

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Office of the Inspector General**

Inspector General



August 17, 2010

The Honorable Adrian M. Fenty  
Mayor  
District of Columbia  
Mayor's Correspondence Unit, Suite 316  
1350 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

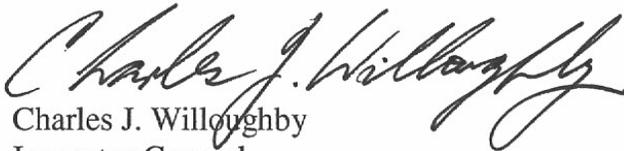
Dear Mayor Fenty:

Enclosed, please find a copy of a Management Alert Report (MAR 10-1-003) issued June 30, 2010, to the D.C. Metropolitan Police Department (MPD) and the Child and Family Services Agency (CFSA). The MAR addresses our findings that, due to the absence of adequate procedures and training, MPD officers do not consistently recognize and report indicators and report allegations of child abuse and neglect to CFSA. As a result, cases of child abuse and neglect that may warrant investigation and intervention by CFSA may go unreported. MPD's response to the MAR, dated August 4, 2010, also is enclosed. CFSA stated that it collaborated on MPD's response and did not respond separately.

Although the OIG is conducting an ongoing special evaluation of MPD's Youth Investigations Division for which a report will be completed later this year, we are providing this information to you now so that you are aware of the importance of the issues addressed in the MAR and the corrective actions proposed by MPD.

If you have questions, please contact Alvin Wright, Jr., Assistant Inspector General for Inspections and Evaluations, at (202) 727-2540.

Sincerely,

A handwritten signature in cursive script that reads "Charles J. Willoughby".

Charles J. Willoughby  
Inspector General

CJW/klb

Enclosures

cc: See distribution list

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**DISTRICT OF COLUMBIA**  
**OFFICE OF THE INSPECTOR GENERAL**  
**CHARLES J. WILLOUGHBY**  
**INSPECTOR GENERAL**

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**INSPECTIONS AND EVALUATIONS DIVISION**  
***MANAGEMENT ALERT REPORT***

**D.C. METROPOLITAN POLICE DEPARTMENT**  
**AND**  
**CHILD AND FAMILY SERVICES AGENCY**

**MPD OFFICERS' RESPONSES TO SUSPECTED CHILD  
ABUSE AND NEGLECT HINDERED BY POLICY AND  
TRAINING DEFICIENCIES**

**MAR 10-I-003**  
**JUNE 30, 2010**

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**Mission Statement**

The Inspections and Evaluations (I&E) Division of the Office of the Inspector General is dedicated to providing District of Columbia (D.C.) government decision makers with objective, thorough, and timely evaluations and recommendations that will assist them in achieving efficiency, effectiveness, and economy in operations and programs. I&E goals are to help ensure compliance with applicable laws, regulations, and policies, to identify accountability, recognize excellence, and promote continuous improvement in the delivery of services to D.C. residents and others who have a vested interest in the success of the city.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Office of the Inspector General**

Inspector General



June 30, 2010

Cathy L. Lanier  
Chief of Police  
D.C. Metropolitan Police Department  
300 Indiana Avenue N.W., Room 5080  
Washington, D.C. 20001

Roque R. Gerald, Psy.D.  
Director  
Child and Family Services Agency  
400 6<sup>th</sup> Street, S.W.  
Washington, D.C. 20024

Dear Chief Lanier and Dr. Gerald:

This is a Management Alert Report (MAR 10-I-003) to inform you that during our special evaluation of the Metropolitan Police Department's Youth Investigations Division (MPD/YID), the Office of the Inspector General (OIG) determined that, due to the absence of adequate procedures and training, MPD officers do not consistently recognize indicators of child abuse and neglect and report these indicators as well as allegations brought to their attention to the Child and Family Services Agency (CFSA). The OIG provides these reports when it believes a matter requires the immediate attention of District government officials.

### **Background**

The OIG's special evaluation of YID is focused on the Missing Persons Section and the Juvenile Processing Center. While reviewing missing persons case records in February 2010, the OIG read a July 2009 report from an MPD Patrol District that a 4-year-old child was left alone in a car after midnight by his 19-year-old caretaker, reported missing by the caretaker, and found shortly afterwards walking around half a block away from the vehicle. As the missing person report contained no notation or documentation that MPD had referred the matter to CFSA or YID, the OIG team discussed this incident with an MPD manager, who stated that MPD apparently did not report it to CFSA. The manager stated that the patrol officer who responded to the incident should have made a report of neglect to CFSA.<sup>1</sup> Upon learning of this incident,<sup>2</sup>

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<sup>1</sup> According to CFSA's Administrative Issuance CFSA-08-7, "Determination of Children's Supervision, Self-Care and/or Care for Others," issued in December 2008, "If an immature or very young child is left alone even for a short span of time, it may constitute an incident of neglect." It also states, "A young child (10 & under) should never be unsupervised for any period of time. This includes leaving a child unattended in a car . . ." *Id.* at 1.

