

Frequently Asked Questions: Child Abuse/Neglect Investigations

- **How does the Children’s Division respond to a report of child abuse or neglect?**

The Children’s Division often learns of child abuse and neglect when a report is made to the Child Abuse and Neglect Hotline. The Children’s Division responds to all reports alleging child abuse and neglect, and the safety of the child(ren) is our top priority. Once a report has been received, a Children’s Division worker will verify the safety of the child(ren) and provide appropriate services. The Children’s Division coordinates with local law enforcement and other agencies in efforts to protect the child(ren) when necessary. The steps taken to protect a child are determined on a case-by-case basis. For more information about the Child Abuse and Neglect Hotline and the steps taken once a report is received, visit <http://dss.mo.gov/cd/pdf/child-abuse-neglect-hotline-overview.pdf>.

- **What circumstances are required for there to be a Child Abuse and Neglect report?**

In order for the Children’s Division to accept a hotline report of abuse or neglect for investigation, the child must be under 18 years of age, the alleged perpetrator must have care, custody or control of the child and the allegations must meet the [legal definitions](#) of abuse or neglect. The Child Abuse/Neglect Hotline Unit screens the reported information to determine whether it meets criteria for a child abuse/neglect investigation or a family assessment response.

- **If the Children’s Division cannot take the hotline call as a report, does it mean that the Children’s Division cannot take any action?**

No. Even if the report does not meet the criteria for an investigation, the Children’s Division has a number of other options that may be appropriate, such as referral to law enforcement, referral to the juvenile officer, handling the case as a family assessment and/or offering services to the family on a voluntary basis. The decision as to what action is appropriate in a specific case is made on a case by case basis based on the applicable law and facts.

- **What is the difference between an investigation and a family assessment?**

The initial responsibility of both an investigation and a family assessment is to ensure safety of children. Both approaches are non-punitive and are directed towards assisting families in providing adequate care and nurturance for their children. Assessments can be converted to investigations and vice versa depending on the facts of the case.

An [investigation](#) is a response to a report of child abuse or neglect when there is an identified need to collect physical and/or verbal evidence to determine if a child has been abused or neglected and to decide whether an individual should be listed in the Central Registry. Investigations are co-investigated with law enforcement when possible. Investigations primarily include reports of child fatality, sexual abuse, serious physical abuse, serious neglect and reports of child abuse or neglect involving foster parents and institutions such as schools, residential facilities and child care centers.

A [family assessment](#) is a response to a report of child abuse or neglect that does not focus on whether a specific individual should be listed in the Central Registry as a perpetrator of child abuse or neglect. Instead, the focus of an assessment is on working with the child and the child’s family to

identify factors that may place the child at risk of future abuse and neglect, and to offer voluntary, community based services to reduce the risk and support the family. Family assessments typically include mild or moderate reports of physical abuse or neglect, including medical neglect and educational neglect.

- **What is a newborn crisis assessment?**

Newborn Crisis Assessments are calls of concern about the health and safety of newborns, typically because of drug exposure or the capacity of a caregiver to meet the needs of the infant.

- **What is the Central Registry?**

The [Central Registry](#) is a confidential list of persons that the Children's Division keeps who are legally responsible for child abuse or neglect, or who have committed certain crimes involving children.

- **Why doesn't DSS immediately respond to questions or provide information specific to a child abuse or neglect case?**

Generally, records of child abuse and neglect are [confidential by law](#) and not subject to release. There is an exception for cases of child fatality or near-fatality. For more information about responses regarding a child fatality or near-fatality, visit <http://dss.mo.gov/cd/pdf/faq-childabuse-fatality.pdf>.

Child abuse and neglect investigations can be time consuming and complex. They frequently require the Children's Division to rely on work done by other agencies, such as law enforcement. Information developed early on in the investigation may be inaccurate, misleading or contradicted by evidence uncovered later in the investigation. It may take some time for law enforcement and forensic experts to complete their analysis of the evidence and issue their report before the Children's Division can complete its investigation, assess all of the evidence and issue a report. The premature release of information pertaining to an investigation can have an adverse impact on the outcome of an investigation. It can also adversely impact the children and families involved in the investigation.

