

PROCEDURE XIV-A4: Notices of True Investigative Findings

When a preponderance of the evidence found during an investigation indicates that an allegation should be determined true, the investigating agency shall notify certain persons as noted below or may notify the certain persons as noted below if the department determines the notification is necessary to ensure the health or safety of a child or confirm the investigative determination upon request as noted below. These notices may be made prior to satisfaction of due process for the alleged offender. If notice cannot be made to the alleged offender, see Procedure IX-A6, Expedited Hearing Process.

Any person or agency to whom disclosure is made may not disclose to any other person a report or other information included in the notices. However, the person or agency is permitted to consult his or her own attorney regarding the information in any notice provided to them.

- A. Law Enforcement
 - 1) Type of Allegation Severe maltreatment only
 - 2) What Information
 - Name of each victim
 - Name of alleged offender
 - Type of Maltreatment
 - 3) When Within 10 business days of determination
 - 4) Form CFS-221-T or CACD-221-T as appropriate
- B. Prosecuting Attorney
 - 1) Type of Allegation Severe maltreatment only
 - 2) What Information
 - Name of each victim
 - Name of alleged offender
 - Type of maltreatment
 - 3) When Within 10 business days of determination
 - 4) Form CFS-221-T or CACD-221-T as appropriate
- C. Facility Director or Licensing or Registering Authority
 - 1) Type of Allegation All maltreatment, only if the maltreatment occurred at the facility or if the alleged offender holds a license or registration from the authority
 - 2) What information
 - Name of alleged offender
 - Type of maltreatment
 - 3) When Upon request or if department determines notification is necessary to ensure the health or safety of the child
 - 4) Form CFS-234-T or CACD-234-T as appropriate
- D. Facility Director
 - 1) Type of Allegation All maltreatment, only if the maltreatment occurred at the facility and the facility is licensed or registered by, or is operated by or operated under contract with the State of Arkansas.
 - 2) What Information
 - Name of alleged offender
 - Type of maltreatment
 - 3) When Upon request or if department determines notification is necessary to ensure the health or safety of the child
 - 4) Form CFS-222-T or CACD-222-T as appropriate
- E. DHS Division Director
 - 1) Type of Allegation All maltreatment, only if the maltreatment occurred at a facility operated by or operated under contract with the Department

Deleted: 3
Deleted: 3

- 2) What Information Name of alleged offender
Name of alleged victim
Type of maltreatment
- 3) When Upon request or if department determines notification is necessary to ensure the health or safety of the child
- 4) Form CFS-230-T

F. Alleged underaged juvenile offender (under 13 years of age)

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged offender
Name of alleged victim
Type of maltreatment
- 3) When Within 10 business days of determination
- 4) Form CFS-223-T1 or CACD-223-T1 as appropriate

G. Alleged juvenile offender 13-15 years of age

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged offender
Name of alleged victim
Type of maltreatment
- 3) When Within 10 business days of determination
- 4) Form CFS-223-T2 or CACD-223-T2 as appropriate

H. Alleged juvenile offender 16-17 years of age

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged offender
Name of alleged victim
Type of maltreatment
- 3) When Within 10 business days of determination
- 4) Form CFS-223-T3 or CACD-223-T3 as appropriate

I. Alleged juvenile offender (at time of offense) currently 18 or older (at time of notification)

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged offender
Name of alleged victim
- 3) When Within 10 business days of determination
- 4) Form CFS-223-T4 or CACD-223-T4 as appropriate

J. Legal parents and legal guardians of alleged underaged juvenile offender (under 13 years of age)

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged offender
Name of alleged victim
Type of maltreatment
- 3) When Within 10 business days of determination
- 4) Form CFS-224-T1 or CACD-224-T1 as appropriate

K. Legal parents and legal guardians of alleged juvenile offender (13 through 15 years old)

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged offender
Name of alleged victim
Type of maltreatment

Formatted: Indent: Left: 0.25", No bullets or numbering

Formatted: Indent: Left: 0.25", No bullets or numbering

Formatted: Indent: Left: 0.5", No bullets or numbering

Formatted: Font: Calibri

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Indent: Left: 0.25", No bullets or numbering

Formatted: Indent: Left: 1.75", First line: 0.25", No bullets or numbering

Formatted: Indent: Left: 0.25", No bullets or numbering

Formatted: Indent: Left: 0.25", No bullets or numbering

Deleted: 7

- 3) When Within 10 business days of determination
- 4) Form CFS-224-T2 or CACD-224-T2 as appropriate

Deleted: 1

L. Legal parents and legal guardians of alleged juvenile offender (16 - 17 years old)

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged juvenile offender
Name of alleged victim
Type of maltreatment
- 3) When Within 10 business days of determination
- 4) Form CFS-224-T3 or CACD-224-T3 as appropriate

Deleted: 1

Deleted: underaged (under 13 years)

M. Current foster parent of alleged offender in foster care.

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged offender
Type of maltreatment
- 3) When Within 10 business days of determination
- 4) Form CFS-224-T4

Deleted: 2

Deleted: 2

N. Legal Parents and legal guardians of alleged offender 13-15 not adjudicated delinquent, not pleaded guilty or not been found guilty of sexual abuse offense on same set of facts contained in report

- 1) Type of Allegation Sexual abuse
- 2) What information Name of alleged juvenile offender
Name of alleged victim
- 3) When Within 10 business days of determination
- 4) Form CFS-224-T5 or CACD-224-T5 as appropriate