<sup>2</sup> The OIG notified CFSA's General Counsel of this incident in March 2010. The OIG also notified an MPD manager, who subsequently brought this matter to the attention of a CFSA supervisor for follow-up.

the OIG decided to further examine MPD's response to observations and reports of suspected child abuse and neglect, especially in light of the OIG's previously reported deficiencies in MPD's response to and documentation of a high profile "check on the welfare" call involving children.<sup>3</sup>

D.C. Code § 16-2301(23)(A) (Supp. 2006) defines child abuse as "(i) infliction of physical or mental injury upon a child; (ii) sexual abuse or exploitation of a child; or (iii) negligent treatment or maltreatment of a child." According to D.C. Code § 16-2301(23)(B)(i), child abuse "does not include discipline administered by a parent, guardian or custodian to his or her child; provided, that the discipline is reasonable in manner and moderate in degree and otherwise does not constitute cruelty." D.C. Code § 16-2301(24) states: "The term 'negligent treatment' or 'maltreatment' means failure to provide adequate food, clothing, shelter, or medical care, which includes medical neglect, and the deprivation is not due to the lack of financial means of his or her parent, guardian, or other custodian."<sup>4</sup> According to D.C. Code § 16-2301(9), a "neglected child" includes a child who has been abandoned or abused by his or her parent, or is "without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his or her physical, mental, or emotional health, and the deprivation is not due to the lack of financial means of his or her parent, guardian, or custodian . . . ."

D.C. Code § 4-1321.02 (2008) states that persons in certain occupations, such as law enforcement officers, are mandated reporters who must report situations of suspected child abuse or neglect to CFSA or MPD. CFSA's Child Protective Services (CPS) receives, reviews, and screens reports of alleged or suspected child abuse and neglect through its Hotline to determine which reports require an investigation by CPS. CFSA maintains a repository of child abuse and neglect allegations in its electronic system of records, FACES. According to a Memorandum of Understanding (MOU) between MPD and CFSA, MPD is to "refer" reports of intra-familial<sup>5</sup> child maltreatment<sup>6</sup> to the CFSA Hotline, including those from calls directly received by MPD.<sup>7</sup> This includes domestic violence incidents in which children are exposed to violent circumstances.<sup>8</sup>

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<sup>3</sup> OFFICE OF THE INSPECTOR GENERAL, REPORT OF SPECIAL EVALUATION: INTERACTIONS BETWEEN AN AT-RISK FAMILY, DISTRICT AGENCIES, AND OTHER SERVICE PROVIDERS (2005-2008), 20, 21 (April 2009).

<sup>4</sup> According to CFSA policy, types of neglect allegations include substance abuse, which impacts parenting; inadequate food, shelter, or clothing; educational neglect; and medical neglect (withholding medical treatment or discharge against medical advice). CHILD AND FAMILY SERVICES AGENCY INVESTIGATIONS POLICY, CHAPTER 1000: INTAKE AND INVESTIGATIVE SERVICES 1 (Revised September 30, 2003).

<sup>5</sup> Merriam-Webster Dictionary defines "intrafamilial" as "occurring within a family."

<sup>6</sup> The MOU defines "maltreatment" as "harm to a child that is either physically and/or sexually inflicted; the harm may also include neglect." District of Columbia Memorandum of Understanding and Inter-Agency Agreement on Child Maltreatment Joint Investigations 3 (October 8, 2003).

<sup>7</sup> This MOU adds that MPD has primary responsibility for the investigation of sexual abuse and serious physical abuse cases, and the YID investigator for the case is to contact CFSA to arrange for a joint investigation prior to responding to the case. CFSA has primary responsibility for other abuse cases and for neglect cases. *Id.* at 6 and 9.

<sup>8</sup> According to CFSA Investigations Policy, domestic violence involves a "pattern of assaultive and coercive behaviors, including physical, sexual and psychological attacks, as well as economic coercion that adults use against their intimate partners." CHILD AND FAMILY SERVICES AGENCY INVESTIGATIONS POLICY, CHAPTER 1000: INTAKE AND INVESTIGATIVE SERVICES 15 (Revised September 30, 2003).

