

24 - Forensic Interviewing

LESSON PLAN CONTENT RECORD
Family Independence Agency

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Suggestions to Instructor

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LEARNING OBJECTIVE:

Worker will be able to identify the 8 phases of the Forensic Protocol, demonstrate knowledge of how child development impacts on the interview process, and demonstrate the proper procedures for conducting a forensic interview.

PERFORMANCE MEASURE:

Students will conduct 3 mock interviews during the Forensic training using the Forensic checklist.

Create on flip chart ahead of time sheets (one each) saying:

- "Hypothesis-Testing"
- "Child-Centered"
- "Tell Me More About That"

FORENSIC INTERVIEWING SKILLS

The original training, which was developed in 2002, has been modified to a half day training for Foster Care workers.

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<p><u>ICE BREAKER Instructions</u></p> <p>You will complete the exercise with the trainees. You do not have to add or subtract, it's already been done. You complete the exercise on a flip chart as they write their answers on their paper. The numbers on this side, 1, 2, 3, etc., match the instruction in the right column.</p> <ol style="list-style-type: none"> 1. 341 2. 143 3. 198 4. 5. 891 6. 7. 1089 		<p>Good Morning and welcome to Forensic Interviewing training. The purpose of this training is to educate Foster Care workers on THE tool used to conduct child abuse/neglect interviews in the Michigan. Foster Care workers are not investigators. You will not ever initiate a Forensic Interview. However, there will be times when a child in foster care begins disclosing allegations to you and you need to know how to handle that type of situation.</p> <p>The protocol and your conduct as a foster care worker are the focus of this training.</p> <p>ICE BREAKER ~</p> <p>We're going to do a little exercise. Take out a piece of paper and</p> <ol style="list-style-type: none"> 1. Write down a 3-digit number, and each number must be unique in and of itself. (No repeats). 2. Then reverse the order of the numbers. 3. Subtract the smaller from the larger number. 4. If ending up with a 2-digit number, add a zero at the beginning of that number. 5. Reverse the order of the numbers. 6. Add the two numbers together. 7. Everyone will end up with 1089.

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<p><u>Stand Up Debate Instructions</u> Given the statement "Interviewing Children is Easy", ask trainees to line up against one wall if they agree with the statement, and the opposite wall if they disagree.</p> <p>Facilitate a discussion about why each trainee agrees or disagrees with the statement.</p> <p>Possible answers are listed on the next page.</p>		<p>Each person brings unique experiences to this type of interviewing process. However, the important thing to remember is that when it comes to investigating allegations of child abuse and neglect, the Forensic Interviewing Protocol is the only technique to be used by child welfare workers.</p> <p>Let's talk more about interviewing dynamics.</p> <p>DEBATE</p> <p>We are going to have a debate. Here is the statement, "Interviewing Children is Easy".</p> <p>If you agree, line up against one wall. If you disagree line up against the opposite wall. If you are partial, stand in the middle.</p> <p>Okay, for those of you who agree, share your thoughts on why you believe this. <i>(Get feedback –this will be the smallest group so that's why you start here)</i></p> <p>For those of you who disagree, tell us why you think it's hard. <i>(Get Feedback).</i></p> <p><i>If there are any people in the middle..</i> Those in the middle, tell us what you think.</p>

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<p>Only address those that have not been addressed by the trainees.</p> <p>FLIP CHART</p>		<p>You all have addressed many of the reasons why interviewing children can be a challenge. Some other factors to think about are</p> <ul style="list-style-type: none"> • Child may not understand words/terminology • We're total strangers • Children usually programmed not to talk or elaborate • Difficult to engage a child to talk • Handicapped children • Age – developmental level • Bad setting • Access to a child away from the caretaker <p>OVERVIEW OF OVERRIDING PRINCIPLES</p> <p>There are two overriding principles of the Forensic Interviewing Protocol.</p> <p>1. <u>Hypothesis-Testing:</u></p> <ul style="list-style-type: none"> • Testing, NOT confirming • Educated guesses, or alternative possibilities • KEEP AN OPEN MIND • Develop a set of alternative hypotheses about the sources and meanings of allegations • During the interview, attempt to rule out alternative explanations for the allegations • Self-check <p>And,</p>

