

THE HUMBOLDT COUNTY CHILD ABUSE SERVICES TEAM

Released August 1, 2023

SUMMARY

Children are the most vulnerable members of our society. When they are subjected to abuse, be it sexual, physical, or emotional, there is a team who come from a variety of agencies here in Humboldt County that works to minimize trauma and hold criminal offenders responsible for their actions. This is the Humboldt County Child Abuse Services Team, more commonly referred to as CAST.

In the 1980's it was recognized that the investigation of child abuse cases could cause additional trauma to the involved children by subjecting them to multiple interviews and could lead to improper prosecutions due to interviews that led the child's testimony in a particular direction. This led to the country-wide creation of Multi-Disciplinary Investigation Teams (MDIT) for such cases. Humboldt County's version of an MDIT, CAST was created in 1996, consisting primarily of various elements of the District Attorney's Office, Child Welfare Services, law enforcement agencies, and the Sexual Assault Response Team. Other important support organizations such as Court Appointed Special Advocates and the North Coast Rape Crisis Team can also be involved in CAST.

The Humboldt County Civil Grand Jury, while investigating a complaint that involved a juvenile, discovered that CAST was a little-known and even less understood organization. We investigated Humboldt County's CAST, learning that this complicated system involves many players. We found dedicated, hard-working professionals focused on protecting children, and a system that for the most part functions well. We also discovered that some of the front-line responders to child abuse situations would benefit from additional training, and that an issue common to most governmental agencies in Humboldt County - understaffing - makes accomplishing the already difficult mission of CAST more difficult than it could be.

BACKGROUND

The long-term effects resulting from the trauma of child abuse are well documented. The initial trauma cannot be erased, but we can minimize if not eliminate any secondary trauma caused by the aftermath of a horrific event. This means creating a delicate balance between the need to hold offenders accountable for their crimes and the need to protect children as much as possible from further trauma.

In 2020 Humboldt County had 77.8 reported incidents of child abuse or neglect per 1,000 children.¹ Only nine of California's fifty-eight counties had higher rates, with the state average being 43.5 incidences per 1,000 children. Members of Humboldt County's CAST can provide the services needed to minimize the continuation of trauma. The importance of this work cannot be overestimated. When the system works well, it can be exactly what the child and family need as they try to move forward after the abuse stops.

A key goal of the Child Abuse Services Team (CAST) is to minimize or bypass the questioning of a child once a family member or a mandated reporter has filed a report concerning abuse. When everything goes as planned, the child will be brought to what is known as a forensic interview with a specially trained interviewer. This is the time when a child is given the chance to provide the prosecutor and other officials with a recorded description of what happened, and who abused them. The skilled interviewer avoids asking leading questions and carefully invites the child to provide their personal narrative, using their own words, in their own way, sometimes using a visual depiction on paper. This evidentiary testimony becomes the basis for a prosecution. It is often the best evidence that can be provided during a trial.

CAST is about more than prosecuting a criminal. The well-being of the child and the family is of paramount importance to the professionals on the team. When everything goes as planned, the child is protected from further harm. The child and family have their needs addressed by caring social workers. Over time, the hope is that the child gains the resilience necessary to move forward without further trauma and that the child gradually learns how to develop healthy and meaningful relationships, without their traumatic past continually resurfacing.

METHODOLOGY

The Humboldt County Civil Grand Jury's investigation included but was not limited to:

- Interviewing numerous people involved in child welfare services, victim witness advocacy, rape crisis, law enforcement, and criminal prosecution
- Reviewing, and studying documents on:
 - CAST procedures
 - Policies and Procedure manuals from various law enforcement, child welfare, and other governmental agencies
 - Previous Grand Jury reports, both local and from other counties
 - State law regarding crimes against juveniles
 - Articles and journals dedicated to forensic interviewing, forming Multi-Disciplinary Investigative Teams, disclosure of confidential records, and mandated reporting

¹ <https://ccwip.berkeley.edu/childwelfare/index/r> Original data source: CWS/CMS 2022 Quarter 4 Extract. The number of children involved is likely lower, as there can be multiple incidents and reports for the same child.