Deleted: <#>Alleged juvenile offender (at time of offense) currently 18 or older (at time of notification)¶
 1) . Type of Allegation . All maltreatment¶
 2) . What information . Name of alleged offender¶
 . . . Name of alleged victim¶
 3) . When . . . Within 10 business days of determination¶
 4) . Form . . . CFS-224-T4 or CACD-224-T4 as appropriate¶

O. Legal parents or legal guardians of alleged victim in foster care

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged offender
Name of alleged victim
Type of maltreatment
- 3) When Within 10 business days of determination
- 4) Form CFS-225-T1 or CACD-225-T1 as appropriate

P. Current Foster parent of alleged victim in foster care

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged victim
Type of maltreatment
- 3) When Within 10 business days of determination
- 4) Form CFS-225-T2

Q. Custodial, non-custodial parent, guardians, legal custodians of victim, regardless of the age of the child

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged victim
Name of alleged offender
Type of maltreatment
- 3) When Within 10 business days of determination
- 4) Form CFS-225-T1 or CACD-225-T1 as appropriate

R. Victim, if 10 years of age or older

- 1) Type of Allegation All maltreatment
 2) What Information Name of alleged victim
 Name of alleged offender
 Type of maltreatment
 3) When Within 10 business days of determination
 4) Form CFS-225-T1 or CACD-225-T1 as appropriate
- S. Attorney ad litem of alleged victim
 1) Type of Allegation All maltreatment
 2) What Information Name of alleged victim
 Name of alleged offender
 Type of maltreatment
 3) When Upon request or if department determines notification is necessary to
 ensure the health or safety of the child
 4) Form CFS-226-T1
- T. Court appointed special advocate of alleged victim
 1) Type of Allegation All maltreatment
 2) What Information Name of alleged victim
 Name of alleged offender
 Type of maltreatment
 3) When Upon request or if department determines notification is necessary to
 ensure the health or safety of the child
 4) Form CFS-226-T1
- U. Juvenile division of circuit court with jurisdiction of an ongoing dependency neglect or FINS case of alleged
 victim
 1) Type of Allegation All maltreatment
 2) What Information Name of alleged victim over whom the court has jurisdiction
 Name of alleged offender
 Type of maltreatment
 3) When Upon request
 4) Form CFS-226-T1
- V. Juvenile division of circuit court with jurisdiction of an ongoing dependency neglect or FINS case of alleged
 offender
 1) Type of Allegation All maltreatment
 2) What Information Name of alleged victim
 Name of alleged offender over whom the court has jurisdiction
 Type of maltreatment
 3) When Upon request or if department determines notification is necessary to
 ensure the health or safety of the child
 4) Form CFS-230-T
- W. Attorney ad litem of alleged offender
 1) Type of Allegation All maltreatment
 2) What Information Name of alleged victim
 Name of alleged offender
 Type of maltreatment
 3) When Upon request or if department determines notification is necessary to
 ensure the health or safety of the child

- 4) Form CFS-228-T
- X. Court appointed special advocate of alleged offender
- 1) Type of Allegation All maltreatment
 - 2) What Information Name of alleged victim
Name of alleged offender
Type of maltreatment
 - 3) When Upon request or if department determines notification is necessary to ensure the health or safety of the child
 - 4) Form CFS-228-T
- Y. Counsel in Dependency Neglect or FINS Case of an alleged offender
- 1) Type of Allegation All maltreatment
 - 2) What Information Name of alleged offender
Name of alleged victim
Type of maltreatment
 - 3) When Within 10 business days of determination
 - 4) Form CFS-230-T
- Z. Counsel in Dependency Neglect or FINS Case of an alleged victim
- 1) Type of Allegation All maltreatment
 - 2) What Information Name of alleged offender
Name of alleged victim
Type of maltreatment
 - 3) When Within 10 business days of determination
 - 4) Form CFS-226-T1
- AA. Attorney ad litem of child in foster home where maltreatment is reported
- 1) Type of Allegation All maltreatment
 - 2) What Information Name of child represented by the AAL only
 - 3) When Upon request or if department determines notification is necessary to ensure the health or safety of the child
 - 4) Form CFS-229-T
- BB. Court appointed special advocate of child in foster home where maltreatment is reported or when alleged juvenile offender or under-aged juvenile offender is placed in the same placement as client
- 1) Type of Allegation All maltreatment
 - 2) What Information Name of child represented by the CASA only
Type of maltreatment
 - 3) When Upon request or if department determines notification is necessary to ensure the health or safety of the child
 - 4) Form CFS-229-T
- CC. Multidisciplinary Team for Alleged Offender or Victim
- 1) Type of Allegation All maltreatment
 - 2) What Information Name of alleged victim
Name of alleged offender
Type of maltreatment
 - 3) When Upon request or if department determines notification is necessary to ensure the health or safety of the child
 - 4) Form CFS-230-T

DD. School where any child who is an alleged victim of maltreatment is enrolled

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged victim
Type of maltreatment
- 3) When Within 10 business days of determination
- 4) Form CFS-231-T or CACD-231-T as appropriate

EE. School where alleged juvenile offender is enrolled

- 1) No notice at this time

FF. Offender, 13 years of age and older (see "True Determination and special process for Notice to Offender" below)

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged victim
Name of alleged offender
Type of maltreatment
- 3) When Within 10 business days of determination
- 4) Form CFS 232-T1 and CFS-232-T1a or CACD-232-T1 and CACD-232-T1a as appropriate

GG. Offender, Exempt, Garrett's Law or Religious

- 1) Type of Allegation All maltreatment
- 2) What Information Name of alleged victim
Name of alleged offender
Type of maltreatment
- 3) When Within 10 business days of determination
- 4) Form CFS-232-T2 or CACD-232-T2 as appropriate

MAILED