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		<p><u>2. Child-Centered:</u></p> <ul style="list-style-type: none"> • Use child's words as much as possible • Flow of interview, and how we structure it, needs to be age-appropriate for each child • The child drives the process, and determines the content as much as possible • Refrain from suggestive comments, or suggesting any event has taken place • Refrain from projecting adult (albeit well-meaning) interpretations of events • Genuine, sincere curiosity and respect. • Although the protocol is set up in 9 phases, the order of the phases (or omitting a phase if a child is ready to disclose) can and must be changed to meet the specific needs of each child being interviewed • Patience with child, giving her/him a chance to think about things <p>The other important matter to remember is the phrase, "Tell Me More About That".</p> <p><u>3. Tell Me More About That:</u></p> <ul style="list-style-type: none"> • The "mantra" of Forensic • A very helpful tool to use during interviewing to help draw the child into talking and giving information • Focus of, and most of the talking, needs to come from the

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<p>SHOW 20/20 VIDEO, highlighting importance of using child's words, leading into Child-Centered discussion</p> <p><u>EXERCISE INSTRUCTIONS</u> RANDOMLY PASS OUT 8 ICONS TO 8 TRAINEES</p> <p>Trainees are not to use their Forensic Protocol book for this exercise. We will go to the book, at the end, to confirm the correct order.</p> <p>Until then, let them brainstorm and work as a team to determine the order.</p>		<p>CHILD, not the interviewer.</p> <p>Now we are going to watch a video that will give you some insight as to why it's important to use the Forensic Interviewing Protocol. We will discuss the video afterwards.</p> <p><i>After the video...</i> What did you observe? What did you notice about the questions that were sometimes posed to the children? (Ask anything else you may want to explore).</p> <p>Let's do another exercise. There are 8 phases to the Forensic Interviewing Protocol. I want you all to work together as a class to try and figure out the order that the phases are in.</p> <p>Each of the eight phases have been passed out to 8 individuals. They are represented by 8 icons. The eight of you need to quickly discuss what order you think they go in, and then stand in that order.</p> <p>(Allow the 8 individuals to plan and get in an order).</p> <p><i>Afterwards...</i></p> <p>Okay, now we need to discuss your order. Your classmates will now say if they believe you are in the correct order or if you</p>

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Once everyone has decided their final order, have the class turn to page 29, Quick Guide #3, which list the 8 phases in order.

need to change some icons around.
(Allow classmates to give input)

Okay, I need everyone to conclude on the order of the icons. Now, while the 8 are still standing there, everyone else go to page 29 in the protocol.

Are we in the correct order?
(If correct) Good Job everyone! Give yourselves a hand for good teamwork.

(if incorrect). What needs to be changed? Okay, let's make that change. Other than that, you all did a good job. Give yourselves a hand for good teamwork.

Why do we as workers need to have Forensic Interviewing skills?

- For CPS workers, it is the law (CPL) and policy requires that CPS workers use this for **every** investigation they perform when talking with **children**.
- Every on-call worker needs to use the protocol during investigation.
- For Foster Care, Adoption, and Juvenile Justice workers, you need skill in this area so when kids that you are

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		<p>working with disclose to you about abuse or neglect that occurred earlier in their life, you will know how to be sensitive to this approach,</p> <p>**To recognize how easy it can be to mislead a child without realizing it; ie, telling a child that a certain situation "must have been really difficult for you", when in fact, the child never saw it in that light.</p> <p>**It's important to allow the child to briefly discuss their experience, letting them take the lead, not asking any clarifying questions. At that point, knowing that CPS handles all of these investigations, and knowing that we will be making a referral to them:</p> <p>**Let the child know that you are glad that they are in a place to be able to share what has happened to them.</p> <p>**Let the child know that they can talk more about what they've been through with an adult who can help them with the situation (CPS worker)</p> <p>And finally, ALL CHILD WELFARE WORKERS NEED TO KNOW THESE INTERVIEWING TECHNIQUES WHEN YOU ARE GOING TO TESTIFY IN COURT.</p>