- Training materials provided to Child Welfare Services workers and law enforcement personnel

All of the subjects interviewed were helpful and informative, and demonstrated an authentic desire to be part of the solution. They provided open and honest evaluations of their interactions with and perceptions of working with other agencies in the CAST system. We thank the interview subjects for their cooperation.

GLOSSARY

- CANRA Child Abuse and Neglect Reporting Act
- CASA Court Appointed Special Advocates
- CAST Child Abuse Services Team
- CWS Child Welfare Services
- DA District Attorney
- DHHS Department of Health and Human Services
- HCCGJ Humboldt County Civil Grand Jury
- HCSO Humboldt County Sheriff's Department
- HDVS Humboldt Domestic Violence Services
- MDIT Multi-Disciplinary Investigation Team
- MOU Memorandum of Understanding
- NCRCT North Coast Rape Crisis Team
- SART Sexual Abuse Response Team
- VWAP Victim Witness Assistance Program

DISCUSSION

THE CHILD ABUSE SERVICES TEAM

In the simplest of terms, the Child Abuse Services Team (CAST) is a multi-disciplinary group of professionals and volunteers who come together when incidents of abuse are identified. There is no separate entity that calls itself “CAST” – rather, it is a team that brings together a group of providers, investigators, and prosecutors who are appropriate to each individual incident.

Prior to more enlightened investigation techniques and a greater understanding of trauma, child victims of physical, sexual, or emotional abuse might be subjected to multiple interviews by law enforcement, various investigators, social workers, and interactions with others, such as members of the Victim Witness Assistance Program (VWAP), the North Coast Rape Crisis Team (NCRCT), and the Sexual Assault Response Team (SART). Each interview added to the trauma the child had already suffered. Often, through no fault of the child, information and recollections changed during these redundant interviews. Facts vital to the prosecution often became unclear, sometimes leading to the child being placed back in an unsafe situation, and a perpetrator not being prosecuted for their crimes. To the detriment of the children, the system wasn’t working very well.

In light of this, in 1996 the Humboldt County Child Abuse Services Team was created, with the mission of enhancing services in our community by bringing existing resources together in a coordinated effort to more effectively and efficiently respond to and resolve child abuse cases.

Organizations involved in CAST can include:

- The Humboldt County District Attorney’s Office
 - Prosecutors
 - Investigators
 - Victim Witness Assistance
- The Humboldt County Department of Health and Human Services
 - Behavioral Health Branch
 - Child Welfare Services
- Law Enforcement:
 - Arcata Police Department
 - Blue Lake Police Department (services provided by Sheriff’s Department)
 - Eureka Police Department
 - Ferndale Police Department
 - Fortuna Police Department
 - Hoopa Valley Tribal Police Department
 - Humboldt County Sheriff’s Office

- Rio Dell Police Department
- Trinidad Police Department (services provided by Sheriff’s Department)
- Tribal Governments
 - Bear River Band of the Rohnerville Rancheria
 - Big Lagoon Rancheria
 - Blue Lake Rancheria
 - Hoopa Valley Tribe
 - Karuk Tribe of California
 - Table Bluff Reservation of the Wiyot Tribe
 - Trinidad Rancheria
 - Yurok Tribe of California
- Non-Governmental Organizations
 - Providence St. Joseph’s Hospital – Sexual Assault Response Team
 - Humboldt County Court Appointed Special Advocates
 - North Coast Rape Crisis Team
 - Humboldt Domestic Violence Services

THE ORIGINS OF A CHILD ABUSE SERVICES TEAM CASE

Law enforcement agencies are usually the first to respond to allegations of child abuse. They must determine two key facts: is there reasonable suspicion that a crime has occurred that requires further investigation, and does this incident meet the standards of the state Child Abuse and Neglect Reporting Act (CANRA). It is under CANRA that the term “mandated reporter” comes into play. To determine the above, the investigating officer often needs to speak with the family and, sometimes, the child survivor. In the past an interview with the child was often long and invasive – following modern CAST guidelines it is done only if necessary. It is as brief as possible, is done in a safe environment removed from the area where the trauma occurred, and is away from anyone believed to be responsible for the trauma.