According to the U.S. Department of Health and Human Services (HHS), nationally, about 16 percent of abuse and neglect allegations reported to child protective services agencies in 2008 came from law enforcement and legal personnel.<sup>9</sup> Police officers often encounter situations that may involve maltreatment. For example, on domestic calls or drug arrests, an officer may see evidence of harm to a child.<sup>10</sup> According to the U.S. Department of Justice (DOJ): “One of the most common calls for service by law enforcement is the domestic disturbance call. Most police officers understand the potential for danger associated with such calls, but many do not realize that a violent adult might also vent anger on a child.”<sup>11</sup>

DOJ also states that:

With their legal authority to investigate violations of the law, law enforcement officers are vital members of a community’s child protection team. Failure to respond properly to child abuse cases from the **outset** (e.g., failure of the responding law enforcement officer to obtain certain information) can result in cases being dismissed in court or, in some cases, in innocent people being falsely accused.<sup>12</sup> [Emphasis added]

## Observations

### **1. MPD patrol officers lack a comprehensive policy and procedure to guide them on recognizing and reporting indicators of child abuse and neglect.**

According to DOJ, “local law enforcement departments must establish policies and procedures to investigate child abuse cases.”<sup>13</sup> Additionally, DOJ states that “[s]ensitive and consistent application of policies and procedures established in written protocols is essential for an effective alliance to combat child maltreatment.”<sup>14</sup> According to HHS, law enforcement and CPS agencies should have protocols that include criteria for when law enforcement refers cases to CPS and vice versa.<sup>15</sup> According to a paper published by the University of Iowa entitled *Police in the Lives of Young Children Exposed to Domestic Violence*, police departments should ensure that their protocols for domestic violence calls include “specific requirements that officers note, describe, and respond appropriately to children present.”<sup>16</sup>

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<sup>9</sup> U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CHILD MALTREATMENT 2008 6 (2010).

<sup>10</sup> U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, ROLE OF LAW ENFORCEMENT IN THE RESPONSE TO CHILD ABUSE AND NEGLECT 6 (1992).

<sup>11</sup> U.S. DEPARTMENT OF JUSTICE, LAW ENFORCEMENT RESPONSE TO CHILD ABUSE 12 (1997).

<sup>12</sup> *Id.* at 4.

<sup>13</sup> *Id.*

<sup>14</sup> *Id.* at 16.

<sup>15</sup> U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE ROLE OF LAW ENFORCEMENT IN THE RESPONSE TO CHILD ABUSE AND NEGLECT 8 and 9 (1992).

<sup>16</sup> Miriam Berkman & Dean Esserman, *Police in the Lives of Young Children Exposed to Domestic Violence (Paper #4 in the Series of Early Childhood, Domestic Violence, and Poverty: Helping Young Children and Their Families)*, 17 (2004).

Two MPD managers stated that MPD officers are not knowledgeable about reporting certain types of suspected neglect to CFSA, such as the specifics of the above incident involving the 4-year-old. One of these managers stated that MPD officers need a standard operating procedure to define abuse and instruct officers how to respond to suspected child abuse and neglect, as well as how to report these situations and allegations received.

According to an MPD manager, although officers know what constitutes severe neglect, they do not have a clear understanding of less obvious types of child neglect. The manager opined that officers were more likely to report suspected abuse rather than instances of suspected neglect. For example, this manager stated that not reporting suspected neglect to CFSA was a particular problem with regard to incidents involving inadequate supervision of children, children being left alone, or children residing in a home with unsanitary conditions. While the manager was unable to recall a specific case when MPD had not reported a child abuse or neglect allegation to CFSA, this individual stated that there have been cases when YID was not notified of a matter until after a suspect was arrested.<sup>17</sup>

This manager also stated that officers are misinterpreting rules for domestic violence incidents in instances of allowable corporal punishment, which results in the tendency to arrest the perpetrator. In some cases, patrol officers have arrested a parent for child abuse when the case involved legally permitted discipline, and YID was not informed of these incidents until later contacted by the Office of the Attorney General or the U.S. Attorney's Office. This manager added that MPD managers he/she spoke with were confused about how to proceed regarding suspected child abuse and neglect in comparison to domestic violence incidents. According to this manager, MPD officers do not know how to complete basic MPD forms to document their observations of indicators of child neglect or abuse and whether to note that they had reported their observations to CFSA. According to another MPD manager, MPD officers also do not realize that they should report child abuse and neglect aspects of domestic violence incidents to CFSA so that CFSA can provide resources to the family.