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<p>This is a really important point to stress.</p> <p>ONLY IF THEY ASK Trainees may ask you, “Can I see the child while an investigation is going on?” “Do I have to wait till CPS goes to see the child before I can see them?”</p> <p>You don’t have these answers. They need to</p> <ul style="list-style-type: none"> • Discuss the situation with their supervisor • Contact the CPS worker to find out if they have any concerns regarding your contact with the child 		<p>IMPORTANT!!</p> <p>For clarification, Foster Care workers DO NOT initiate Forensic Interviews. Where you become involved in a Forensic Interview will be pointed out as we go through the phases but it is not at the beginning.</p> <p>The only way you enter a Forensic Interview is by the child disclosing new allegations. At that point, you are in a Forensic Interview.</p> <p>If a foster parent calls you saying a child has disclosed allegations of abuse/neglect, you may want to remind them that they are mandated reporters and that they need to make a referral to CPS. You will need to do the same since you have now been told of the allegations. That means you make a verbal referral within 24 hours and a written referral, the 3200, within 72 hours.</p> <p>You do not go and meet with the child to discuss the allegations. If the allegations are the ones that were petitioned on then you would have documentation of such allegations in the petition and case record and therefore would not need to make a referral to CPS as they are not new allegations.</p>

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<p>If Time permits you can go over this section. If not, read the bolded statement in the right column.</p>	<p>Protocol, pg. 2-6</p>	<p>There are parts of your Forensic Protocol book that we will not have time to cover today. Please take time to read over those parts as you have time.</p> <ul style="list-style-type: none"> • Pre-Interview Preparation, • Number of Interviewers, • Support person, • Video-Audiotaping, • Interview Guidelines. <p>1. Pre-Interview Preparation –</p> <ul style="list-style-type: none"> • Pre-Interview preparation will vary depending upon the nature of the allegations, the available resources, and • Amount of time before an interview • Some examples are: CPS files, ES/FIS worker, schools, teachers, doctors, police, referral source • It could be helpful to know the child's interests and hobbies • Family composition, and how the child refers to significant others • Caretaking environment • Relevant medical conditions • Family's names for body parts • Possible misunderstanding of the event

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2. Number of Interviews –

- There are certain situations when a CPS worker and a police officer will need to interview the child, due to the dual aspects of child protection and criminal investigation. When two professionals are going to be present during the interview, the room needs to be set up so that ONE professional is asking the questions, while the second professional is seated at an angle to the side and behind the child, as this is less confrontational.
- These situations include investigations into a child's death; sexual abuse/exploitation; severe physical injury requiring medical treatment or hospitalization; and the necessary protection of the child, an investigator, or someone else.
- At the beginning of the interview, BOTH professionals need to introduce themselves by name and job.
- The second professional may write down questions or comments during the interview, which the primary interviewer can review before the interview is completed.

3. Support Persons –

- The presence of a social support person for the child during forensic interviewing is discouraged.
- In fact, CPS policy states: "Support persons are NOT to be present during forensic interviews with children."
- While it makes intuitive sense that a child may be more

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		<p>relaxed with social support, they may also be inhibiting for the child, particularly if they are talking about sexual abuse.</p> <ul style="list-style-type: none"> • If, for some reason, there is authorization for a support person to accompany a child, they must be seated out of the child's line of sight, and must be instructed that only the child is allowed to talk unless a question is directed to the support person specifically. <p>4. Videotaping or Audiotaping –</p> <ul style="list-style-type: none"> • This policy varies widely, depending upon your county practices with FIA and with your court systems. • These avenues are open to us to use to gather information during our investigation. All tapes must be documented, and names of people present, dates, and times must be included at the beginning of each taping. • Check with your local FIA office to learn more about their personal practices. <p>5. Interview Guidelines -</p> <ul style="list-style-type: none"> • Convey and maintain a relaxed, friendly atmosphere • We do innocent things without realizing it, as in touching a child, or projecting our adult feelings onto the child – “I know how hard this must be for you” – SELF-CHECK • Don't make promises to the child; be honest • If you will be interviewing with law enforcement, ask for non-

