

# Reporting Child Abuse and Neglect



Los Angeles County  
Department of Children and  
Family Services

South County Office





# Defining Child Abuse

- “Child abuse is the mistreatment of a child by a person who is responsible for the child, or who has power/authority over the child. This also includes allowing a child to endure unjustifiable pain or mental suffering, or to be in a dangerous situation or environment. Because of its potential for physically harming the child, as well as its known serious emotional impact on children, acts of domestic violence are considered reportable...if children are present”.

*(Rocky Delgadillo, The Los Angeles City Attorney)*

# Child Abuse is not:

- "Child abuse or neglect" does not include a mutual affray between minors.
- "Child abuse or neglect" does not include an injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment as a peace officer.
- The pregnancy of a minor does not, in and of itself, constitute a basis for a reasonable suspicion of sexual abuse.

*(California Penal Code 11165.6, 11166(a)(1))*



# Types of Child Abuse

- Sexual abuse
- Neglect
- Physical abuse
  - Willful harming or endangering of child
  - Unlawful corporal punishment or injury
- Abuse or neglect in out-of-home care
- Emotional abuse

*(Attachment 'A': California Penal Code definitions)*



# Who is a mandated reporter?

- Certain professional and lay persons responsible for the observation, care and/or well-being of a child.

*(Attachment B: CA PC 11165.7: Mandated Reporter)*

# When do I make a report?

- When there is reasonable suspicion of abuse: “The mandated reporter shall make an initial report to the agency immediately or as soon as is [practically] possible by telephone and the mandated reporter shall prepare and send, fax, or electronically transmit a written follow up report thereof within 36 hours of receiving the information concerning the incident.”

*(CA PC 11166(a))*

# How do I make a report?

First, Immediately. Call the DCFS Child Protection Hotline: **(800) 540-4000**

Then, Within 36 hours. Complete the Suspected Child Abuse Report (SCAR) manually: DOJ SS8572, or online @ <https://mandreptla.org/>

(You will need the 19 digit referral number from the DCFS CPHL to complete the SCAR)

# What information am I required to report?

- The name, business address, and telephone number of the mandated reporter;
- The capacity that makes the person a mandated reporter; and
- The information that gave rise to the reasonable suspicion of child abuse or neglect and the source or sources of that information.
- The following information, if known, shall also be included in the report: the child's name, the child's address, present location, and, if applicable, school, grade, and class; the names, addresses, and telephone numbers of the child's parents or guardians; and the name, address, telephone number, and other relevant personal information about the person or persons who might have abused or neglected the child.
- The mandated reporter shall make a report even if some of this information is not known or is uncertain to him or her.

*(CA PC 1167 (a))*



# Will my identity remain confidential?

- Child abuse reports, and the identity of the reporters are to remain confidential, except to the parties involved in investigating the report.
- A reporter's identity is not to be disclosed to the reported party under any circumstance.

# Am I open to any liability if I make a report?

- No mandated reporter is civilly or criminally liable for any report required. This immunity applies even if the mandated reporter acquired the knowledge of child abuse or neglect outside of his/her professional capacity or scope of his/her employment.

*( CA PC 11172 (a) )*

# What if someone makes a false report?

- Any other person reporting a known or suspected instance of child abuse or neglect shall not incur civil or criminal liability as a result of any report unless it can be proven that a false report was made and the person knew that the report was false or was made with reckless disregard of the truth. Any person who makes a report of child abuse or neglect known to be false or with reckless disregard of the truth is liable for any damages caused.

*( CA PC 11172 (a) )*



# What happens after I make a report to the CPHL?

- DCFS will provide you with a 19 digit referral number.
- Based on the information provided, DCFS will determine whether the referral should be made an Immediate Referral (IR) or a 5-Day Referral, or Evaluated Out.
- If the referral is determined to be an IR, an investigating Children's Social Worker (CSW) will usually respond within 2-5 hours.
- You will be contacted by the CSW to verify and provide any additional information that may be helpful to the investigation.
- After the investigation is completed you will be notified as to the findings of the investigation.

# What are the conclusion types?

- Referral allegations are generally concluded in one of the following three ways:

1) **Unfounded**: the allegations are concluded to be untrue, or there is no evidence to support the allegations. Referral is closed, no case is opened, and no report is made to the Department of Justice (DOJ).

2) **Inconclusive**: there is not enough evidence to support the total validity of the allegations, or there is conflicting information. A case will not be opened.

