

1 relevant and accurate evidence of child abuse or neglect is found
2 to exist

3 (b) "Child means a person under 18 years of age

4 (c) 'Child abuse means harm or threatened harm to a child s
5 health or welfare by a parent legal guardian or any other
6 person responsible for the child s health or welfare, or by a
7 teacher or teacher s aide, that occurs through nonaccidental
8 physical or mental injury sexual abuse sexual exploitation or
9 maltreatment

10 (d) "Child neglect means harm or threatened harm to a
11 child s health or welfare by a parent, legal guardian, or any
12 other person responsible for the child s health or welfare that
13 occurs through either of the following

14 (i) Negligent treatment including the failure to provide
15 adequate food clothing, shelter, or medical care

16 (ii) Placing a child at an unreasonable risk to the child s
17 health or welfare by failure of the parent legal guardian or
18 any other person responsible for the child's health or welfare to
19 intervene to eliminate that risk when that person is able to do
20 so and has or should have knowledge of the risk

21 (e) 'Department means the state department of social
22 services

23 (f) "Director means the director of the department

24 (g) "Expunge" means to physically remove or eliminate and
25 destroy a record or report

26 (H) 'INVESTIGATION PLAN MEANS THE COUNTY CHILD ABUSE
27 INVESTIGATION PLAN REQUIRED BY SECTION 17

1 (I) ~~-(h)-~~ Local office file means the system used to keep
2 a record of a written report document or photograph filed with
3 and maintained by a county or a regionally based office of the
4 department

5 (J) ~~-(i)-~~ Person responsible for the child s health or
6 welfare' means a parent legal guardian person 18 years of age
7 or older who resides for any length of time in the same home in
8 which the child resides or an owner operator volunteer or
9 employee of any of the following

10 (1) A licensed or unlicensed child care organization as
11 defined in section 1 of Act No 116 of the Public Acts of 1973
12 being section 722 111 of the Michigan Compiled Laws

13 (11) A licensed or unlicensed adult foster care family home
14 or adult foster care small group home as defined in section 3 of
15 the adult foster care facility licensing act Act No 218 of the
16 Public Acts of 1979 being section 400 703 of the Michigan
17 Compiled Laws

18 (K) ~~-(j)-~~ Relevant evidence' means evidence having a ten-
19 dency to make the existence of a fact that is at issue more prob-
20 able than it would be without the evidence

21 (L) ~~-(k)-~~ Sexual abuse means engaging in sexual contact or
22 sexual penetration as defined in section 520a of the Michigan
23 penal code, Act No 328 of the Public Acts of 1931 being section
24 750 520a of the Michigan Compiled Laws, with a child

25 (M) ~~-(l)-~~ "Sexual exploitation' includes allowing permit-
26 ting, or encouraging a child to engage in prostitution, or
27 allowing permitting, encouraging, or engaging in the

1 photographing filming, or depicting of a child engaged in a
2 listed sexual act as defined in section 145c of Act No 328 of
3 the Public Acts of 1931, being section 750 145c of the Michigan
4 Compiled Laws

5 SEC 17 (1) EACH COUNTY SHALL DEVELOP AND INSTITUTE A
6 CHILD ABUSE INVESTIGATION PLAN THE PLAN SHALL SERVE AS THE MIN-
7 IMUM STANDARD FOR INVESTIGATIONS OF PHYSICAL AND SEXUAL ABUSE OF
8 CHILDREN AND SHALL BE DEVELOPED WITH A SPECIAL REGARD FOR ALL OF
9 THE FOLLOWING

10 (A) BECAUSE OF THEIR SPECIAL STATUS AND ATTRIBUTES, AN
11 INVESTIGATION INVOLVING A CHILD VICTIM REQUIRES AN APPROACH DIF-
12 FERENT FROM ONE INVOLVING AN ADULT

