



**SPECIAL TRANSMITTAL**

**SUBJECT:** Completing Outcome Narratives; the *Allegation Outcome Explanation* and *Investigation (overall) Outcome Explanation* portions of the Child Protective Service Investigation Report (CY-48 Form)

**TO:** Office of Children, Youth and Families (OCYF) Regional Offices; County Children and Youth Agencies (CCYAs); and Pennsylvania Children and Youth Administrators Association

**FROM:** Jonathan Rubin   
Deputy Secretary for Children, Youth and Families

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**PURPOSE**

At the conclusion of child abuse investigations, also known as Child Protective Services (CPS) investigations, Title 23, Pa. C. S., Chapter 63, the Pennsylvania Child Protective Services Law (CPSL) requires investigative agencies to make status determinations. The purpose of this special transmittal is to provide information and support to OCYF Regional Offices and County Children and Youth Agencies (CCYAs), when completing outcome narratives during the process of making and finalizing status determinations. For the purpose of this transmittal, *outcome narrative* refers to the *Allegation Outcome Explanation* and *Investigation Outcome Explanation* portions of the CY-48 Form (CY-48).

**BACKGROUND**

The CPSL requires status determinations to be maintained on the statewide registry according to timeframes established by the CPSL. To meet this statutory requirement, OCYF Regional Offices and CCYAs are required to provide their status determinations or outcomes to ChildLine for each CPS report assigned to their agency for investigation. This is accomplished by successfully transferring information obtained throughout the course of a CPS investigation to a CY-48 Form, which is then transmitted to ChildLine; electronically (preferred) by way of the Child Welfare Information Solution (CWIS) data management system or manually by way of DocuShare. Once the necessary information is received by ChildLine, ChildLine staff review the status determinations, or outcomes, for completion and accuracy before finalizing, closing, and housing the

information on the statewide registry. The outcome narrative portion requires individuals completing the form to:

- Critically think through the course of the investigation.
- Decide what information is necessary.
- Decide what level of detail is necessary; and
- Document the information clearly and concisely.

The outcome narrative portion of the CY-48 Form provides critical information that directly impacts child safety and accountability for perpetrators of child abuse, especially when courts are tasked with making decisions regarding perpetrators who appeal indicated or founded status determinations. When outcome narratives are completed thoroughly, they contribute to CPSL perpetrators remaining on the statewide registry as prescribed by the CPSL, reducing their opportunity to have contact with children.

## **DISCUSSION**

While certain portions of the CY-48 Form are straightforward, including pre-populated dropdowns for selecting proper responses and system validations to promote quality assurance, the outcome narrative allows for broader responses with minimal system validations in place. To reduce the number of inaccuracies or discrepancies between various portions of the CY-48 Form, ChildLine staff are trained to detect discrepancies and collaborate with OCYF Regional Offices or CCYAs when outcome rejection notices are transmitted back to the investigative agency for review and clarification. However, prior to CY-48 Forms being provided to ChildLine and for the following reasons, OCYF emphasizes the importance of quality assurance occurring at OCYF Regional Offices and CCYAs:

- The process of rejecting and transmitting the CY-48 Form back to OCYF Regional Offices or CCYAs, for review and clarification, negatively impacts the timeliness of notification letters that must be provided to subjects of a CPS report at the conclusion of CPS investigations (CPSL requires notification to be sent to subjects of a CPS report within three business days of receipt of the results of the investigation). While the CPSL does not require the CY-48 Form to be sent with notification letters it is OCYF's current practice to do so. Through this practice and in certain scenarios, OCYF is able to provide both due process to allege perpetrators and adequate time for alleged perpetrators to prepare a defense for an appeal if sought; and
- An inaccurately completed CY-48 Forms may negatively affect the result of an appeal, as alleged perpetrators are appealing based off of the information provided in the CY-48 Form. If information contained within a CY-48 Form changes, the AP is notified with an updated CY-48 Form and an OCYF generated letter stating the changes by the Quality Assurance and Administrative Support Unit. Additionally, the Appeals Unit submits the updated CY-48 Form to the Bureau of Hearings and Appeals so the most recent and accurate information is provided for the appeal hearing. Depending on what is changed/updated on the CY-48 Form, it could lend credence to the alleged perpetrator's appeal resulting in a substantiated outcome being overturned.