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<ul style="list-style-type: none"> • CREATE A LIST ON FLIP CHART OF IMPORTANT FACTORS DURING THE DISCUSSION (if desired 	<p align="center">1</p>	<p>uniformed personnel. Guns are intimidating!</p> <ul style="list-style-type: none"> • Avoid comments like, "good girl", or "we're buddies, aren't we?" • Do not use the words "pretend", "imagine", or other words that suggest fantasy or play. <p>USING THE PROTOCOL BOOKLET,</p> <p>Hold discussion of the 8 phases of the protocol</p> <p>Preparing the Interview Environment</p> <ul style="list-style-type: none"> • Remove distracting materials, games, toys, etc. from the room, making the room as sparse as possible. • Prepare audio/video equipment, if using • Bathroom break for child before interview if possible • If interviewing at a school, DO NOT use the principle's office, as children may perceive they are in trouble before the onset of the interview. • Select a location that is low-noise and away from disruptions, if you have a choice • Forensic interviews should not be conducted in a child's home due to potential intimidation for the child

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	2	<p>The Introduction</p> <ul style="list-style-type: none"> • Introduction phase is to acclimate child to the interview and environment, and model a relaxed and patient tone • Introduce yourself and give brief description of job • Give child opportunity to look around the room, and inspect recording equipment if age appropriate • INTRODUCTION EXAMPLE, PG. 10 • When child is distressed about the interview, it is appropriate to ask them how they are feeling and to provide some orienting information about the interview.
	3 Ground Rules	<p>Establishing the Ground Rules</p> <ul style="list-style-type: none"> • During the truth/lie determination, the interviewer demonstrates that the child understands this difference by giving concrete examples. • LEGAL COMPETENCY EXAMPLES, PG. 11 <ul style="list-style-type: none"> -Use concrete objects and examples, depending on the age of the child, to determine truth and lie. Then make agreement for child to only tell the truth during interview. -FOR TEENS, the legal competency may be offensive; we don't need to use concrete examples, but do need to make an agreement that both the teen and the interviewer will be honest and tell the truth during the interview. • Review with the child that sometimes kids don't know the

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<p align="center">"Columbo" stance</p>	<p align="center">4</p> <p align="center">Rapport Building</p>	<p>answers to questions, and that's OK; don't guess, just tell me you don't know AND practice this with the child</p> <ul style="list-style-type: none"> • Review with the child that sometimes kids don't understand what a certain question means, and that's OK; don't guess, just tell me you don't understand AND practice this with the child • Review with the child that it's OK to correct the interviewer if they miss-speak or make a mistake AND practice this with the child <p>Complete Rapport Building with a Practice Interview</p> <ul style="list-style-type: none"> • One purpose of rapport building is to help make the child comfortable with the interview setting • Another is to get preliminary information about the child's verbal skills and cognitive ability • A third is to convey the goal of the interview is for the CHILD to talk, and do most of the talking • Asking the child to describe a recent event from beginning to end, and then using open-ended questions as prompts can be a good way to "train the child to talk" • Recent, or SCRIPTED events can be what you did after school until you went to bed, how a child plays their favorite game, or what happens during a trip to the child's favorite fast-food restaurant • Other usable events are a birthday party, a recent holiday celebration, an event at school, etc.

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- Prompts such as "Tell me more about that", "then what happened", "Tell me everything that happened after that", are all helpful
- We can encourage the child to talk using head nods, exclamations, partial repetitions of the child's last statements, and direct encouragement are helpful tools during this phase
- To engage a reluctant child, it can be helpful to feign complete ignorance about a topic, as in how to play a particular game or do an activity the child is familiar with.

This makes the child the expert in this area, which can help to encourage them to talk.