- **Why can't DSS at least confirm or deny involvement in a child abuse or neglect case?**

According to [Missouri law](#), all reports, records, and information related to a child abuse and neglect case are closed and confidential, with cases of fatality or near fatality being the only exception, for individuals who are not involved in the matter. By confirming or denying involvement in a case, the department would be releasing information that is considered confidential. These reports and records are kept closed and confidential in order to protect the privacy of the family and the child.

- **Why can't DSS release information regarding a child's custody/current placement?**

Just as we cannot confirm or deny involvement in a case, the location of the child(ren) involved in a child abuse and neglect case is a detail that is kept confidential in order to protect the child(ren) and any siblings involved in a child abuse and neglect case.

- **Is there another place to obtain information about the cases of abused or neglected children who are the subject of juvenile court proceedings?**

Yes. Individuals who have an interest in obtaining information about a juvenile case can submit a request to the Juvenile Court for information about the case. Some Juvenile Court hearings are open to the public. For information on what information may be available and how to ask for it see Missouri Supreme Court Rules [122.01](#) and [122.02](#).

- **When custodial parent(s) are arrested, what happens to the child(ren)?**

Once the Children’s Division is notified that assistance is needed in locating an appropriate caretaker, law enforcement and Children’s Division staff work together to ensure that the child is safe. Appropriate action to protect the child is determined on a case-by-case basis based on the law. If a report of child abuse or neglect is received in relation to the incident or arrest the Children’s Division will conduct a hotline investigation or a family assessment. The Children’s Division does not have the authority under [state law](#) to take a child into custody. Under Missouri law, the final decision to remove a child from the parent’s custody can only be made by a Juvenile Court judge. If there is a concern that a child may be in imminent danger, then a [law enforcement officer, a physician, and a juvenile officer](#) have the authority to place a child in temporary protective custody.
- **Who determines a child should be removed from a home?**

Under [Missouri law](#), the final decision to remove a child from the parent’s custody can only be made by a Juvenile Court judge. If there is a concern that a child may be in imminent danger, then a law enforcement officer, a physician, and a juvenile officer have the authority to place a child in [temporary protective custody](#).
- **What is the difference between the Juvenile Office and the Children’s Division? Are Juvenile Officers part of the Children’s Division?**

No, the [Juvenile Office](#) and the Children’s Division are two separate agencies. The Juvenile Office is a judicial branch agency. Officers of the Juvenile Court may also be employed by the County. The Children’s Division is a completely separate agency in the executive branch of government. The Juvenile Office and the Children’s Division have different roles and duties under the law.
- **How does the Children’s Division protect children who live with felons or sex offenders?**

The Children’s Division only becomes involved with a family after a report is made to the Child Abuse and Neglect Hotline, or when the family requests services, or when Children’s Division involvement is ordered by the Juvenile Court. Unless a parent with a criminal history is reported as an alleged perpetrator of child abuse or neglect, or the child is part of an open case with the Children’s Division, the Children’s Division would not become involved with the family based solely on the parent’s criminal history. However, there are laws in place that prohibit the Children’s Division and the Juvenile Court from placing a child in a home when a member of the household has pled guilty or been found guilty of certain crimes involving children. For more information, please see Sections [210.117](#) and [211.038](#) RSMo.
- **Does the Children’s Division investigate non-custodial parent abductions?**

No, the Children’s Division does not investigate non-custodial parent abductions unless a report of child abuse and neglect is received in relation to the incident.

- How does DSS investigate school officials accused of child abuse or neglect?**

Missouri law allows public school districts to decide whether to have the Children’s Division conduct the investigation or investigate allegations themselves, unless the report is for sexual abuse, see [Section 160.261 RSMo](#). Investigations in school settings are conducted by the Children’s Division Out-of-Home Investigations (OHI) Unit. OHI contacts law enforcement on every report and requests co-investigation. At the conclusion of the investigation, the Division’s findings are shared with the parents of the alleged victim, the alleged perpetrator, the school district, and law enforcement. The school district must then decide what personnel actions to take, if any, as the Division has no authority to take personnel action against the school district employee.
- What happens in child abuse and neglect cases involving foster children and foster parents?**