13 (B) THERE IS A NEED FOR COORDINATION OF SERVICES FOR PHYSI-
14 CALLY AND SEXUALLY ABUSED CHILDREN AND THEIR FAMILIES

15 (C) IN ORDER TO PROVIDE A CONSISTENT AND APPROPRIATE
16 RESPONSE IN INVESTIGATIONS INVOLVING CHILD VICTIMS ALL THE AGEN-
17 CIES INVOLVED IN AN INVESTIGATION MUST AGREE TO ADOPT AND ADHERE
18 TO THE INVESTIGATION PLAN

19 (2) A COMMITTEE LED BY THE PROSECUTING ATTORNEY SHALL
20 DEVELOP THE COUNTY'S INVESTIGATION PLAN THE COMMITTEE SHALL
21 CONSIST OF AT LEAST 1 REPRESENTATIVE FROM EACH OF THE FOLLOWING
22 FIELDS OF EXPERTISE

23 (A) LAW ENFORCEMENT INVESTIGATORS

24 (B) PROTECTIVE SERVICES WORKERS

25 (C) MEDICAL PROFESSIONALS

26 (D) MENTAL HEALTH PROFESSIONALS

1 (3) SUBSECTION (2) PRESCRIBES THE MINIMUM COMPOSITION OF THE
2 DEVELOPMENT COMMITTEE AND IS NOT A LIMITATION ON THE NUMBER OR
3 FIELDS OF EXPERTISE OF THE MEMBERSHIP

4 SEC 18 (1) AN INVESTIGATION PLAN SHALL PROMOTE ALL OF THE
5 FOLLOWING

6 (A) PROPER AND EFFECTIVE INVESTIGATION AND PROSECUTION OF
7 EACH CHILD ABUSE CASE

8 (B) PROTECTION, TREATMENT, AND CONTINUING SUPPORT FOR AN
9 ABUSE VICTIM AND THAT CHILD S FAMILY

10 (C) IMPROVED COOPERATION AMONG PROFESSIONALS AND AGENCIES TO
11 DEVELOP A COMMON GOAL TO IMPROVE MANAGEMENT OF CHILD ABUSE
12 CASES

13 (D) INCREASED AWARENESS AND REPORTING OF CHILD ABUSE

14 (E) REDUCTION OF TRAUMA TO THE CHILD VICTIM BY ENSURING THAT
15 AN INDIVIDUAL INVOLVED IN AN INVESTIGATION IS PROPERLY TRAINED

16 (2) THE INVESTIGATIVE PORTION OF AN INVESTIGATION PLAN SHALL
17 BE DEVELOPED WITH AN EMPHASIS ON THE FOLLOWING OBJECTIVES

18 (A) DETERMINATION OF WHETHER THE CHILD WAS ABUSED BY A
19 PERSON RESPONSIBLE FOR THE CHILD'S HEALTH OR WELFARE

20 (B) DETERMINATION OF WHETHER THE CHILD NEEDS PROTECTION

21 (C) DETERMINATION OF WHETHER THERE IS PROBABLE CAUSE THAT A
22 CRIME WAS COMMITTED AND THAT THE SUSPECT COMMITTED THE CRIME

23 (D) MINIMIZATION OF TRAUMA TO THE VICTIM

24 (E) FAIRNESS TO THE ACCUSED

25 SEC 19 AN INVESTIGATION PLAN SHALL REQUIRE THAT A CHILD
26 ABUSE INVESTIGATION BE CONDUCTED BY A COORDINATED INVESTIGATIVE
27 TEAM THAT CONSISTS OF THE PROSECUTING ATTORNEY AND 1

1 REPRESENTATIVE FROM EACH OF THE SAME FIELDS OF EXPERTISE REQUIRED
2 FOR THE INVESTIGATION PLAN DEVELOPMENT COMMITTEE UNDER SECTION
3 17 A MEMBER OF THE COORDINATED INVESTIGATIVE TEAM SHALL PARTIC-
4 IPATE IN THE INVESTIGATION TO THE EXTENT NECESSARY AND
5 APPROPRIATE