Introducing the Topic**5**

- By prompting a transition from the practice interview, the interviewer begins the substantive portion of the interview
- 4 HELPFUL EXAMPLES PG. 14
- **AVOID WORDS SUCH AS HURT, BAD, ABUSE**, or other terms that project adult interpretations
- **IT IS NOT MANDATORY FOR CPS INTERVIEWER TO GET A DISCLOSURE OF ABUSE/NEGLECT TO CONTINUE THEIR INVESTIGATION.**
- If child doesn't respond to a general transition, the

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<p align="center"><u>DO NOT USE "GOOD TOUCH, BAD TOUCH" IN FORENSIC !</u></p>	<p align="center">6</p>	<p>interviewer progresses to a more specific opening remark, such as "I understand someone has been bothering you", or</p> <ul style="list-style-type: none"> • "Does your mom think that someone has been bothering you?" • Other approaches can include creating a "favorite/least favorite thing" for various people in the child's life, or "Is there something you are worried about if you talk with me today?" • GIVING THE CHILD SOME CONTROL OVER THE INTERVIEW by asking the child "Is there something that would make it easier for you to talk with me today?" and changing seating or letting the child write an initial answer on paper might be helpful. • THE GOAL OF THESE TECHNIQUES IS TO AVOID ASKING THE CHILD A DIRECT QUESTION, SUCH AS, "DID SOMEBODY TOUCH YOUR PRIVATES LAST WEEK?" <p>Free Narrative</p> <ul style="list-style-type: none"> • Once the topic is raised, the interviewer asks the child to provide a narrative description of the event. • Interviewers provide an open invitation after raising the topic, as in "Tell me everything you can about that", or "I want to understand everything about that; start with the first thing

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	7	<p>that happened, and tell me everything you can about it, even things you don't think are very important"</p> <ul style="list-style-type: none"> • BE PATIENT; GIVE THE CHILD CHANCES TO THINK ABOUT THINGS; LET THE SILENCE BE OK. • Continue with open-ended prompts such as "Then what?" throughout the Free Narrative to encourage child to talk – use Open-ended questions. • If a child is struggling with being specific about certain acts, or having trouble talking about a target issue, the interviewer can let the child know it's OK to say the words; the Interviewer has talked with kids about these sorts of things. • If a child becomes non-responsive or upset, minimally acknowledge the child's behavior and give them time to remain her/his composure. • If a child remains non-responsive, it may help to gently prompt the child, as in "you've stopped talking", or restate the child's last statement to them. • BE PATIENT; GIVE THE CHILD CHANCES TO REGAIN FOCUS • CONTINUE TO HAVE THE FOCUS OF SPEAKING BE ON THE CHILD; interrupting with questions can be inhibiting. <p>Questioning and Clarification</p> <ul style="list-style-type: none"> • Once it is clear that the child has finished the free narrative,

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		<p>the interviewer moves to ask developmentally appropriate questions to clarify what the child has talked about.</p> <ul style="list-style-type: none"> • Questions need to be organized so as not to jump from topic to topic • It's always best to use open-ended questions; however, if a specific or closed-ended question is necessary to raise an issue, once the question is asked, the interviewer can then again continue with an open-ended focus. • Asking for clarification about how a child saw things vs. how they heard things can give us more information. • AVOID LEADING QUESTIONS AT ALL COSTS AS WELL AS TAG QUESTIONS, as in "And then he touched you, didn't he?" • When asking about a specific event, you can give choices to a child as in, "You mentioned the bedroom earlier, and also spoke about the living room; help me understand - did the abuse happen in the bedroom, in the living room, <u>OR SOMEWHERE ELSE?</u>" ALWAYS LEAVE THE DOOR OPEN FOR THE CHILD TO GIVE A DIFFERENT ANSWER. • <u>QUESTIONING AND CLARIFICATION IS THE MOST DIFFICULT PHASE OF THE INTERVIEW.</u> As interviewers, we need to listen to the child, mentally review the information already provided, make decisions about further questioning, and decide when to close the interview AND provide a relaxed environment for the child.

