

**AGENCY ROLES FOR  
INVESTIGATING SUSPICIOUS CHILD  
DEATHS AND SERIOUS INJURIES**



**WASHOE COUNTY CHILD DEATH  
REVIEW TEAM**

# Table of Contents

Law Enforcement Response .....	3
Multiagency Response Team Notification.....	4
Scene Investigation/Initial Safety Assessment .....	4
Law Enforcement Role .....	4
Coroner Investigator Role.....	7
Child Protective Services Role.....	8
District Attorney Role.....	9
Scene Debriefing.....	10
Hospital Information.....	11
Autopsy.....	10
Debriefing/Ongoing Investigation.....	11
Internal Information and/or Document Sharing/Exchange.....	11
Law Enforcement Role .....	11
Child Protective Services Role .....	12
Medical Examiner’s Office Role .....	12
External Communication and Information Sharing .....	12
DA Juvenile .....	13
Glossary.....	15
Appendix.....	26

# **Washoe County Child Death Review Team**

## **Guidelines for Investigating Suspicious Child Fatalities and Serious Injury Cases**

### **I. Law Enforcement Response**

- A.** Law Enforcement will normally be the first responders at any reported potential or suspicious child death scene.
- B.** Law Enforcement will respond and evaluate the situation in accordance with Department policy, including but not limited to the following as the circumstances dictate as determined by the officers:
  - 1.** Assess if there are child injuries and/or circumstances that are suspicious and/or if there is a child fatality;
  - 2.** Summon medical assistance, if not already done;
  - 3.** Secure the scene(s) and protect the evidence;
  - 4.** Conduct the preliminary Investigation, including,
    - i.** locating and separating witnesses;
    - ii.** documenting information on all individuals present and compiling background information and vital statistics;
    - iii.** audio record caregiver statements.
  - 5.** Maintain a scene log of all individuals who come and go from the scene, including the names of all emergency response team members (paramedic and fire responders);
  - 6.** Contact the designated Investigative Detail for call-out to the scene;
  - 7.** Prepare an officer report.

## **II. Multiagency Response Team Notification**

### **A. The investigative Detail will contact:**

1. Additional LEA i.e. Investigative Detectives
2. Corner's Office
3. After evaluating the circumstances surrounding the death , if the Lead Investigator determines the circumstances are suspicious for abuse and/or neglect, the Lead Investigator will make a report to CPS. At which time they will also request a CPS history check on all children and caregivers in the household.

## **III. Scene Investigation/Initial Safety Assessment**

### **A. Law Enforcement Role**

The Lead Investigator will investigate the scene in accordance with his/her Department policy as the circumstances dictate based on the sound discretion of the Lead Investigator including, but not limited to, the following:

- 1 Contacting the patrol unit for a briefing at the scene.
- 2 Obtaining pertinent documents from the patrol officers, if any.
- 3 Assessing the scene and ensure it is contained.
- 4 Verifying the location of all parties and ensuring they are separated.
- 5 Obtaining all basic preliminary information and preparing an Investigative Checklist.
- 6 Verifying information on all parties and witnesses involved in the scene.
- 7 Determining if any siblings or other children in the household are witnesses and can be interviewed, and assigning responsibilities for those interviews.
- 8 Coordinating the preliminary interviews of witnesses and/or suspects.
- 9 Evaluating if drug screening is warranted for the caregivers, children in the home and/or anyone who had access to the child during this period. *(Also See CPS Role)*

