enforcement officer or judge.

4. The Court Services employee shall obtain report number that is related to the report from DHS. The employee shall enter the report number and a brief description of the report on the JOLTS Case Notes Screen **(2-7133-1)**.
- D. If an employee witnesses or receives a report of any abuse or neglect at the hands of another employee:
1. The employee shall:
 - a. Call the DHS Child Abuse Hotline at 1 (800) 522-3511 to report the incident and provide all requested information.
 - b. Notify his/her immediate supervisor as soon as possible. The supervisor shall notify the Department Head, who shall notify the Director immediately.
 - c. Complete an informational report immediately.
 - i. Court Services employees shall complete this report using "Critical Incident Report," Attachment A of Policy 7.1-3 "Reporting Incidents."
 2. Upon receiving the report, the Director shall:
 - a. Send a written report of the incident to the DHS Office of Client Advocacy (OCA); and
 - b. Direct the Internal Affairs Unit to proceed with an internal investigation of the employee(s) involved, if necessary.
 - i. If investigative findings substantiate violations of State and or Federal Law, the investigative findings shall be reported to District Attorney by the Internal Affairs Supervisor for the filing of criminal charges.
 - ii. An internal investigation is conducted and documented whenever a sexual assault is alleged, threatened, or occurs in the OCJDC **(3-JDF-3D-06-4)**.
- E. Sexual conduct between staff and juveniles, volunteers, or contract personnel and juveniles, regardless of consensual status, is prohibited and subject to administrative and criminal disciplinary sanctions **(3-JDF-03D-06-7)**.

Approved: _____


James L. Saffle, Director

12/1/16
Date