3) **Substantiated**: allegations are proven to be true. A case will be usually be opened, unless a plan can be made to keep the children safe without DCFS intervention. The perpetrator is reported to the DOJ.



# What if I fail to make a report?!

- According to CA PC 1166 (b); Any mandated reporter who fails to report an incident of known, or reasonably suspected, child abuse or neglect is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both that imprisonment and fine.



# Who do I call if I have questions about reporting child abuse?

- If you have questions regarding reporting child abuse, feel free to call the DCFS Lakewood Office @ **(562) 497-3500**, and ask to speak to the 'ER Duty Supervisor' for a consultation.
- The Child Abuse Hotline staff is also available to consult regarding the appropriateness of a report.



# What is required to complete an investigation

## ■ Assessment of the Child

- Child abuse investigations must be completed within 30 calendar days of the initial face-to-face contact.
- The term 'investigation' encompasses the efforts of DCFS to determine if abuse or neglect has occurred, if allegations can be substantiated.
- The term 'assessment' goes beyond the concept to evaluate a child's safety and risk, and to determine whether and what services are needed to ameliorate or prevent child abuse and neglect.
- In order to complete a thorough family assessment, any and all safety threats that may compromise a child's safety and well-being must be thoroughly assessed, even if those safety threats were not identified on the referral as an allegation.



# Assessment of Child – Cont.

Staff must determine:

- If the child's immediate safety is a concern and, if it is, the interventions that will ensure the child's protection while keeping the child within the family or with family members(e.g., kinship care or subsidized guardianship), if at all possible.
- If there is a risk of future maltreatment and the level of that risk
- If continuing DCFS services are needed to address any effects of child abuse/neglect and to reduce the risk of future maltreatment

# Assessment of Child – Cont.

Each child's safety and well-being should be assessed based upon the following variables, and must be documented before closing a referral:

- Health/physical condition (including bruises and body marks)
- Condition of the home
- Child vulnerability
- Family and/or environmental stress
- Parenting skills(discipline used by parents or caregivers)
- Parent's substance abuse
- Availability of day care
- Pertinent medical/psychological/police reports (including attempts to obtain these reports)
- Pertinent collateral contacts are individuals or agencies with information that can assist the CSW in understanding the nature and extent of the alleged child abuse/neglect and in assessing the risk to and safety of the children. Collateral Contacts include professionals working with the child or parent and have regular contact with the family. Examples include: neighbors, teachers, parole officers, physicians, DPSS, DMH, therapists, hospitals, and probation.
- Ability of the family to provide for the safety and well-being of the child
- Impact of any mental health problems (child and/or parent)
- Family's support system
- Ability of the family to meet the child's immediate needs for supervision, food, clothing, medical and mental health care
- Impact of any domestic violence in the home



# Assessment of the Family

Part of a child abuse/neglect investigation is the assessment of the family, to determine whether and what services are needed to prevent child abuse and neglect, taking into consideration the family's previous history of indicated/confirmed child abuse or neglect.

Services that can be provided to ameliorate or prevent child abuse include:

- Alternative Response Services / Community Response Services
- Voluntary Family Maintenance (VFM) -- The provision of non-court, time-limited protective services to families whose children are in potential danger of abuse, neglect, or exploitation when the children can safely remain in the home with DCFS services. In order to receive VFM services, the family must be willing to accept them and participate in corrective efforts to ensure that the child's protective needs are met. There is a six-month time limit for this service with or without Family Preservation
- Non-Detained Petitions
- Voluntary Placement
- Court intervention



# What if the child is with a relative...

## Relative Caregivers

- If a child is under the care of a relative and there are no issues of child abuse or neglect that warrants DCFS intervention, CSWs must provide the relative caregiver with the [“Resources for Probate Court Legal Guardianship”](#), which provides a list of organizations that can assist the caregiver in determining if a Probate Court legal guardianship is desirable.



# Conducting an Investigation

- Investigations should include an assessment of **all safety threats** present beyond the allegations on the referral. If discovered, new allegations must be added to the referral.

# Conducting an Investigation – Cont.

If exigent circumstances do not exist, consent from the parent/legal guardian is required to enter a home and/or interview a child.