- 10** Obtaining a valid consent or applying for a search warrant before processing the scene, barring any exigent circumstances; if any questions arise concerning the search warrant, consulting with the Child Homicide DA.
- 11** After obtaining a valid consent or a search warrant, processing the scene by CSI/FIS.
- 12** Based on circumstances found at the scene and the investigative interviews and cooperation of the necessary parties will conduct with the Coroner Investigator a re-enactment (i.e. with a doll in infant death cases); on non suspicious cases.
- 13** Prior to decision to conduct re-enactment investigative team will be consulted.
- 14** Photographing body positions as described and all injuries on the child.
- 15** Directing the photo documentation of siblings and other children in the household or at the scene if abuse or neglect is suspected. If there is apparent bruising, requesting serial photos for the subsequent 2-3 days.
- 16** Taking measurements of heights fallen, objects that were in the way, etc.
- 17** Photographing/diagramming and/or video-taping of entire house/Video walk through.
- 18** Obtaining the emergency medical services reports for all emergency responders; obtaining statements that may have been made to the emergency responders.
- 19** Contacting the hospital for a medical update regarding the victim's status, discuss additional evaluations if warranted, and obtain information about injuries (*See Section V regarding Hospital Information*).
- 20** Ensuring that all written reports from the law enforcement unit responding to the scene, including a roster of all persons at the scene, have been obtained.
- 21** Observing conduct a preliminary examination of the decedent with the Coroner Investigator for visible injuries on the child if the child is at the scene.
- 22** Directing the documentation and impounding of all evidence samples

and/or formula, food, medications, bottles, and bedding as determined necessary by the Investigative Detail. The investigative report must include the party impounding the evidence or taking the samples. Any of this evidence must be made available to the Coroner's Office if requested.

- 23** Attempt to gather detailed information on the circumstances of the incident and all events for a minimum of 72 hours preceding the incident, or longer as dictated by the injuries. The detailed information should include the actions of any caregivers, children in the home and/or anyone who had access to the child during this period.
- 24** As the Multiagency Response Team members arrive, the Lead Investigator(s) will meet with all responders for an initial briefing pertaining to the status of the investigation including any of the information above obtained, in the best interest of the investigation.
- 25** If the Lead Investigator has reasonable cause to believe that siblings or other children in the household are or may be at risk of abuse and neglect, the Lead Investigator will ensure that CPS is notified.
- 26** The investigative Detail will conclude with the processing of the scene and processing of any secondary scenes.

***\* If the death is delayed and the scene is no longer available for processing, the Lead Investigator will confer with the Coroner Investigator and share investigative findings, scene photos and any other information related to the death.***

## **B. Medical Examiner's Investigative Role**

1. The Coroner Investigator will meet with law enforcement and coordinate the investigation.
2. The Coroner Investigator will conduct the walkthrough and assessment at the scene(s) in conjunction with law enforcement.
3. The Coroner Investigator and law enforcement will hold joint interviews when it is in the best interest of the investigation.
4. The Coroner Investigator will confer with CPS as needed.
5. The Coroner Investigator will conduct the body examination and complete the Coroner's Child Death Checklist.
6. The Coroner Investigator will participate in the re-enactment (using a doll if an infant death is involved).
7. The Coroner Investigator will notify the appropriate funeral home.
8. The Coroner Investigator should impound, as necessary, formula/food/medications/bottles or samples thereof if law enforcement does not, in cooperation with LEA.
9. If the death is delayed and the scene is no longer available for processing, the Lead Investigator will confer with the Coroner Investigator and share investigative findings, scene photos and any other information related to the death.

## C. Child Protective Services (CPS) Role

In the event of a suspicious child death, CPS has a duty to perform child safety/risk assessments for other children in the household. CPS's role in scene investigation and initial safety/risk assessment is intended to implement that duty.

1. CPS will assign all reports for investigation per policy. If a child death is suspicious, CPS will respond to the scene. (*See definition of suspicious*)
2. CPS will check in with the Lead Investigator when arriving at the scene. CPS will coordinate with the Lead Investigator so as to perform child safety/risk assessments without interfering with the crime scene.
3. CPS will obtain demographic information regarding involved parties at the scene pursuant to CPS investigation requirements.
4. CPS will coordinate with the Lead Investigator and Corners in all interviews of witnesses and suspects. (*See Law Enforcement Role*)
5. CPS may view the reenactment, doll reenactment (with a doll in infant death cases) and/or video as the scene supports.
6. CPS may participate in interviews of siblings and other children in the household.
7. CPS may provide for medical assessment of any siblings or other children in the household as the CPS investigation reasonably warrants.
8. If the investigation so requires, the Lead Investigator may request that CPS provide information on any prior CPS history for persons in or frequenting the household. If the child and/or siblings and/or other children in the household have resided in another state(s), then CPS will request a case history check from the identified state(s).
9. CPS may participate in a scene walkthrough and assessment in conjunction with the Lead Investigator; depending on circumstances.
10. CPS will assess the safety of surviving siblings and other children in the household and take safety actions as warranted.
  - a) CPS will confer with the Lead Investigator regarding interview strategies and the availability of any needed child(ren) for

