

PATENTLY UNFOUNDED

November 8, 2013

Explanation: A new determination type is available for use when investigators determine that there is readily observable, compelling evidence that the allegations are verifiably erroneous and inaccurate, and no maltreatment occurred or present danger threat(s) was identified.

Benefit:

- A "Patently Unfounded" determination removes the system edit requiring completion of a Family Functioning Assessment for an in-home investigation.
- The "Patently Unfounded" determination is selected from a "Drop Down" list on the Child Investigation Page – Results tab.

Who is impacted:

- Child Protective Investigators (CPI)
- CPI Supervisors

Policy / Decision surrounding practice:

- 1. Definition:** For purposes of a child protective investigation, Patently Unfounded means those incidents reported in good faith to the Abuse Hotline that are subsequently determined to have no basis in fact as demonstrated by readily observable and corroborated information. Compelling evidence is the collection of evidence to the contrary or direct refutation of the allegation, not simply the absence of evidence the maltreatment occurred. Patently Unfounded closures are distinct and separate from False Reports as defined in Section 39.01(29), Florida Statute.
- 2. Supervisory Approval:** Supervisory approval is required prior to any cessation of investigative activities and the determination that a report is Patently Unfounded.
- 3. Criteria for Use:** In approving the use of the Patently Unfounded determination, the supervisor must ensure the following investigative activities are completed and the exceptional standard of "compelling evidence" is met:
 - (1) There is compelling evidence and corroborated information to indicate not just the absence of the maltreatment, but that the conditions in the home or status of the child are in direct contrast to what was alleged (e.g., The investigator would document not just the absence of hazardous conditions in the home but also note that the home was exceptionally clean and neat with photographs to support those statements, etc.).
 - (2) No other present danger threats are identified in the home.
 - (3) No conflicting information related to the alleged maltreatment was obtained or new concerns or allegations expressed when household members and collateral contacts were interviewed during the course of the investigation.

On-line Training: Training for these changes is posted on the Center for Child Welfare's website: <http://centervideo.forest.usf.edu/fsfnenduser/lifecycleintake/start.html>

Resources: User Guides, How Do I Guides, Topic Papers, Reference Data are posted on the Center for Child Welfare's FSFN website: <http://centerforchildwelfare.fmhi.usf.edu/FSFN/FSFNactivation.shtml>

CONTACT INFO: If you have a question, submit it to the Center for Child Welfare's "FAQ" tab: <http://centerforchildwelfare.fmhi.usf.edu/FAQs/AskaFAQ.shtml>