The OIG reviewed MPD policies and concluded that MPD does not have a distinct policy for its patrol officers that is focused on defining, recognizing, documenting, and reporting child abuse and neglect.<sup>18</sup> While there were several MPD policies that included limited information on child abuse and neglect, they did not include legal definitions, indicators of abuse and neglect, instructions on how to document suspected child abuse and neglect, or a requirement that officers notify CFSA. Furthermore, child abuse and neglect information was split among various policies. The OIG reviewed and analyzed all MPD policies applicable to child abuse and neglect.<sup>19</sup> Given the significant amount of time it took the OIG to review several separate policies to ascertain what actions are required of MPD officers regarding child abuse and neglect issues, the OIG is concerned that with no single, comprehensive policy and procedure, it is likely

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<sup>17</sup> MPD General Order GO-305-1, *Handling Juveniles*, (December 1990) section I.D.1.b. states that MPD members investigating reported cases of child abuse and neglect shall contact YID.

<sup>18</sup> The OIG acknowledges that MPD has a manual called *Criminal Investigations Manual* for its YID investigators who are to investigate all sexual and serious physical child abuse cases. It includes guidelines for joint investigations with CFSA. However, this manual is not geared to patrol officers.

<sup>19</sup> The OIG contacted the MPD Policy Development Branch (PDB) to confirm that we had obtained all relevant policies.

difficult for patrol officers to understand what is required of them. The following points highlight the deficiencies in MPD policies that pertain to child abuse and neglect:

- MPD General Order GO-305-1, *Handling Juveniles*, issued in December 1990, instructs MPD officers to be alert to juveniles who are abused or neglected and how to respond and record such incidents. However, the order does not define child abuse and neglect. Rather, it directs officers to contact the Youth Division (now the Youth Investigations Division/YID) when an “incident involves a child who is neglected, in immediate danger, battered, abandoned or physically or sexually abused.” For narcotics-related cases, it states that MPD officers, when instructed by a YID officer, shall prepare a report for CPS noting that a case is drug-related.<sup>20</sup> GO-305-1 has no language about contacting CFSA for other neglect or abuse matters. An MPD manager noted that the general order for reporting suspected child abuse or neglect is very old and outdated. For example, it refers to Youth Service officers, who used to be officers in MPD Districts before YID was established.
- According to General Order GO-OPS-304.11, *Intrafamily Offenses*, issued in November 2003, “Members shall notify [YID] and follow the applicable provisions of GO-OPS-305.01 (Handling Juveniles) for instances of suspected child abuse or neglect.” However, neither this order nor *Handling Juveniles* defines child abuse or neglect in the context of a domestic violence incident, and neither of these orders distinguishes child abuse and neglect from domestic violence. According to a CFSA manager from CPS, children’s exposure to domestic violence constitutes suspected child abuse that should be reported to CFSA. However, neither MPD General Order directs MPD officers to report such incidents to CFSA.
- Special Order SO-07, *Handling of Sexual Abuse Cases*, discusses the assignment of sexual abuse cases to specific MPD units and the responsibility of YID. This policy does not define sexual abuse, describe how to recognize signs of sexual abuse in juveniles, or instruct officers to report these matters to CFSA. It does articulate that patrol officers are to report sexual assaults against juveniles to YID per this order’s reference to General Order 401.01 (Field Reporting) and General Order 305.1 (Handling Juveniles).<sup>21</sup>
- In addition to its analysis of the above policies, the OIG asked MPD’s Policy Development Branch (PDB) whether MPD has any policies or directives pertaining to reporting suspected child abuse and neglect to CFSA. A PDB manager stated that Special Order SO-10-02, *Check on Welfare Calls for Service* (effective February 22, 2010) was the only order or directive he/she found that specifically addresses MPD

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<sup>20</sup> One section states that in all reported neglect cases involving a child’s exposure to any type of drug/narcotic, the officer should notify YID when a necessary MPD form is to be completed so CFSA can be notified. However, the order does not specify who from MPD is to contact CFSA in these incidents.

<sup>21</sup> This order states that Violent Crime Unit detectives are to handle sexual abuse allegations involving minors under 12 years of age in accordance with the MOU with Children’s Advocacy Center. This MOU requires MPD to report these instances to CFSA in order to conduct a joint investigation. However, the order contained no instructions for reporting sexual allegations of minors between the ages of 13 and 17 years.

officers' responsibility to notify CFSA.<sup>22</sup> This order states that YID is to provide reports from these types of calls involving minors to CFSA daily. However, it does not include guidance on the types of observations that responding officers should make or identify the signs of the different types of child abuse and neglect, such as physical abuse, unsanitary conditions, or inadequate supervision. Additionally, this order lacks detailed instructions for MPD officers on reporting suspected child abuse and neglect.