Common discrepancies between outcome narratives and other portions of the CY-48 Form may include:

- Outcome narrative does not match incident date(s) and/or timeframe(s);
- Outcome narrative does not line-up with the identified CPSL perpetrator role(s) and/or allegation information; and/or
- Outcome narrative does not note whether there is a criminal investigation or outcome based on the same factual circumstances.

The following lists of recommendations and specific examples are intended to provide guidance and support to investigative agencies when completing outcome narratives.

DO:

- Include detailed information in outcome narratives, however not all aspects of investigations need to be provided. Every CPS investigation and subsequent outcome narrative should be treated individually.
  - For the identified CPSL perpetrator, it is important to provide specific detailed information regarding the actual substantiated act or failure to act by the perpetrator.
- Clearly notate and provide details that support the basis for the status determination that is identified within the CY-48 explanation narrative.
  - In accordance with the CPSL, the department or county agency determines that substantial evidence of the alleged abuse by a perpetrator exists based on any of the following:
    - Available medical evidence;
    - The child protective service investigation; and/or
    - An admission of the acts of abuse by the perpetrator.
- Include information highlighting culpability.
  - Highlight whether the incident(s) of child abuse occurred as a result of an act or failure to act, and if the act was committed intentionally, knowingly, or recklessly.
- Include the perpetrator's account of the abuse.
- Include physical, medical or psychological evidence provided by a physician that the victim child was abused.
- Include account(s) from other witnesses.
- If the category of abuse was committed by a CPSL perpetrator by omission, specify how the individual knowingly allowed the victim child to be abused by another person or placed the victim child in a situation where the CPSL perpetrator knew the victim child would be at risk of abuse and abuse occurred.
- Include concluding statements at the end of outcome narratives.
  - *Example: "After the interview with victim child, it was determined that the CPSL perpetrator got into a fight with the victim child. During the altercation the CPSL perpetrator grabbed a kitchen knife and stabbed the victim child*

*in the arm causing a bodily injury. The victim child's bodily injury met the definition of child abuse provided by the CPSL."*

- Include information related to a criminal investigation or outcome based on the same factual circumstances as the report.
- Include information related to pending criminal proceedings based on the same factual circumstances as the report.
- Include thorough allegation outcome explanations and overall outcome explanations, if/when status determinations change.
  - Be sure to enter the updated supporting language in the noted fields above, not in the "explanation for court date action" or "outcome clarification comment" fields.

#### DO NOT:

- Provide identifying information regarding subjects of the report in outcome narratives.
  - When this occurs, unnecessary and duplicative work is created for OCYF staff tasked with manually redacting narrative information.
    - *Example: When a minor perpetrator of child abuse becomes eligible for expunction from the statewide registry, instead of solely removing the minor's name from the allegation(s) tab, OCYF staff must also manually remove the minor's name from the outcome narrative.*
- Include language that refers to reporting sources, as this may assist other subjects of the report in identifying who reported the abuse.
  - *Examples: "aunt reported", "mother reported", or "neighbor said"*
- Include information on unfounded perpetrator(s) and their allegation(s) within the overall outcome explanation narrative when submitting an overall substantiated outcome, due to laws, policies, and procedures regarding expunction of child abuse reports.
  - Unfounded language should only appear in the allegation outcome explanation on an individual alleged perpetrator level.

#### SPECIFIC EXAMPLES OF WELL WRITTEN OUTCOME NARRATIVES:

- *Causing Sexual Abuse or Exploitation*
  - Victim child provided a clear, consistent, and detailed account that on two occasions between the ages of 13-14 years old, CPSL perpetrator touched victim child's penis under victim child's clothes, made victim child touch the CPSL perpetrator's penis under clothes. CPSL perpetrator also "licked" victim child's penis and made victim child do the same. CPSL perpetrator removed CPSL perpetrator's clothes and victim child's clothes. CPSL perpetrator placed CPSL perpetrator's penis against victim child's buttocks. Victim child described CPSL perpetrator's penis as being erect.
    - ❖ *When appropriate and based on the sub-category of sexual abuse, sexual intent or gratification by the CPSL perpetrator is to be noted in the outcome narrative.*