Sometimes Social Workers from the Child Welfare Services Emergency Response Team will be called to determine whether it is safe for the child to remain in the home. If the home is not deemed safe the child is temporarily placed with relatives or, as a last resort, a foster family. If the child is a member of a federally recognized Native American tribe, the tribe is notified, and may assist in placing the child with a culturally appropriate Native family.

Typically, at this point a preliminary report by law enforcement is filed with the District Attorney's Office, which serves as the CAST Coordinator. Child Welfare Services is contacted, and a forensic interview is requested. Allegations of child abuse don't always originate with law enforcement. Family members, friends, schools, Social Workers, and medical personnel, some of whom are mandated reporters, may also initiate the process, though law enforcement and CWS will get involved shortly after that initiation.

The importance of an informed and cautious approach to the child by law enforcement cannot be overstated. They become involved when the event is fresh in the mind of the child, who may be in the same place the event happened, with the same people who are responsible for the event. There is very specific training that officers can and should receive handling these types of situations.

During our investigation, we discovered that many of our local law enforcement officers, other than their initial academy training, have had no further training in these procedures. Their responses are too often not appropriate to the situations they encounter.

THE CHILD ABUSE SERVICES TEAM PROCESS

There are two primary objectives of a CAST interview: to minimize any additional damage to the child while also obtaining as much information as possible so the abuser or abusers can be brought to justice. These objectives may seem to be at odds with each other, since discussing abuse with the child can, in and of itself, be traumatic. This is why a Forensic Interviewer is such a valuable resource.

It is important to understand what a Forensic Interviewer does. They are responsible for conducting culturally appropriate, developmentally sensitive, legally defensible forensic interviews of children and adolescents when an allegation of abuse has been made or a traumatic event witnessed. The Forensic Interviewer is someone with significant, specific, and ongoing training, including that provided by the National Childrens Advocacy Center, and is almost always someone who has worked in the field of child welfare for many years, gaining invaluable experience before becoming a Forensic Interviewer.

Once a CAST forensic interview is scheduled, a team of multidisciplinary personnel is assembled by the District Attorney's Office. Typically, this includes an investigator from the law enforcement agency that originated the case, an investigator, attorney, and Victim Witness Assistance Program advocate from the District Attorney's Office, a Child Welfare Services Social Worker, and the Child Welfare Services Forensic Interviewer. Other services may be included as needed or requested, such as rape crisis, domestic violence services, Court Appointed Special Advocates (CASA), or tribal child welfare staff.

This CAST group meets before any forensic interview to discuss the allegations and determine what facts they require. After this conference the Forensic Interviewer and the victim witness advocate meet with the family and the interview subject. This is to help alleviate any fears and to explain the interview process. Prior to the forensic interview the victim witness advocate guides the parents to the lobby. The child is then taken to the forensic interview room.

Other key members of the CAST group are in a nearby room, listening to and viewing the proceedings by means of an unobtrusive camera and microphone. Audio and video recordings of all interviews, which are confidential, are made. The Forensic Interviewer has an ear bud so the observers can request clarifications or have specific questions asked. The space for the interview is well appointed and comfortable and can accommodate children from age 4 to 17. The Forensic Interviewer is soft spoken and attentive and adjusts their approach as appropriate to the age and perceived mental capacity of the child.

After the interview is completed, the CAST group meets to discuss the interview they have witnessed and what next steps should be taken. Sometimes the interview identifies further required investigation, sometimes it confirms what law enforcement already suspects, and sometimes it exonerates the suspect in the case. The goal of a CAST interview is not to make the interview match any particular evidence or theory – it is to obtain the truth as the child knows it in the least traumatizing and most accurate way possible.

