

Policy Name:	Photo Documentation Policy
Policy Number:	IA 60.00, OCM 60.00
Policy Eliminated	IA 60.00, OCM 60.00 Utilization of Pictures or Video Policy
Subject:	Photo Documentation Policy
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Contact Div/Bur/Sec:	Division of Milwaukee Child Protective Services (DMCPS)
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Any information referenced within this document is considered to be a part of this policy with the exception of the "related resources" section.

Summary:

This policy defines the procedures for photo documentation by DMCPS and Ongoing contracted agencies. This policy applies when a child is missing or placed in out-of-home care. When reporting a missing child photo documentation is required in accordance with Wisconsin State Statutes, DCF Policies, Ongoing Standards, and DCF contracts with private agencies. This policy also notes other circumstances where photos may be permitted.

Policy:

In accordance with the 2015 Wisconsin Act 368, which was codified in federal legislation (H.R. 4980 Preventing Sex Trafficking and Strengthening Families Act), child photographs are required for every child in out of home care, as well as when a child is missing from out-of-home care ([DSP Memo 2016-26](#)). Within 30 days of child's placement in out-of-home care, a photo must be uploaded in eWiSACWIS and updated every six months thereafter, as long as the child remains in out-of-home care.

The agency with placement and care responsibility must notify law enforcement when a child is missing for eight hours or for a period of time that cannot be reasonably justified by the child's age, maturity, or emotional capacity. The responsible agency must share if the child is at-risk or has been a victim of sex trafficking when making a report to law enforcement. The Milwaukee Police department files a missing person's report if the child has been missing in accordance with their policies and procedures. The responsible agency must notify the National Center for Missing and Exploited Children (NCMEC) within 24 hours through eWiSACWIS. See *DMCPS Policy: IA 34.00, OCM 53.00, IIHS 12.00 Missing Children* for further guidance.

See the procedures below for further information regarding the process, roles, and responsibilities regarding obtaining a photo, when a child is placed in out-of-home care or when a child is determined to be missing.

Procedures:

Obtaining and taking photographs

DMCPS and Ongoing agencies are prohibited from using their personal electronic devices to take pictures in the course of their daily job responsibilities and duties.

Ongoing agencies are responsible for obtaining or taking photographs of every child in out-of-home care within the first 30 days of placement and every 6 months thereafter. A photo may be obtained in the following manner:

1. From the child, family, or relative that complies with [Ongoing Standards](#).
2. The assigned Ongoing case manager (OCM) may take a photo of the child on an agency-issued device (camera, phone, etc.). When this occurs, the child must be in a comfortable, non-intimidating setting. The OCM must explain why a photograph is required and facilitate the process in a sensitive manner. If a child refuses or is uncomfortable, explore the options listed above such as having the child take their own photograph.

DMCPS Initial Assessment specialists (IAS) and employees are not permitted to take photos of a child involved in an initial assessment. IAS may obtain a photo produced by the child, the child's family, the Child Advocacy Center (CAC), or a public school if the child is entering out-of-home care.

All photos must meet the following requirements in compliance with this policy and [Ongoing Standards](#):

- Photo must be clear.
- Photo must contain only the child.
- Photo must be taken close enough to be able to identify the child. A headshot or full body shot is acceptable. A full body shot should be taken if the child has missing limbs, uses a wheel chair or other assistance devices.
- The child's face must not be obstructed by an item such as a hat or mask.
- If the child regularly wears eyeglasses, these should be captured in the image.
- Other permissible photos that may be obtained to improve child identification include:
 - Photos of the child's tattoos
 - A photo of child with dyed hair and a photo of the child with their natural hair color

When a photo is needed to document evidence of alleged, suspected, or confirmed abuse and neglect, the DMCPS and Ongoing agencies should not take a photo. The photo must be taken and documented by the Child Advocacy Center (CAC) or medical provider. See *DMCPS policy IA 9.00, IIHS 2.00, OCM 4.00 Medical Evaluations for Children* for further guidance.

If the person taking the photo is unsure if it is appropriate to take a photo or has difficulty obtaining a photo, they must consult their supervisor.

Documenting a photo in eWiSACWIS

Please see the eWiSACWIS instructions "[Imaging by Person](#)" for an explanation of how to upload a photo. The following fields are required on the Imaging Page in eWiSACWIS and must contain the following information under *Image Details*:

1. Date of document: *the date the document is uploaded*
2. Category: *will be prefilled with child/youth image*
3. Type: *select child/youth image*
4. File name: *click browse to upload the photo*
5. Comments: *indicate the date the photo was taken and provide additional information about the child's appearance that may aid in identification.*

If a photograph has not and cannot be obtained, provide an explanation of the diligent efforts that were made to obtain a photograph and why it was not possible to do so in the notes section of the child/youth image in eWiSACWIS.

Other circumstances when photos may be permitted

In accordance to Wisconsin State Statutes, DCF policies and regulations and contracts between DCF and the contracted agencies, and Ongoing agencies' policies, photos may be permitted for the following circumstances:

1. For the purpose of foster home recruitment, adoption recruitment, or creation of a child's Lifebook .
2. Foster parents and/or out-of-home providers may be permitted to take pictures of children in their care to share with the agency, parent/guardian of child, sibling, relative and the child.
3. DMCPs and contracted agencies may provide the client assistance to obtain the ability/means to take pictures (i.e. purchase a disposable camera for use at a family outing).

Responsibilities:

DMCPs IAS: may obtain a photo of a child from the CAC or public school the child attends, and must generate a NCMEC notification and report when a child is missing.

Ongoing OCM: must take or obtain a photograph of a child entering out-of-home care within 30 days of placement and every 6 months thereafter, as well as generate a NCMEC notification and report when a child is missing.

Related Resources:

- [Access and Initial Assessment Standards; Ongoing Standards](#)
- [DCF Policies](#)
 - DSP Memo 2016-26: 2015 WI Act 368 Missing from Out-of-Home Care and Child Photograph Requirements.

- [DCF #762 Video Camera Policy](#) (*only viewable by DCF employees*)
- [DMCPS Policies](#)
 - IA 34.00 Missing Children
 - IA 9.00, IIHS 2.00, and OCM 4.00 Medical Evaluations for Children
- eWiSACWIS instructions "[Imaging by Person](#)"
- [Joint Protocol, Milwaukee County Child Abuse Review Team \(CART\)](#) (*only viewable by DCF employees*)
- [Milwaukee Police Department Standard Operating Procedure](#): 180-Missing Persons