



FAQs

Use of Photography During CPS Investigations and Ongoing Foster Care Cases

Considerations for direct service staff regarding if and when it is appropriate to use photographs as part of case practice

Photographs, when taken in appropriate situations and stored responsibly, are key practice tools for child protective and ongoing social workers. They're an important form of documentation of evidence of abuse and/or neglect during an investigation. For youth in foster care, a current head shot can help with identification and enrollment across systems and service providers.

While the decision regarding if/how to use photographs is most often a clinical decision that is best left to the clinical social worker, it's important to have clear guidance of when and if it's appropriate to use photos as a case practice tool.



As a CPS Investigator, should I be taking photographs for every investigation I conduct?

No, photographs are not a mandatory part of investigations. They are simply tools to assist in gathering evidence of abuse or neglect. Your clinical judgment and written observations are the most important tools for the investigation.

So, when is it appropriate to take photos during an investigation?

Take photos when there is a visible injury in suspected physical abuse cases. Be sure to take one head shot to identify the child. Photograph the areas of physical trauma on the child, and do some from different angles and distances. If the injury is under the child's clothing, apply the Agency guidance on age and gender considerations. Also, in instances where conditions in the home are unsafe for the child, you may photograph the evidence of those conditions.

What if I'm investigating physical or sexual abuse that involves possible injury to a child's genitals?

Never photograph a client's genitals. Examination of a child's genitals has to be done by a medical professional.

Occasionally the Hotline report indicates deplorable and unsafe home conditions and when I arrive on-site, I find that the conditions are not as bad as reported. Should I photograph the home to demonstrate an ABSENCE of safety issues in light of the report?

This is generally discouraged. There's no need to document an *absence* of abuse or neglect. If, in your

clinical judgment, there aren't any unsafe conditions in the home, just be sure to document as much in your investigation notes. You can even mention the discrepancy between the original report and your observations on the scene. In these instances, remember that you're the expert, and your careful observations and written documentation regarding the absence of risk factors will suffice.

Do I have to use my Agency-issued device to take photos?

Yes. Use Agency-issued devices ONLY, and you must take the photos using the mFACES application. It can then be viewed on the FACES.net desktop application under the appropriate Referral and Client record. Do not use the manufacturer's photo application on the device. And do not use your personal equipment to take photos. This protects client confidentiality and yours as well.

Do I need parental/caretaker consent before I take photographs during an investigation?

Although not required, you should always make a concerted effort to get parental consent, just as you would do when it comes to entering the home during the investigation or family assessment. Never coerce consent from the parent, and honor the parent's right to withdraw consent at any time. If the parent refuses to consent, remember that while photographs can be helpful to corroborate abuse or unsafe conditions, your clinical observations and well written documentation will suffice.

What if the parent is not available to provide consent?

If age-appropriate, make an effort to get the child's consent, at the very least, and use your clinical judgment to determine whether you need the photographs in the absence of consent. If you feel that they're absolutely integral to the investigation, then take the photographs you need to take.

Can my photographs be used as evidence in court?

Yes. They can be very helpful evidence in court or an administrative hearing, but in order for them to be used, every photograph has to be carefully documented with:

- ✓ Child name and age
- ✓ Names of any witnesses present
- ✓ Date and time and location of the photo
- ✓ Name of the photographer

Is it ever appropriate to alter a photo taken during a CPS investigation, like to photo-shop out a glare or to crop it?

Never do this. Don't alter any photo in any way.

Should I take a headshot of children/youth in Foster Care for their case file?

Yes, it is important to take a headshot at least annually for as long as the child is in foster care. You do not need parental consent to photograph a child in foster care (although you should make an effort to get the child's consent). Print (on an Agency printer) a hard copy for the child's case record, download a copy to a CFSA server for storage, and save the photo to FACES.NET. Many workers take the photo in August at the beginning of the school year. This is the photo that can be printed for the child's Passport Book.

Can I save photos on my Agency-issue mobile device for my own reference?

No. Don't do this. If you've uploaded the photo to the child's FACES.NET case record through the mFACES app, then it won't be saved to your device. The photo will simply be saved on FACES.NET. Any digital image of a child that is otherwise saved to the photo gallery of your Agency-issue mobile device should be deleted from it for client confidentiality reasons.

If you have questions about **consent specifically**, then email CFSA's General Counsel at cfsa.ogc@dc.gov or call (202) 727-2646.