- If the parent/legal guardian does not provide consent, obtain an investigative warrant.
- Conduct interviews with all the children and adults residing in the home, even if they are not listed on the referral.
- Account for the whereabouts of all children associated with the family (even those that do not reside in the home).
- Interview alleged victim(s) and all the children in the family regarding the allegation(s) individually and privately.
- Interview each parent/legal guardian with access to the child separately and in person regarding the allegations.
- Imminent Danger -- There is reasonable cause to believe that the child will experience serious bodily injury in the time it would take for the CSW to return to the office, prepare, obtain from a judge, and serve the removal order; cause to believe that the child has a need for medical care for a serious medical condition; or is in danger of physical or sexual abuse; or the physical environment poses a threat to the child's health or safety, and the only protecting intervention possible is placement, obtain SCSW approval and take the child into temporary custody.



# Conducting an Investigation – Cont.

- Make all reasonable efforts to contact pertinent collateral contacts that may have knowledge of the child's alleged abuse or neglect.
- Request all available written reports, photos and other documents that will assist in determining whether child abuse or neglect occurred.
- Ensure the appropriate disposition is made for each allegation. Clearly document the reasons for why and how the allegations were concluded, including how any safety threats were resolved. Each allegation must have one of the following dispositions:
  - Unfounded -- A report determined by the investigator conducting the investigation to be false, inherently improbable, to involve an accidental injury, or not constituting child abuse or neglect as defined in Section 11165.6.
  - Substantiated -- A report determined by the investigator conducting the investigation to constitute child abuse or neglect, as defined in Section 11165.6, based upon evidence that makes it more likely than not that child abuse or neglect, as defined, occurred.
  - Inconclusive -- A report determined by the investigator conducting the investigation not to be unfounded, but the findings are inconclusive and there is insufficient evidence to determine whether child abuse or neglect, as defined in Section 11165.6, has occurred.

# Case Scenarios and Questions



# Less Stressful Interactions with People

**Vision:** To implement key communication techniques that will promote helpful dialog through a safe and non-threatening approach

	<b>Audience</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>
<b>Technique</b>				
<b>“The Hot walk and Talk” borrowed from TEND, Seattle WA</b>	<b>Staff that you supervise</b>	When it is apparent that the topic is intense, ask them to go on a walk with you	Offer them bottle of water while you walk, this lowers Cortisol levels while discussing the issue(s).	As you are able, go back to their cubicle and offer to recite, or type, your plan of action – closes loop!
<b>“The 3 Vs” 35 years of DCFS Experiences</b>	<b>Clients that you interact with regularly</b>	Allowing the Client to VENT: the importance of LISTENING – you see where they are coming from...	VALIDATION: be sincere & specific in what you agree with them about – Court example	VEERING BACK ON TOPIC, after – and ONLY after you have done Steps 1 & 2, Ask permission to change the topic
<b>“De-Escalation”</b>	<b>One-time interactions (client is upset because they have had to wait, or regular worker not available to talk with).</b>	Insure that you are Safe – take co-worker, or supervisor if needed.	Apologize on behalf of person/agency for the wait, assess how they respond to apology	Don’t make promises you cannot keep - Employ the “3 Vs” as appropriate, summarize specific follow up steps.

## Less Stressful Interactions with People

	<b>Audience</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>
<b>4. Identifying Underlying Needs of Children &amp; Families</b>	Teach staff identify children's underlying needs; and how to build case plans based on safety & needs	Internal DCFS/DMH/LATC, or other subject matter experts	Second Quarter 2013	Year 1 - First (5) five target offices, then by Cohort offices for years 2 and 3.
<b>5. Cultural Awareness and Humility = Cultural Responsiveness</b>	Instruct staff on the importance of cultural competence and how it helps them engage families.	Internal DCFS/DMH/LATC, or other subject matter experts	Second Quarter 2013; reinforces ESBT Module 1	Year 1 - First (5) five target offices, then by Cohort offices for years 2 and 3.
<b>7. Engaging Refresher</b>	Equip staff with strength based tools to approach, build rapport, and establish respectful relationships with families	Internal DCFS/DMH/LATC, or other subject matter experts	Second Quarter 2013; reinforces ESBT Module 2	Year 1 - First (5) five target offices, then by Cohort offices for years 2 and 3.
<b>8. Teaming Refresher</b>	Increase staff awareness of the importance of preparation, formation, and facilitating teams	Internal DCFS/DMH/LATC, or other subject matter experts	Second Quarter 2013; reinforces ESBT Module 3	Year 1 - First (5) five target offices, then by Cohort offices for yrs 2&3.
<b>9. Compassion Fatigue Training</b>	Train staff to recognize help others identify when they may be suffering from it, as well as resources to treat it.	Children's Institute International; Francoise Mathieu; CSULA, other experts	November 8, 2013 – conference on Compassion Fatigue	Open to all offices

# Less Stressful Interactions with People

# Family Preservation Community Based Support

September 10, 2020



# What is Family Preservation

Family Preservation puts an emphasis on caregivers and strengthening their relationships with families. It is a short-term, strength-based, community-centered program that aims to ensure children are adequately protected and free from abuse, exploitation, and neglect.