There are prosecutors and investigators who specialize in child abuse cases, but due to limited resources none of them are assigned solely to such cases. Child Welfare Services, which handles all manner of child abuse cases, does not have Social Workers entirely dedicated to these cases. As of March 2023, they have two Forensic Interviewers, with another in training.

CAST holds monthly peer review sessions, discussing specific cases and collaboratively seeking to improve their performance in the future. Our interviews indicated that all participants found these meetings helpful and constructive. CAST members from the various disciplines found the meetings facilitated the furthering of mutual understanding and cooperation.

The interviews we held indicated that CAST is an essential program and works well to lessen the trauma a child may suffer from sexual or physical assault. However, it is dependent on all the functioning parts working well together. When there is a disruption in the process due to understaffing, inexperience, or overwork, the system doesn't work at peak efficiency, causing delays and frustration, and potentially compromising positive outcomes. According to our interviews, CAST scheduled 100 CAST interviews in the year 2022 for 68 investigations leading to five criminal court case convictions. Of those 68 investigations, 28 are pending further investigation or final filing determination. All the people we spoke to would like to see the rate of prosecutions improve, as appropriate, to make sure no offenders slip through the system. All of the people we spoke to would like to see the rate of prosecutions improve, as appropriate, to make sure no offenders slip through the system.

OTHER KEY COLLABORATORS

Aside from the government agencies involved in CAST, a few other important organizations should be recognized.

North Coast Rape Crisis Team

The North Coast Rape Crisis Team does not only work with adult rape issues, they also work with sexually abused children. They may respond to CAST interviews and collaborative meetings and are seen as a valuable part of CAST. Rape Crisis counselors must be certified by the state of California and are not mandated reporters. They do not have to divulge statements by children aged 12 to 17 to parents if the child requests confidentiality. If a child is 11 or under the parents must be notified. Confidentiality can be very important, especially if family members are involved in the abuse. Rape Crisis is a stand-alone service and is not contingent on law enforcement involvement. They have a 24-hour hotline and will assign a counselor if requested. The rape crisis team's mission is to provide validation and to serve as an advocate for the survivor and family. Law enforcement officers are required to inform a child that they are entitled to an advocate. The North Coast Rape Crisis Team may serve as that advocate.

Humboldt Domestic Violence Services

Humboldt Domestic Violence Services (HDVS) provides services to survivors of domestic violence with individual counseling, restraining order assistance, help with court appearances, providing emergency shelter, and hosting healing support groups. While these services are primarily for adults, the children of families involved in domestic violence can also receive protection. HDVS may be involved in the CAST process as appropriate.

Sexual Response Assault Team

The Sexual Response Assault Team (SART) is made up of medical professionals, generally specifically trained nurses, and provides forensic medical examinations for survivors of sexualized abuse. They play a vital part in the successful prosecution of offenders by obtaining biological evidence and examining and recording the survivors' injuries. While these examinations are unpleasant and potentially traumatizing, the evidence obtained can be vital in criminal prosecutions, and may be conclusive enough that the child doesn't need to testify in court or participate in additional interviews.

CHILD ABUSE SERVICES TEAM DOCUMENTATION

The Humboldt County Civil Grand Jury reviewed a memorandum dated August 30, 2005, addressed to the Humboldt County Board of Supervisors, from the Director of the Humboldt County Department of Health and Human Services (DHHS). It is a request that a Memorandum of Understanding (MOU) between DHHS and the Humboldt County District Attorney's Office (DA) be approved. The MOU is an agreement in which DHHS monetarily compensates the DA for their management of CAST. The MOU covers a period of one year.

This MOU states that the agreement will automatically be renewed each year unless one of the parties provides written notice to terminate. We could find no evidence that this document has been updated or reviewed in the intervening eighteen years. This is the only documentation of an existing MOU that we could find.

We could find no evidence that a more wide-ranging MOU involving all CAST participants exists.