The lack of a comprehensive abuse and neglect policy and procedure that requires officers to report suspected child abuse and neglect to CFSA may result in MPD officers' failure to recognize these conditions or may create uncertainty regarding their duty to report such matters to CFSA. For example, an MPD manager recounted a 2009 incident involving an 8-year-old child with behavioral problems. Multiple medications had been prescribed for the child, but his parent had not administered them for a few days. During an argument with his sister, the child had approached her with a butter knife, but put the knife down when directed to do so by his mother. The MPD patrol officer who responded to the incident arrested the 8-year-old, against the advice of YID, for domestic violence. The manager noted that MPD Patrol did not report the incident to CFSA as one of suspected medical neglect.

The OIG found that the D.C. Code and two MOUs signed by MPD and CFSA from 2003 contain different requirements regarding MPD's reports of abuse to CFSA. The MOUs on child physical and sexual abuse state that when MPD receives a report identified as intrafamilial from any source other than CFSA, MPD is to contact CFSA's Hotline immediately so that the two agencies can begin a joint investigation.<sup>23</sup> However, the language on this subject in the D.C. Code differs from the MOUs. D.C. Code § 4-1301.05(b), which was last revised in 2002, states, in part: "The police **may**, upon the receipt of a report of an abused child, inform [CFSA] of its contents and **shall**, as soon as possible when the report is a substantiated report, inform [CFSA] of its contents and any action they are taking or have taken." (Emphasis added.)

## **2. MPD does not adequately train officers to recognize and report indicators of child abuse and neglect.**

According to DOJ's guide *Law Enforcement Response to Child Abuse*, "it is critical that police officers be trained to handle cases involving child maltreatment."<sup>24</sup>

Two MPD managers stated that MPD officers need additional training on the proper response to suspected child abuse and neglect, including appropriate reporting of these incidents, and instruction on legally permissible types of corporal punishment in the District. One manager added that MPD officers are the "eyes" of the District in recognizing indicators of child abuse and neglect because they have to enter many homes, and it would be helpful to CFSA if MPD

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<sup>22</sup> Check on Welfare calls occur when "a member of the public or a representative from a government agency contacts the police to check on the status of another member of the public." MPD Special Order SO-10-02, § I (February 22, 2010).

<sup>23</sup> District of Columbia Memorandum of Understanding on Child Physical Abuse Investigation, Prosecution, and Prevention, 7 (December 2003). District of Columbia Memorandum of Understanding on Child Sexual Abuse Investigation, Prosecution, and Prevention, 7 (December 2003).

<sup>24</sup> *Id.* at 2.

officers were better at recognizing signs of neglect. Another manager stated that MPD officers need further training to inform them about contacting CFSA with neglect incidents such as the above incident regarding the 4-year-old child. This manager stated that MPD used to provide required training on child abuse and neglect to its officers annually, but discontinued the training approximately 2 years ago.

A Maurice J. Turner Metropolitan Police Academy (Police Academy) official stated that new recruits receive training on child abuse and neglect as a part of a lesson plan on dealing with juveniles. The OIG reviewed this 9-hour lesson plan, prepared in 1999, and found it allots approximately 45 minutes to child abuse and neglect topics. The lesson plan does not describe signs of child abuse and neglect that officers should be aware of or provide instructions on handling suspected child abuse and neglect in the context of domestic violence incidents. It does not indicate which forms of corporal punishment are legally permissible and therefore not considered abuse. According to a YID manager, this is an area in which officers need clarity. The lesson plan states that MPD officers are to contact YID when investigating cases of reported child neglect or abuse, and YID is to notify CFSA for abandonment and neglect issues. However, there is no mention of MPD officers reporting child abuse and neglect incidents directly to CFSA, except in drug-related cases.