- interviewing.
- b) With permission in consultation with the Lead Investigator in a suspicious death, CPS may interview collaterals (i.e. family members, persons known to the family).
  - c) CPS will advise the Lead Investigator regarding the proposed placement plan.
  - d) The Multi Agency Team may determine if drug screening is warranted for caregivers, children in the home and/or anyone who had access to the child during this period.
  - e) Pursuant to a determination by CPS that any child in the household requires removal, CPS will facilitate an alternative placement.
  - f) Notify school with consultation with Lead Investigator.

#### **D. District Attorney Role**

1. The Washoe County Deputy District Attorney assigned to prosecute homicides within the District Attorney's (hereinafter the Child Homicide DDA) may receive notice of potentially criminal child deaths as determined by Lead Investigator and be briefed on preliminary findings for the purpose of providing legal advice concerning prosecution.
2. The Homicide DDA may provide legal advice to the Lead Investigator on legal issues that may include probable cause, search warrants, consent to search and sufficiency of evidence.

#### **IV. Scene Debriefing**

- A. The Lead Investigator will debrief with the other agencies including the Coroner's Office, and CPS, and may seek legal advice from the Child Homicide DDA as necessary.
- B. If the Child Homicide DDA is not present, the Lead Investigator will determine if the Child Homicide DDA should be called for a debriefing.
- C. If CPS determines that safety is an issue and/or that there will be an alternate placement, the Lead Investigator will be notified before CPS removes any children from the scene. CPS will brief the investigative agencies on where the children are being placed, including the name, address, and contact information for secondary interviews if warranted.
- D. The Lead Investigator will advise the Coroner Investigator who to contact in law enforcement with the date and time of the autopsy.
- E. All responding parties determine any further investigative work needed.
- F. The Lead Investigator will tentatively schedule the 72-hour debriefing

#### **V. Hospital Information *(in case of victim's hospitalization)***

- A. The Lead Investigator or his/her designee will obtain an initial verbal report on the child's condition and follow-up with the acquisition of all medical records.
- B. The Lead Investigator will make every effort to contact CPS and the Child Homicide DDA to provide a medical update.

#### **VI. Autopsy**

- A. A member of the Investigative Detail may attend the autopsy and brief the Medical Examiner on investigative findings. Additional members of the Multiagency Response Team may attend the autopsy when it is in the best interest of the investigation.
- B. At the conclusion of the autopsy, a preliminary verbal summary of findings will be provided by the Medical Examiner to law enforcement.
- C. Following the autopsy, CPS Investigator may request the medical findings to be used with Investigative Detail permission.

## **VII. Debriefing/Ongoing Investigation**

- A.** Based on the investigative/medical findings, the Lead investigator and the on call Homicide DDA will determine if case staffing is warranted in the case.
- B.** The Multiagency Response Team at the case staffing may include the appropriate law enforcement agency, the on call Homicide DDA, CPS, the Medical Examiner, as well as any appropriate medical experts, and any other individuals deemed necessary to the case.
- C.** The Lead Investigator will give prior notice to all Multiagency Response Team members attending the case staffing. The Team will meet at a location designated by the Lead Investigator.
- D.** All attending agencies and medical personnel will conduct a review of relevant findings for the case.
- E.** Participants in the debriefing will compile a list of any further investigative issues and reports to be obtained after consideration of legal advice provided by the participating on call Homicide DDA.
- F.** The appropriate Multiagency Response Team members will participate in a case assessment with the on call Homicide DDA.
- G.** When appropriate, the Lead Investigator may contact CSI/FIS to photograph injuries 72 hours after the initial response for comparisons.
- H.** If there are surviving siblings or other children in the household CPS will notify the Juvenile DDA assigned to the unit.
- I.** CPS Worker will report to law enforcement on the status of any Protective Custody hearing involving siblings or other children in the household.