The Humboldt County Board of Supervisors has received sporadic Annual Reports from CAST. We discovered a report from the year 2000, which refers to the "signing members" of CAST and which provides a then-current list of involved agencies. We could find no evidence that such a report has been presented for at least fifteen years, nor any evidence that such a report is required.

The Humboldt County Civil Grand Jury believes that an entity as significant as CAST should have more distinct documentation. A current MOU involving all CAST participants should be publicly available and be updated as appropriate. An annual report to the Humboldt County Board of Supervisors detailing the challenges and accomplishments of CAST should be required.

CONCLUSION

The Humboldt County Child Abuse Services Team is an important component, not just of the criminal justice and child welfare systems, but of the very fabric of our community. It is a sad fact that we cannot always protect our children, but when they have been the victims of sexual, physical, or emotional abuse, or neglect, the CAST team is there to help minimize the damage and hold offenders accountable. This benefits our entire community. The CAST system works well – it can, and should, work better.

FINDINGS

The Humboldt County Civil Grand Jury finds that:

- **F1:** The Child Abuse Services Team provides a needed service to the residents of Humboldt County.
- **F2:** The members of the Child Abuse Services Team are dedicated to keeping children safe and minimizing further trauma to the child.
- **F3:** The late provision of services may harm the effective prosecution of alleged child abuse cases and the recovery of the survivor(s).
- **F4:** Most if not all of the government agencies that participate in the Child Abuse Services Team are understaffed. This can result in delayed or incomplete responses and delivery of services in critical child abuse situations.
- **F5:** Law enforcement personnel are typically the first to respond to allegations of child abuse. Some members of law enforcement do not possess the most current training in effective ways to respond to such calls, which can result in missed opportunities for prosecutions and subject children to further unneeded trauma.
- **F6:** Some law enforcement agencies do not regularly request the services of Child Welfare Services Social Workers for all investigations of suspected child abuse, instead requesting these services for only the most acute situations. Traumatized children in all abuse situations benefit from having these services provided as soon as possible.
- **F7:** The Humboldt County Sheriff's Office, the largest law enforcement agency in Humboldt County, does not have a specific investigator assigned as a representative to the Child Abuse Services Team, which can result in incomplete case information and negatively affect prosecutions.
- **F8:** A Memorandum of Understanding between the agencies participating in CAST either does not exist or is not publicly available. This results in a lack of clarity about the relationships and responsibilities of the participating agencies.
- **F9:** We could find no evidence that regular annual reports to the Humboldt County Board of Supervisors about the activities of the Child Abuse Services Team exist, nor that they are required. Having such reports would give the Board of Supervisors and the public information on the depth, breadth, and response to child abuse in our community.

RECOMMENDATIONS

The Humboldt County Civil Grand Jury recommends that:

- **R1:** The District Attorney, in collaboration with all local law enforcement agencies, Child Welfare Services, and local Tribal governments, lead the development of training in culturally appropriate best practices for first responders to situations of alleged child abuse. This training program is to be created no later than April 1, 2024. **(F3, F5, F6)**
- **R2:** All Humboldt County law enforcement agencies receive the training described in R1 no later than December 31, 2024. **(F3, F5, F6)**
- **R3:** The Humboldt County Sheriff's Office assign an investigator as their primary representative to the Child Abuse Services Team by March 31, 2024. **(F7)**
- **R4:** By April 1, 2024 all law enforcement agencies who are members of the Child Abuse Services Team designate at least a primary and secondary officer to respond to allegations of child abuse and provide those officers with advanced training in handling such cases. **(F3, F4, F5, and F6)**
- **R5:** By April 1, 2024, the Department of Health and Human Services/Child Welfare Services assign additional Social Workers trained in responding to incidents of child sexual abuse to accompany local law enforcement personnel on the initial contact with a child whenever possible. **(F3 and F6)**
- **R6:** The District Attorney lead in the creation of a detailed Memorandum of Understanding between all agencies involved in the Child Abuse Services Team, to be completed no later than January 1, 2024 and to be made available via the public websites of all involved agencies. **(F8)**
- **R7:** The Memorandum of Understanding described in R5 mandate that, as CAST Coordinator, the District Attorney create an annual report on the accomplishments of and challenges to the Child Abuse Services Team in the previous year, and that the report be made publicly available. **(F9)**
 - Funding recommendation: The Humboldt County Civil Grand Jury recommends that the Department of Health and Human Services/ Child Welfare Services, the Humboldt County Sheriff's Office, and the Office of the District Attorney provide funding for **R1** and **R2**, with appropriations for the current fiscal year. If current appropriations are not sufficient, the Humboldt County Civil Grand Jury recommends that the above-named agencies at their earliest convenience pursue additional funding from the Humboldt County Board of Supervisors to fund the above recommendation.