CFSA offers free online training for mandated reporters called *Keeping DC Children and Youth Safe*. The training explains how to recognize signs of abuse and neglect and make a report. Correspondence from Chief Lanier to CFSA in December 2009 reflects an MPD commitment to require this training for all MPD employees annually.<sup>25</sup> According to a CFSA manager from CPS, this online training is a general course that targets all District mandated reporters and is not specific to MPD or other agencies.<sup>26</sup> The manager added that it is a one-time training course with no refresher courses yet developed. According to this manager, MPD officers should know more about child abuse and neglect than the average person taking CFSA's mandated reporter training and should know the applicable laws even before taking this online training because MPD is responsible for the criminal aspects of child abuse. While CFSA's mandated reporter training focuses on how and when to call in suspected child neglect and abuse to CFSA, it does not cover MPD responsibilities regarding the law enforcement aspects of child abuse. The manager also stated that although YID detectives require more knowledge about child abuse and neglect due to their responsibilities for criminal child abuse investigations, patrol officers should know what constitutes child abuse and neglect as well as the proper officer response in these cases, such as knowing when it is necessary to take a child to a CFSA facility.

An OIG senior inspector completed CFSA's online training for mandated reporters to assess the information presented. The inspector confirmed that none of the content addresses MPD officers' unique duties and responsibilities as law enforcement officers. The training does

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<sup>25</sup> It was unclear to the OIG what was meant by requiring the training annually. For instance, will an MPD officer be required to take the same training year after year, or will only new MPD members be required to take this training in subsequent years? An MPD training official stated that he/she did not know if MPD will require its new members to take CFSA's online mandated reporter training going forward.

<sup>26</sup> This official stated that this online training includes information on signs that could indicate child abuse and neglect, how and when to report child abuse and neglect allegations to CFSA, how to recognize different types of neglect, and laws that govern mandated reporting.

provide guidance for mandated reporters in some areas where MPD managers noted deficiencies, such as calling the CFSA Hotline to report suspected abuse and neglect and how to recognize indicators of child abuse and neglect. The training also distinguishes between legally permissible corporal punishment and child abuse. However, it does not clarify which domestic violence incidents that involve children should be reported to CFSA. It cites a child's "[e]xposure to chronic or extreme spouse abuse or other domestic violence" as a form of mental injury constituting abuse, but does not define "chronic or extreme." The training presents photographs of unsanitary conditions but does not define what constitutes child neglect due to unsanitary conditions. It explains that leaving young children home alone is neglect due to a lack of supervision. However, it does not explain how to handle instances in which an adult is in the home but is not providing adequate supervision in order to prevent harm to the child.

Furthermore, the training does not discuss MPD requirements that officers investigating reported child abuse and neglect are to remain on the scene, notify YID, secure the scene, and maintain the presence of suspects and witnesses,<sup>27</sup> or when to transport children to CFSA. The training also does not include guidance for MPD officers on documenting suspected child abuse and neglect and the fundamental information that MPD reports should contain.

The OIG tried to ascertain if MPD managers found the CFSA online training regarding child abuse and neglect adequate by requesting interviews with Police Academy managers. However, after an interview with one official had been scheduled, a more senior official told the OIG team that they could ask questions to obtain facts about MPD training, but they could not ask questions that solicited MPD managers' opinions about matters such as the adequacy of current training. The official then cancelled the scheduled interview, but later offered the OIG team an opportunity to interview managers in his/her presence. The team refused those conditions and that offer.<sup>28</sup>

The OIG received conflicting information from CFSA and MPD regarding the number of MPD employees who had taken CFSA's online training on child abuse and neglect for mandated reporters, which raises the question as to whether all MPD officers have completed the training. According to information provided by a Police Academy official in April 2010, 3,973 (98.4%) MPD "members" had completed this training in 2009. However, according to a CFSA official, only 1,920 MPD employees had registered for this training from February 2009 through January 2010.<sup>29</sup> An MPD manager stated that MPD had to implement its own tracking mechanism for this training because CFSA could not provide agency-specific information enabling MPD to know which of its members had completed this training. After officers complete CFSA's online

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<sup>27</sup> MPD General Order GO-305-1, *Handling Juveniles* (December 1990) Section I.D.1.

<sup>28</sup> By statute, the Inspector General is not permitted to disclose the identity of any person who brings a complaint or provides information to the Inspector General, without the person's consent, barring exceptions that are not applicable in these circumstances. In observance of this statute, the OIG's normal practice is to conduct interviews of District employees without the presence of supervisors or others who have authority over them and who might inhibit the free expression of their views.

<sup>29</sup> The OIG did not ascertain from CFSA the number of MPD registered employees who completed the training's post-test. The official added that approximately 82% of all the 3,192 individuals from various agencies who registered for the course had completed the post-test.

training, they are to attest to the MPD that they have done so, but are not required to submit the training certificate as proof of completion.