## **VIII. Internal Information and /or Document**

**Sharing/Exchange** *(among the members of the Multiagency Response Team assigned to each case).*

### **A. Law Enforcement Role**

- 1.** An investigative summary will be forwarded to the Medical Examiner to assist in determining Cause and Manner of Death.
- 2.** An investigative summary will be forwarded to the CPS Caseworker, the Juvenile DDA and the on call Homicide DDA for court purposes.

3. The Lead Investigator may distribute to relevant Multiagency Response Team Members any follow-up evidence or reports as permitted by law and is such disclosure does not compromise the investigation.

## **B. Child Protective Services Role**

1. As necessary to the investigation and at the request of the District Attorney's Office and/or law enforcement, CPS will provide the on call Homicide DDA and the Juvenile DDA and the appropriate law enforcement agency with the following reports and documents if available:
  - a) Any prior CPS history - in and out of state - for all family members living in the household

## **C. Medical Examiner's Office Role**

1. The Medical Examiner's office will provide the Criminal and the District Attorney's Office, CPS and the appropriate law enforcement agency with the following documents:
  - a) Autopsy Report
  - b) Toxicology Report
  - c) The Coroner's Investigative Report
2. The Coroner's office will share information revealed in the preliminary findings of the autopsy with the Lead Investigator, CPS and the District Attorney's Office.

## **IX. External Communication and Information Sharing**

The public release of information regarding the case under review should be the responsibility of a designated department or agency represented on the Multiagency Response Team. In most instances, the official spokesperson will be the public information officer for law enforcement or the DDA. While the release of public information is governed by the policy of a Multiagency Response Team member's department or agency subject to NRS 432B.175, in all instances the release of information to the public should be coordinated with the departments or agencies that are represented on the Team and information received from some other agency of the Multiagency Response Team shall be presumed confidential.

These communication guidelines are intended to coordinate the communication process between all agencies involved with a child fatality as it relates to the release of information. All agencies must adhere to the confidentiality restrictions of NRS 432B.175. Each agency should coordinate the release of information to ensure

consistency and accuracy of the information released concerning a child death, and maintaining confidentiality of information as required by law.

## **Law Enforcement Serves as Lead Agency**

Since information released by any other agency could inadvertently compromise components of the department's investigation, the police department of jurisdiction in the area where the death occurred will take the lead in responding to media requests for child death information. Law enforcement may restrict information that would otherwise be public pursuant to NRS 432B.175 where necessary to avoid compromise of an ongoing investigation. To the extent feasible, the dissemination of information will be coordinated with WCDSS, the Coroner's Office and all other involved parties to ensure continuity.

In the event coordination efforts are not possible, each agency shall endeavor to release only that information which was directly generated by the speaking agency, and will not disclose information acquired from any other investigating agency, but will instead refer the media inquiry to the agency that originally generated or acquired the requested information.

## **X. DA Juvenile**

### **A. District Attorney's Office – Juvenile**

1. The Juvenile Division of the District Attorney's Office will receive notification from WCDSS of all suspicious child fatalities when there are surviving siblings or any other children in the household.
2. The Juvenile DDA will staff cases with the WCDSS Investigator and Supervisor for the purpose of providing legal advice for prosecution or other appropriate legal action
3. The Juvenile DDA will obtain all related reports from WCDSS, law enforcement, medical and coroner.
4. The Juvenile DDA will review the case for appropriate legal action, including but not limited to the filing of a NRS 432B petition; the case will be reviewed for both issues of abuse and neglect, as well as failure to protect by the non-offending parent.
5. If the Juvenile DDA determines that the filing of a petition is not warranted, WCDSS may submit the case to the Attorney General's Office for the filing of a petition. In that event the Juvenile DDA will provide a copy of all relevant discovery to the Attorney General's Office for their review.