REQUEST FOR RESPONSES

Pursuant to California Penal Code sections 933 and 933.05, the Grand Jury requests each entity or individual named below to respond to the enumerated Findings and Recommendations within specific statutory guidelines.

Responses to Findings shall be either:

- The respondent agrees with the finding
- The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore

Responses to Recommendations shall be one of the following:

- The recommendation has been implemented, with a summary regarding the implemented action
- The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation
- The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency where applicable. This time frame shall not exceed six months from the date of the publication of the Grand Jury report
- The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

REQUIRED RESPONSE – Within 90 days

Humboldt County Board of Supervisors
(**F3, F6, F8, and F9**) and (**R5 and R6**)

REQUIRED RESPONSES – Within 60 days

The Humboldt County Sheriff
(**F4, F5, F6, F7, F8, and F9**) and (**R1, R2, R3, R4, R5, and R6**)

The Humboldt County District Attorney
(**F4, F5, F6, F8, and F9**) and (**R1, R2, R5, and R6**)

INVITED RESPONSES

Humboldt County Department of Health and Human Services
(F3, F4, F5, F6, F8, and F9) and (R1, R2, R4, R5, and R6)

Chief of Police, Arcata Police Dept
(F4, F5, F6, F8, and F9) and (R1, R2, R4, R5, and R6)

Chief of Police, Eureka Police Department
(F4, F5, F6, F8, and F9) and (R1, R2, R4, R5, and R6)

Chief of Police, Ferndale Police Department
(F4, F5, F6, F8, and F9) and (R1, R2, R4, R5, and R6)

Chief of Police, Fortuna Police Department
(F4, F5, F6, F8, and F9) and (R1, R2, R4, R5, and R6)

Chief of Police, Hoopa Valley Tribal Police Department
(F4, F5, F6, F8, and F9) and (R1, R2, R4, R5, and R6)

Chief of Police, Rio Dell Police Department
(F4, F5, F6, F8, and F9) and (R1, R2, R4, R5, and R6)

Tribal Council, Bear River Band of the Rohnerville Rancheria
(F5, F6, F8, and F9) and (R1, R2, R5, and R6)

Tribal Council, Big Lagoon Rancheria
(F5, F6, F8, and F9) and (R1, R2, R5, and R6)

Tribal Council, Blue Lake Rancheria
(F5, F6, F8, and F9) and (R1, R2, R5, and R6)

Tribal Council, Hoopa Valley Tribe
(F5, F6, F8, and F9) and (R1, R2, R5, and R6)

Tribal Council, Karuk Tribe of California
(F5, F6, F8, and F9) and (R1, R2, R5, and R6)

Tribal Council, Table Bluff Reservation of the Wiyot Tribe
(F5, F6, F8, and F9) and (R1, R2, R5, and R6)

Tribal Council, Trinidad Rancheria
(F5, F6, F8, and F9) and (R1, R2, R5, and R6)

Tribal Council, Yurok Tribe of California
(F5, F6, F8, and F9) and (R1, R2, R5, and R6)

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

Responses are to be sent to:

The Honorable Judge Neel
Humboldt County Superior Court
825 5th Street, Eureka, CA 95501

2022-23 Humboldt County Civil Grand Jury
825 5th Street, Eureka, CA 95501