- *Causing Bodily Injury*
  - Caseworker interviewed victim child on DATE. Victim child reported that CPSL perpetrator pushed victim child up against the refrigerator twice and victim child pushed the CPSL perpetrator back and tried to leave the home. CPSL perpetrator came over to victim child and grabbed victim child by the shirt. CPSL perpetrator tried to restrain victim child. Victim child got away from CPSL perpetrator and CPSL perpetrator chased after victim child. Victim child was standing in the doorway when CPSL perpetrator grabbed victim child and slammed victim child into the doorway. Victim child claims that CPSL perpetrator “body slammed” the victim child against the door hinges with the victim child’s right wrist taking the brunt of the impact. Victim child claims that is when victim child felt the pain on the victim child’s right wrist. CPSL perpetrator dragged victim child by victim child’s hair onto the porch. CPSL perpetrator then kicked victim child on victim child’s left ribcage and went into the house. Victim child sustained a fractured right wrist during the altercation. Victim child reported severe pain on left ribcage making breathing difficult and labored. Victim child is fearful of the CPSL perpetrator. The bodily injury meets the definition under the CPSL as the child experienced substantial pain. Per CPSL perpetrator, this injury occurred when the perpetrator pinned the child against the wall.
  
- *Creating a Reasonable Likelihood of Bodily Injury*
  - CPSL Perpetrator choked paramour with CPSL perpetrator’s left hand and while the CPSL perpetrator’s right hand pointed a loaded handgun at paramour while the paramour was holding victim child. Paramour was able to flee residence and CPSL perpetrator continued to point the loaded handgun at paramour as they attempted to escape while still holding victim child. Interviews with victim child, which were clear, consistent, and credible note that the victim child observed the CPSL perpetrator pointing the loaded gun at the victim child and CPSL perpetrator’s paramour, as the paramour was running away from the incident holding the victim child.
    - ❖ *It is important to include the CPSL perpetrator’s specific action(s), or lack thereof that created a reasonable likelihood of bodily injury to the victim child. The outcome explanation should include interviews with the subjects of the report and how the perpetrator’s action(s), or lack thereof placed the victim child at risk.*
  
- *Causing or Substantially Contributing to Serious Mental Injury*
  - CPSL perpetrator admitted to repeatedly telling victim child that if victim child ever went outside or talked to anyone besides CPSL perpetrator, the victim child would be shot to death. If victim child went outside or spoke to children in the neighborhood the victim child disclosed that CPSL perpetrator would incessantly criticize, make threats (including displaying handgun in front of victim child), and display rejection towards victim child including withholding love, support, or guidance. The victim child’s physician has determined/diagnosed that the victim child is chronically and severely anxious, agitated, depressed, and socially withdrawn. The CPS investigation finds that the CPSL perpetrator’s repeated actions and behaviors (noted above) led to the victim child’s diagnosis.

- ❖ *The physical manifestation (appearances, displays, indicators) of the psychological condition, as diagnosed by a physician or licensed psychologist is to be clearly noted within the outcome narrative.*
- *Per Se Act*
  - CPSL perpetrator held child up off the ground and against the wall by the victim child's throat. Throughout the course of the CPS investigation the victim child was clear, consistent, and credible when indicating that they could not breathe as a result of CPSL perpetrator placing the victim child up against a wall.
- *Multiple perpetrators involved*
  - Child was interviewed, APs were interviewed, household collaterals were conducted. Records were reviewed including detailed accounts while the victim child was placed in the foster home. While the APs deny locking the victim child in a closet or confining the victim child in anyway, substantial evidence exists/supports that the events did occur.
    - ❖ *As seen in this **overall outcome** example, the narrative is thorough and descriptive without identifying any of the alleged perpetrators.*
    - ❖ *Actions or behaviors specific to one perpetrator and not the other should be noted within their respective **outcome explanation narrative** (each perpetrator is provided their own outcome explanation located on the same CY-48 Form). The following shows the outcome explanation narratives for the APs in the example above:*
      - *Foster mother: During an interview the victim child disclosed that on numerous occasions the AP blind folded the victim child and used duct tape to tightly confine the victim child's hands behind the victim child's back for multiple hours at a time.*
      - *Foster father: During an interview the victim child disclosed that on one occasion the AP locked the victim child in a closet for at least 24 hours.*