6. The District Attorney will endeavor to have a child death prosecution handled by the same Deputy District Attorney from beginning to end, where practicable and where in the best interest of the prosecution, at the District Attorney's sole discretion.
7. Juvenile DDA will provide WCDSS a copy of all relevant reports and discovery after the adjudicatory hearing (trial) and before the Dispositional Hearing.
8. If a criminal prosecution is approved, the Child Homicide DDA and the Juvenile DDA will endeavor to keep one another informed regarding the status of their respective cases as related to the child death, including but not limited to consultation with one another and provision of information that may be pertinent to either case, along with videos and/or transcripts of the Juvenile proceedings or the criminal proceedings as they become public.
9. If a criminal prosecution is not approved or is not submitted for prosecution regarding a suspicious child death, and the Juvenile DDA later learns of facts or other information that may not have been communicated to the Child Homicide DDA, the Juvenile DDA will endeavor to communicate with the Child Homicide DDA regarding any newly discovered or additional information that may be pertinent to the evaluation of a suspicious child death for criminal prosecution.

## **Glossary**

**CSI/FIS:** Crime Scene Investigator and Crime Scene Analyst

**WCDSS:** Washoe County Department of Social Services

**DHHS:** State of Nevada Department of Health and Human Services

**Exigent Circumstances:** "[T]hose circumstances that would cause a reasonable person to believe that entry (or other relevant prompt action) was necessary to prevent physical harm to the officers and other persons, the destruction of relevant evidence, the escape of the suspect, or some other consequence improperly frustrating legitimate law enforcement efforts. *Howe v. State*, 112 Nev. 458, 466, 916 P.2d 153, 159 (1996) (quoting *Doleman v. State*, 107 Nev. 409, 414, 812 P.2d 1287, 1290 (1991) (quoting *United States v. McConney*, 728 F.2d 1195, 1199 (9th Cir.1984))." *Camacho v. State*, 119 Nev. 395, 400, 75 P.3d 370, 374 (Nev, 2003)

**Juvenile DDA:** Deputy District Attorney assigned to handle child abuse and neglect cases in Family Court pursuant to NRS 432B

**Investigative Detail:** Section(s) within a law enforcement agency responsible for investigations

**Lead Investigator:** Law enforcement officer or detective in charge of an investigation or

his/her designee

**LRMS:** Law Records Management System

**Multiagency Response Team:** Representatives from agencies who deal with child fatalities, work together to improve the investigation and prosecution of child homicides, and ensure the continued safety of surviving children when there is a suspicious child death. The Multiagency Response Team may consist of the appropriate law enforcement agency, the Child Homicide DDA, CPS, the Medical Examiner if the child is deceased at the time of the debriefing

**NRS432b:** Nevada Revised Statutes governing the Protection of Children from Abuse and Neglect

**Protective Custody Hearing:** NRS 432B.470 requires that a child taken into protective custody pursuant to NRS 432B.390 must be given a hearing, conducted by a judge, master or special master appointed **by** the judge for that particular hearing, within 72 hours, excluding Saturdays, Sundays and holidays, after being taken into custody, to determine whether the child should remain in protective custody pending further action by the court

**Serial Photos:** Photos taken in succession to document the healing process of identified injury

**Suspicious Child Death:** The death of a person under 18 years of age where the circumstances surrounding the death are suspicious for abuse and/or neglect

## Appendix

- **NRS 432B:** access from <http://www.leg.state.nv.us/nrs/NRS-432B.html>
- **Independent Child Death Review Panel Report:** access from: <http://www.dcf.state.nv.us/ChildFatalities/BlueRibbon/Attachment04a.pdf>

\*These guidelines are subject to change based on changes to the Nevada Revised Statutes; changes in local agency policies, procedures, codes, and/or ordinances; and to new national best practices, and/or research.