## **Conclusion**

Overall, the OIG has found that MPD lacks a comprehensive and detailed policy and procedure, as well as adequate training on recognizing indicators of child abuse and neglect. In addition, there is no adequate policy or procedure to address reporting these indicators and allegations to CFSA. Consequently, there is no way to determine the extent to which MPD patrol officers have the information and skills necessary to recognize and properly report suspected child abuse and neglect. As a result, possible cases of child abuse and neglect may go unreported, many of which may warrant investigation and intervention by CFSA to ensure children's safety.

## **Recommendations**

Due to the possibly wide-reaching effects on child welfare associated with the above conditions, the OIG recommends placing a high priority on the following actions:

1. That the Chief of Police:
  - a. in consultation with the Director of CFSA, develop and implement a comprehensive, detailed policy and procedure on reporting child abuse and neglect for MPD officers that includes definitions of child abuse and neglect, describes signs of abuse and neglect to recognize, including unsanitary conditions and inadequate supervision; distinguishes child abuse from legal corporal punishment, and identifies child abuse aspects of domestic violence incidents; and
  - b. ensure that all MPD officers are trained on and become knowledgeable about the policy and procedures once they are promulgated.
2. That the MPD and CFSA General Counsels collaborate to determine whether D.C. Code § 4-1301.05 (2008) should be revised to reflect existing requirements in its MOUs requiring MPD to provide all child abuse reports immediately to CFSA, and, if necessary, work with the D.C. Council to propose revisions to the D.C. Code.
3. That the Chief of Police work with the Director of CFSA and the Commander of YID:
  - a. to develop additional training (beyond CFSA's online mandated reporter training) for all affected MPD employees to ensure that officers understand their specific responsibility to recognize, respond to, and report suspected child abuse and neglect;
  - b. to ensure that all new and current affected employees receive this additional training; and

- c. to develop and implement a plan for periodic retraining as needed.

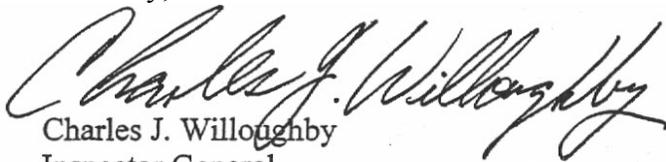
The Chief of Police should update the Inspector General on the outcome of this collaboration within 60 calendar days of receiving these recommendations.

4. That the Chief of Police collaborate with the Director of CFSA to ensure that MPD receives accurate information regarding which MPD officers have completed CFSA's online training for mandated reporters.
5. That the Chief of Police:
  - a. ensure that MPD members are aware of (1) the OIG's statutory authority to conduct independent inspections relating to the programs and operations of District government departments and agencies, and (2) their obligation to fully and timely cooperate with OIG requests for information, documents, interviews, and access to employees.
  - b. update the Inspector General on the corrective actions taken.

Please provide your comments on this MAR by July 21, 2010. Your response should include actions taken or planned, dates for completion of planned actions, and reasons for any disagreements with the concerns and recommendations presented. Please distribute this MAR only to those who will be directly involved in preparing your response.

Should you have any questions prior to preparing your response, please contact [REDACTED] Director of Planning and Inspections, at [REDACTED].

Sincerely,



Charles J. Willoughby  
Inspector General

CJW/klb

cc: Mr. Neil O. Albert, City Administrator and Deputy Mayor  
The Honorable Vincent C. Gray, Chairman, Council of the District of Columbia  
The Honorable Mary M. Cheh, Chairperson, Committee on Government Operations and the Environment  
The Honorable Phil Mendelson, Chairperson, Committee on Public Safety and the Judiciary  
The Honorable Tommy Wells, Chairperson, Committee on Human Services  
Mr. Peter Nickles, Attorney General for the District of Columbia



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District of Columbia**

**Office of the Inspector General**

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**Charles J. Willoughby  
Inspector General**

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GOVERNMENT OF THE DISTRICT OF COLUMBIA  
METROPOLITAN POLICE DEPARTMENT

August 4, 2010

Charles J. Willoughby  
Inspector General  
Office of the Inspector General  
717 14<sup>th</sup> Street, NW  
Washington, DC 20005

Dear Mr. Willoughby:

This letter is in response to the Office of the Inspector General's (OIG) Management Alert Report, *MPD Officers' Responses to Suspected Child Abuse and Neglect* (MAR 10-I-003). One of the most important responsibilities of law enforcement is protecting those who cannot protect themselves. Certainly, children and youth who may be neglected or abused by a parent or guardian are some of our most vulnerable residents. Given the seriousness of the issue, I have taken immediate action to address some of the concerns raised, as outlined below.

