



Audio Recording Interviews

STATE of Maine
OFFICE OF CHILD AND FAMILY SERVICES POLICY

Section
2

Subsection
4

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I. SUBJECT

Audio Recording Interviews.

II. STATUTORY AUTHORITY

[22 M.R.S.A. §4021](#)

III. DEFINITIONS

For a complete list of definitions, see the [OCFS Policy Manual Glossary](#). In this document, the first reference to any defined word is hyperlinked to the Glossary.

IV. POLICY

In response to child safety concerns, the Office of Child and Family Services (OCFS) reaches factually supported conclusions promptly and thoroughly. Input from [parent\(s\)/caregiver\(s\)](#), children, extended family, and community stakeholders is a necessary component in assuring safety. OCFS recognizes the need for transparency in the work with children and families. Audio recording interviews with children is legally mandated and best practice when investigating allegations of child [abuse and/or neglect](#). Audio recording of [caregiver interviews](#) is not legally mandated but is recommended as best practice. All interviews must be accurately captured via documentation and uploading of recordings in the Child Welfare Information System.

V. PROCEDURES

Prior to Conducting an Audio Recording. The caseworker is responsible for the safekeeping of recording devices and any recordings maintained on those devices. To ensure efficiency and functionality in the field, the caseworker will:

- a. Ensure the recording device is working and that the caseworker can operate the device.
- b. Ensure there is enough memory on the recording device to record the planned interview.
- c. Ensure the recording device is fully charged.
- d. Test the recording device before the interview begins.
- e. In the case of a lost or damaged recording device, immediately make their supervisor and Program Administrator aware of the occurrence and participate fully in any attempt to locate the recording device.

Child Interviews. All planned interviews with the child must be audio recorded ([22 M.R.S.A. §4021](#)) and uploaded into the Media File related list within the Child Welfare Information System with ten (10) business days. In line with [2.2 Child Protection Investigation Policy](#), the following guidelines will be followed when interviewing a child:

- a. Turn on the recording device when the interview begins and explain the purpose of the recording device to the child/youth.
- b. If the child/youth objects to having their interview recorded the caseworker will stop the recording. The caseworker will explore the reasons for the child's objection to being recorded by providing information, answering questions, and letting the child see and experiment with the recording device, being cautious of exposure to any other confidential information already on the recording device.
- c. The caseworker will work to help the child/youth become comfortable with recording the interview but will not pressure the child/youth to allow the recording.
- d. OCFS staff and law enforcement may share audio recordings in joint investigations only.

Caregiver Interviews. Audio recording of caregiver interviews is not legally mandated but is recommended as best practice. The following guidelines will be followed when interviewing a parent/caregiver:

- a. Caseworkers will request that the parent/caregiver have their interviews audio recorded.
- b. Caseworkers will explain the benefits of audio recording interviews, such as the record reflecting their exact words, and the ability to more fully engage in the conversation rather than trying to write it all down.

- c. Before they begin recording, the caseworker will inform the parent/caregiver that audio recording is voluntary and then ask if they consent to the recording. Once consent is given, the caseworker will begin recording and ask the parent/caregiver to confirm they have consented to the audio recording before proceeding with the interview.
- d. As recording parent/caregiver interviews is voluntary, the parent/caregiver may ask to end the recording at any time, which the caseworker must do. However, the caseworker will not delete any recorded portion of an interview, as upon recording it becomes an official Departmental record which is confidential and maintained according to [8.2 Determining Access to the Department's Records Policy](#).

Documentation. Per [8.1 Documentation Policy](#), all interviews must be captured in the Child Welfare Information System within ten (10) business days.

- a. All interviews with audio recordings will also be captured via the appropriate templates in the Child Welfare Information System.
- b. Within ten (10) days of the interview, the caseworker will upload the recording to the Child Welfare Information System's Media File related list.
- c. If the child refuses to be audio recorded, the caseworker will document how the recording device was introduced and the child's response.
- d. If law enforcement objects to the audio recording in a co-investigation, the caseworker will consult with their supervisor before proceeding with the interview.

Role of the Supervisor. OCFS Supervisors provide direct oversight of casework practice and ensure relevant laws and policy are followed (See [10.4 Supervisory Policy](#)). To ensure best practice and focus on quality service provision, supervisors will:

- a. Ensure that caseworkers are adequately trained in the use and maintenance of recording devices.
- b. Verify that audio recordings are uploaded in the Child Welfare Information System prior to approving the closure of investigations or cases, or that there is a documented reason that the recording did not occur.
- c. Follow up during regular supervision to ensure that caseworkers maintain their recording devices and upload recordings regularly.
- d. Report any incident of a lost recording device to the PA and the OCFS General Counsel or designee immediately so that appropriate assessment of confidentiality laws can be completed.

VI. POLICY SUPERSEDES

2.4 Audio Recording Interviews, effective July 12, 2016.

VII. LINKS TO RELATED POLICIES

[2.2 Child Protection Investigation Policy](#)

[8.1 Documentation Policy](#)

[8.2 Determining Access to the Department's Records Policy](#)

[10.4 Supervisory Policy](#)

VIII. APPENDICES

Appendix A: Fact-Finding Child Interview Template.

Note: The hyperlinks to these documents only work on DHHS issued computers. If you would like to request a copy of these documents, please email your request to:

OCFSPolicyTraining.DHHS@maine.gov