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<p>ZOE'S INTERVIEW #1</p> <ul style="list-style-type: none"> HAND OUT SCENARIOS AND CHECK LISTS GIVE TIMEFRAMES FOR EACH SCENARIO 	<p>8</p>	<ul style="list-style-type: none"> <u>INTERVIEWERS NEED TO FEEL FREE TO TAKE A FEW MINUTES TO COLLECT THEIR THOUGHTS BEFORE DECIDING HOW TO PROCEED.</u> <p>Closure</p> <ul style="list-style-type: none"> During closure, the interviewer asks for questions and other concerns from the child. The conversation then is directed to neutral topics to end on a relaxed note. The child is thanked for meeting with the interviewer, NEVER thanked for disclosure. The interviewer is honest with the child regarding their questions; don't make promises you can't keep. <p>Watch Zoe's first interview, asking trainees to jot down effective techniques they observe.</p> <ul style="list-style-type: none"> Is this an effective interview, and if so, what does the interviewer do to make it so? Discuss. <p>Now that you've learned the protocol and observed a Forensic Interview, we are going to practice the process using 3 different case scenarios.</p>
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<p align="center">Number off in 3's</p> <p>GIVE CHILD ADDITIONAL INFORMATION SHEET – Before each of the 3 scenarios, take CHILD into the hall and request that they focus on one step of the protocol during the interview to see if the interviewer catches it and deals with it; ie, change their story, blatantly lie after agreeing to tell the truth, if the interviewer left some distracting items in the environment, play with them, etc.</p> <p>(Approximately 15-20minutes for Each scenario; 15 minutes for the roles, and 5 minutes for discussion)</p> <p>After each scenario, pass out the next one.</p>		<p>Divide into groups of three's, and using the 3 scenarios, each person in the group will have a chance to practice the entire protocol, with each person being the interviewer in one of the three scenarios. The three roles will be:</p> <ul style="list-style-type: none"> • Interviewer • Interviewee (The Child) • Observer <p>The Interviewer will conduct the Forensic Interview.</p> <p>The Observer has the responsibility of critiquing the Interviewer. The Observer will use the Check List to document information and give written and verbal feedback to the Interviewer.</p> <p>The Interviewee is the Child. The Child will be given an additional information sheet concerning the allegations. The Interviewer has the goal of getting that information through a Forensic Interview.</p> <p>Decide who will take each of the 3 roles, and let me know who the child will be in your group.</p> <p>Read over the allegations and prepare for your roles. Once you've completed the scenario, give the checklist to the person you completed it about. You will each have a completed checklist when we're finished with all the scenario interviews.</p>

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<p>Stay in the same groups of 3 for continuity and trust-building</p> <p style="text-align: center;">FINAL TASKS</p> <ul style="list-style-type: none"> • Compliment group on their hard work, and the appreciation of their efforts. • Remind them of where to use Forensic, by law, and where to use Solution-Focused. 		<p>Forensic Interviewing can be a tough topic but you all have.... (You determine)</p> <p>Quick reminder, Forensic Interviewing is to be used whenever a child discloses allegations of abuse or neglect. Other than allegations, the interviewing tools that you want to use are those you learned in Engaging the Family.</p> <p>Have a great day everyone.</p>

FOSTER CARE FORENSIC INTERVIEWING



ICE BREAKER

- 341
- 143
- 198
- 891
- **1089**

OVERVIEW OF 2 OVERRIDING PRINCIPLES

1. Hypothesis -Testing



2. Child-Centered

Mantra - Tell Me More About That

WHY DO WORKERS NEED FORENSIC INTERVIEWING SKILLS?

- CPS Worker – It's the law
- On-Call Workers – investigation
- FCW, Adoptions, & JJW – When child discloses, sensitive without leading
- Easy to mislead
- Child leads discussion
- Child glad they're able to share
- Prepare for talking with CPS

KNOW THIS TECHNIQUE WHEN TESTIFYING IN COURT.

WHEN TO ENTER INTO FORENSIC INTERVIEWING WITH A CHILD

- Child discloses
- What if foster parent discloses?
 1. Mandated reporters
 2. Referral to CPS
 - FP - Immediately
 - Worker
 - Verbally within 24 hours
 - writing within 72 hours (3200)



FORENSIC PROTOCOL

- Pre-Interview Preparation
- Number of Interviews—when more than 1 interviewer
- Support Persons
- Videotaping or Audio-taping
- Interview Guidelines

USING THE PROTOCOL BOOKLET 8 PHASES



- Preparing the Interview Environment
- The Introduction
- Establishing the Ground Rules
- Complete Rapport Building with a Practice Interview
- Introducing the Topic
- Free Narrative
- Questioning and Clarification
- Closure

GROUP EXERCISE

To be completed in groups of 3's

1. Interviewer
2. Interviewee (Child)
3. Observer
