

Reporting Suspected Child Abuse

1045.1 PURPOSE AND SCOPE

The purpose is to establish and implement written policy and procedures for the mandatory reporting of suspected child abuse to designated child protective agencies. This policy applies to all juvenile facility staff.

1045.2 AUTHORITY AND REFERENCES

- Executive Committee;
- California Penal Code §§ 11165.7 & 11166;
- Juvenile Facility Services Policy; Prison Rape Elimination Act (PREA) of 2003.

1045.3 POLICY

All juvenile facility staff who are mandated child abuse reporters, listed in California Penal Code (PC) Section 11165.7, shall promptly report all suspected child abuse cases to Child Protective Services (CPS) pursuant to 11166 PC.

1045.4 STAFF RESPONSIBILITIES

Staff who have knowledge of or observe a youth whom they know or reasonably suspect has been the victim of child abuse or neglect, shall report such suspected incident of abuse or neglect to CPS immediately or as soon as practicable by telephone, and shall prepare and send a written report thereof within 36 hours of receiving the information concerning the incident. Refer to 11166 (a) PC.

Staff receiving information that a youth may have been the victim of child abuse or neglect, regardless of the length of time since the alleged incident, shall immediately notify the duty officer (DO).

The DO shall ensure the staff receiving the information shall be relieved of all youth supervision responsibilities to allow staff to expedite the reporting process.

Abuse alleged to have occurred prior to detention in the juvenile facility shall be reported in the same manner. Reporting the alleged child abuse is mandatory:

- (a) The responsibility for reporting child abuse extends to reasonable suspicions of abuse which may have occurred outside the facility, outside the county, or outside the state/country;
- (b) There are no time limits in reporting alleged abuse of a youth under 18 years of age; the incident may have occurred any time since the birth of the youth until their 18th birthday; and
- (c) There is no reporting requirement if the individual making the allegation is no longer under 18 years of age.

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Staff receiving the information shall call the Child Protective Services Hot Line Number (1-800-346-8100) and verbally report the details of the disclosure. The social worker will then ask for pertinent information and assign a case number. Staff shall complete the Suspected Child Abuse Report form (SS8572), to include the assigned case number and the name/title of the social worker who received the report.

Staff shall complete an incident report in the Juvenile and Adult Management System (JAMS) and forward to the DO prior to the end of their shift unless additional time is necessary and authorized by the facility manager(s) or designee.

1045.5 DUTY OFFICER (DO) RESPONSIBILITIES

The DO or designee shall review the reports and distribute as follows:

- (a) The Suspected Child Abuse Report form consists of four pages.
- (b) Make three photo copies of the original and distribute one each to the following:
 - (a) To the youth's assigned probation officer (PO), or if there has not been a PO assigned, to the juvenile probation intake unit;
 - (b) On-site health care staff; and
 - (c) Behavioral health staff.
- (c) Forward the white/blue/green copies to CPS by the following business day:
 - (a) Mail stop #5023; or
 - (b) Riverside County Child Protective Services, 23119 Cottonwood Avenue, Moreno Valley, CA 92553
- (d) CPS shall forward the white copy to law enforcement and the green copy to the District Attorney's office.
- (e) The yellow copy shall be placed in the youth's facility file.
- (f) The DO shall document in the duty log that all copies of the Suspected Child Abuse Report form were distributed properly.

If a youth makes allegations of child abuse against staff or other youth, the DO shall ensure:

- (a) The on-site health care staff, if on duty, is notified unless the youth is a victim of sexual assault. With the exception of those youth, the on-site health care staff shall examine the youth and record, in the medical records, any injuries observed. [REDACTED]
- (b) [REDACTED]
- (c) The facility manager(s) shall be notified immediately.

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- (d) The DO shall follow Juvenile Facility Services Policy; Prison Rape Elimination Act (PREA) of 2003 regarding incidents of sexual assault.
- (e) Only a supervising probation officer (SPO) may conduct a fact-finding of the incident.
- (f) The SPO conducting fact-finding of an allegation of suspected child abuse by staff or other youth within the facility, shall ensure:
 - 1. An immediate fact-finding shall be conducted to determine if sufficient data exists to develop a reasonable suspicion. The SPO shall obtain and evaluate all available data to determine that reasonable suspicion of child abuse exists.
 - 2. A full investigation of all the relevant facts by the SPO is not expected or suggested before deciding if a suspicion of child abuse is reasonable; that is considered the role of the CPS agency/law enforcement agency to which the child abuse report is made.
 - 3. If there is reasonable suspicion that child abuse occurred, the SPO shall ensure the staff receiving the information concerning the allegation completes the Suspected Child Abuse Report form and reports the information to CPS/law enforcement agency.
 - 4. The completed fact-finding report and a copy of the Suspected Child Abuse Report shall be given to the facility manager(s) for further action/disposition.
 - 5. The reporting duties of a mandated reporter are individual, and cannot be delegated to another staff. No one may impede or inhibit reporting by a mandated reporter, nor may they take any actions against the reporter for making a report.
 - 6. Pursuant to law, no liability is assigned to the reporting party; however, FAILURE TO REPORT A KNOWN INSTANCE OF SUSPECTED CHILD ABUSE IS PUNISHABLE AS A MISDEMEANOR.

Date last reviewed: 05/24/2019

Date(s) revised: 05/24/2019

07/18/2016

10/01/2001

Created: 03/01/2000

Attachments: None