



# Justice Center for the Protection of People with Special Needs

## Course Outline - Investigating Allegations of Abuse, Neglect and Significant Incidents

- A. The Protection of People with Special Needs Act
  - 1. Creation of the Justice Center
  - 2. Covered Agencies
  - 3. Definitions of Abuse, Neglect and Significant Incident
  - 4. Definitions of Categories of Substantiation
  
- B. The Incident Intake and Assignment Process
  - 1. Justice Center Intake Unit Procedures
  - 2. Triage Unit Procedures
  
- C. Investigator Competencies
  - 1. Provider Programming and Staffing Requirements
  - 2. Provider documentation of
    - a. Treatment
    - b. Staffing
    - c. Training
    - d. Behavioral Interventions
    - e. Untoward Incidents
  - 3. Behavior Management Practices
  - 4. Staff Training Requirements
  - 5. Service Recipient Clinical and Behavioral Characteristics
  
- D. Incident Response – Immediate Actions
  
- E. Assigned Investigator – Initial Investigative Activities
  
- F. Collection, Preservation and Documentation of Evidence
  - 1. Types of Evidence
  - 2. Securing Evidence
  - 3. Preserving and documenting the scene
  - 4. Logging evidence and uploading to the VPCR

- G. Small Group Exercise on Initial Incident Responses, Safety Planning, Evidence Preservation and Investigation Planning
  
- H. Formal/Full Investigation Planning
  
- I. Conducting Investigative Interviews
  - 1. Forensic Interviews of Individuals with Disabilities
  - 2. Interviews of other witnesses
  - 3. Subject Interviews
  
- J. Video Exercises – Observing and Critiquing the performance of others  
(Videos of CAC child Interview, detective interview of victim and detective's suspect interview)
  
- K. Detecting Deception
  
- L. Supervised Interviewing Exercises
  
- M. Preparing Written Statements
  
- N. Second Interviewing Practice Sessions with written statement
  
- O. Evaluation of the Evidence
  
- P. Recommending Case Determinations
  - 1. Developing and challenging theories of the case
  - 2. Hearsay evidence
  - 3. Systemic issues potentially mitigating individual culpability
  - 4. Potential determinations and necessary evidentiary supports
  - 5. Identifying areas of recommendation
  
- Q. Updating the VPCR (NIMRS or IRMA)
  
- R. Investigation Report Preparation
  
- S. Investigation Report Structure
  
- T. Documentation of Significant Incident Reviews in the VPCR
  
- U. Justice Center Triage Unit Reviews of Submitted Investigations

V. Office of General Counsel Review of Investigation

1. Final Determination based on:
  - a. Investigation Report
  - b. Attached Evidence initially submitted and that added after Triage review
  - c. Triage Unit Review Memorandum

W. The Justice Center Administrative Appeals Unit

1. Requesting a Fair Hearing
2. De Novo reviews of the report and case record
3. Evidence supporting retention upon appeal
4. Counsel's work with the primary investigator
5. Hearing procedures and practices

X. Process Review – Wrap Up and Q&A Session

1. Incident Intake – VPCR Reports
2. Initial Categorization and Case Assignment
3. Responding to the Incident – Immediate Actions
4. Preliminary Investigative Activities
5. Collection and Preservation of Evidence
6. Formal Investigation Planning
7. Interviews and Statements
8. Evaluation of the Evidence
9. Achieving Appropriate Case Determinations
10. Uploading Evidence to the VPCR
11. Completing Thorough Yet Concise Investigation Reports
12. Justice Center Reviews of Submitted Reports
13. Appropriate VPCR Documentation of Significant Incident Reviews
14. Supporting the Justice Center During Administrative Appeals