## ***Response to Recommendations***

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### **Training & Policy**

1. ***That the Chief of Police:***
  - a. ***in consultation with the Director of CFSA, develop and implement a comprehensive, detailed policy and procedure on reporting child abuse and neglect for MPD officers that includes definitions of child abuse and neglect, describes signs of abuse and neglect to recognize including unsanitary conditions and inadequate supervision; distinguishes child abuse from legal corporal punishment and identifies child abuse aspects of Domestic violence incidents.***
  - b. ***ensure that all MPD officers are trained on and become knowledgeable about the policy and procedures once they are promulgated.***
3. ***That the Chief of Police work with the Director of CFSA and the Commander of YID:***
  - a. ***to develop additional training (beyond CFSA's online mandated reporter training) for all affected MPD employees to ensure that officers understand their specific responsibility to recognize, respond to, and report suspected child abuse and neglect***
  - b. ***to ensure that all new and current affected employees receive this additional training; and***
  - c. ***to develop and implement a plan for periodic training as needed.***
4. ***That the Chief of Police collaborate with the Director of CFSA to ensure that MPD receives accurate information regarding which MPD officer have completed CFSA's online training for mandated reporters.***

Overall, I concur that these steps will be of benefit to the city and have begun to implement the recommendations. The Metropolitan Police Department (MPD) is working with the Child and Family Services Agency (CFSA), as well as reviewing model policies and best practices, to develop a comprehensive directive that provides a single document guiding police interactions with youth who may be victims of a broad continuum of child abuse or neglect, including the “less obvious types of child neglect” noted in the report. As noted in the report, much of this information is already in our many related directives. Although I can understand that our network of directives may seem labyrinthine to a lay person, it is important to recognize that there are reasons why police orders are organized as they are. For instance, language from the D.C. Official Code is usually not inserted in large sections into directives because this would just exponentially increase the thousands of pages of orders we already follow, and necessitate even more frequent updates when the laws change. Instead, officers are taught by cross referencing more current versions of the Code, with updates provided when the Code changes. So while the system may seem complex to those who are not accustomed to the system, officers generally know directives inside and out. That said, a single guide on child abuse and neglect that connects these orders will undoubtedly be helpful in ensuring that we can protect children in need. This new directive will be published in September, at which time I will send it to you.

Once this policy is revised, we will integrate it into training for new recruit classes as well as for veteran members. This will be incorporated into the Professional Development Training for all members in 2011 at the latest. In the meantime, specific issues will be incorporated into training modules this fall, including daily roll call scenarios, flash messages to members, and other communication pieces that are used to reinforce policies and training. Lastly, we are working with CFSA to reconcile the training completion rosters. I will provide you with the findings in my September update on this issue.

## **Other Recommendations**

- 2. That the MPD and CFSA General Counsels collaborate to determine whether D.C. Code § 4-1301.05 (2008) should be revised to reflect existing requirement in its MOUs requiring MPD to provide all child abuse reports immediately to CFSA and if necessary, work with the D.C. Council to propose revisions to the D.C. Code.***

According to the OIG report, the Memorandum of Understanding between MPD and CFSA is more detailed and has more exacting requirements on the agencies than the law. This illustrates that the complex system of statute and implementation in the District is working as it should. The D.C. Code cannot possibly reflect all procedures and requirements on employees, nor should it. The District government establishes the policies and mechanisms necessary to effectively carry out the direction of the law. While it is gratifying to know that the OIG supports the strong guidelines we have implemented to carry out the law, it would be redundant to then change the law to match the guidelines.

- 5. That the Chief of Police:***
  - a. ensure that MPD members are aware of (1) the OIG’s statutory authority to conduct independent inspections relating to the programs and operations of District Government departments and agencies, and (2) their obligation to fully and timely cooperate with OIG requests for information, documents, interviews and access to employees.***

***b. update the Inspector General on the corrective actions taken.***

I fully concur that MPD members must cooperate with OIG investigations, and take any failure to cooperate seriously. To ensure full compliance in the future, with each new investigation I will notify and remind all members who may be called upon to respond to the investigation of their legal obligation to fully and timely cooperate.

I hope you find this responsive to your recommendations. If you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Cathy L. Lamer". The signature is written in a cursive, flowing style.

Cathy L. Lamer  
Chief of Police

cc: The Honorable Adrian M. Fenty, Mayor  
Neil O. Albert, City Administrator  
Roque R. Gerald, Director, Child and Family Services Agency