Any time there is an investigation of child abuse or neglect, the safety and well-being of the child(ren) is our main concern. Once we have established that they are in a safe environment and a safety plan has been implemented, a full and thorough investigation is completed. If it is found that a foster parent has abused or neglected the foster child(ren), they are subject to punishment by law and appropriate action will be taken on the foster home license.
- How does DSS investigate allegations of child abuse/neglect at a daycare facility?**

When a report of child abuse and neglect is received and the alleged perpetrator was in his/her official capacity as an employee of a licensed childcare facility, the Children’s Division OHI Unit completes a child abuse/neglect investigation according to agency policy. The Children’s Division coordinates efforts with the Missouri Department of Health and Senior Services Section for Child Care Regulation, as they are the regulatory authority for licensed child care facilities in the State of Missouri.
- What is a mandated reporter?**

A mandated reporter is an individual required by law to report any suspicion of child abuse and/or neglect to the hotline. To see who is considered a mandated reporter in the State of Missouri, refer to [Section 210.115 RSMo](#). For more information about the guidelines that are available to mandated reporters, visit http://dss.mo.gov/cd/pdf/guidelines_can_reports.pdf.
- Where can I find statistics on child abuse and neglect in Missouri?**

Statistical information about Child Abuse and Neglect in Missouri is available in the Child Abuse and Neglect Annual Report. The tables included in this report provides county-level and statewide information. To view available Child Abuse and Neglect Annual Reports for each year, visit <http://dss.mo.gov/re/canar.htm>.
- If a parent has lost custody of a child because of abuse or neglect and later has another baby, is the baby automatically supervised by Children’s Division?**

No, the birth of a new child to a parent who has previously abused or neglected a child does not mean the Children’s Division will automatically become involved with the family unless Children’s Division involvement is ordered by the Juvenile Court. The Children’s Division may conduct a family assessment or investigation if a report of child abuse or neglect is made to the Child Abuse/Neglect Hotline. If the Court does not become involved the Children’s Division may offer preventative services and referrals to the parent on a voluntary basis.

- **Why would a child be returned home to where they were abused or neglected?**

The Juvenile Court ultimately determines if and when conditions have improved to the point that a child can safely return to his/her parent(s)/caregiver. The goal of the child welfare system is to protect children and provide services to prevent or eliminate the need to remove a child from the home in the first place. When a Court decides that removal is necessary to protect the child(ren), the Children's Division and the court system try to work with the family to provide services to the child and family to try and resolve their problems so that the child can safely return home to their family. Most of the children who have been removed from their families are ultimately reunified with their parents, a parent, a grandparent or other relative.

- **When an abused or neglected child is returned home, how long will that child be monitored by Children's Division?**

Children's Division interaction with a family occurs because it is mandated by the Court, or the family has agreed to engage in our services. If the Court determines that services provided by the Children's Division are no longer needed, our contact with the family ceases, unless the family has requested continued services/support on a voluntary basis. A family's voluntary participation is at the discretion of the family unless there is further involvement of the Juvenile Court.

- **Is any parent who illegally uses drugs automatically responsible for child abuse or neglect?**

No, Missouri law does not say that a parent or caregiver's use of illegal drugs automatically constitutes child abuse or neglect. However, the illegal use of controlled substances may impair the parent/caregiver's ability to properly care for their child or expose the child to unsafe conditions to the point that the child is abused or neglected. If the parent or caretaker engages in behavior that constitutes child abuse or neglect according to state law, this information should be reported to the child abuse/neglect hotline. Once a report is received, it will be screened and may result in a child abuse/neglect investigation or family assessment response.

- **Is a family required to accept the services Children's Division offers them in the absence of a court order?**

No, unless the juvenile officer files a petition in juvenile court and the court orders the family to participate in services. Following the receipt of a report alleging child abuse or neglect, Children's Division staff are required by law to make contact with the children in the home to ensure child safety. The Division can offer services to the family, but the family can decline to participate. If the family declines to accept services or take appropriate action to protect a child the Division will refer the case to the Juvenile Officer or law enforcement for appropriate action. The Juvenile Officer or law enforcement have the authority to remove a child in an emergency. The Juvenile Officer can decide whether to file paperwork with the Juvenile Court asking the court to enter an appropriate order, such as ordering the removal of the child and/or ordering the family to accept services.