- Identifying and addressing adverse childhood experiences.

- Building on family's protective factors.

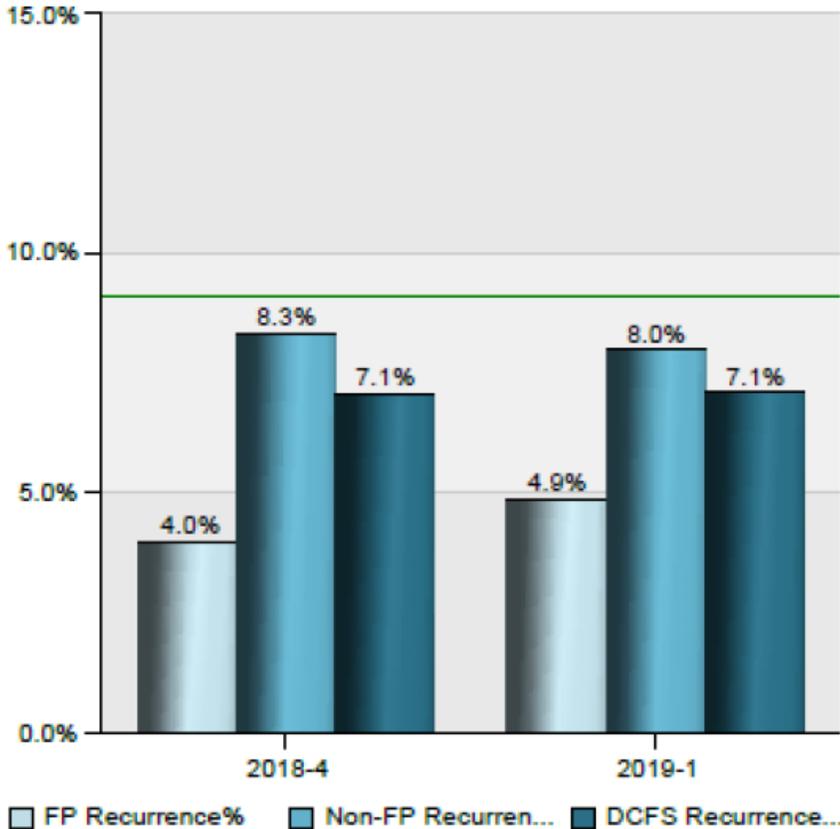


- Partnering together for positive change.



# The Why?

## DCFS COUNTYWIDE RECURRENCE OF MALTREATMENT



		2018-4	2019-1
FP	Recurrence	59	71
	Total Children	1,478	1,453
	Recurrence%	4.0%	4.9%
Non-FP	Recurrence	304	302
	Total Children	3,658	3,787
	Recurrence%	8.3%	8.0%
DCFS	Recurrence	363	373
	Total Children	5,134	5,240
	Recurrence%	7.1%	7.1%

# The How?

- ▶ In-Home Outreach Counselor (IHOC) weekly visits
- ▶ Parenting classes
- ▶ Counseling
- ▶ Teaching and Demonstrating (T&D)
- ▶ Substitute Adult Role Model (SARM)
- ▶ Child Focused Activities
- ▶ Transportation
- ▶ Anger Management/Domestic Violence Counseling
- ▶ Auxiliary and Discretionary Funds

Safe Children, Healthy Families, Strong Communities

Community



# A ROADMAP TO PROTECTING OUR MOST VULNERABLE



Not Substantiated  
**82%** of Referrals  
(May or may not have case opened)

**225,937**  
Child Protection  
Hotline Calls  
(2018 Data)

**11%** of Hotline Calls  
Evaluated Out  
(Not investigated)

**2,020 REFERRALS**  
Made to COMMUNITY BASED PREVENTION & AFTERCARE LINKAGES (CPLs) program where families receive supportive services.

- CPL Services Include:
- Parent/youth support groups
  - Help with legal issues
  - Family recreational activities, such as family gardening
  - Computer literacy, arts & music



Parents in Partnership Resource Fair  
"We've Been Where You Are"

**14,351**  
Calls received from LAW ENFORCEMENT



## CHILD & FAMILY TEAM Meeting

Meeting convened with the children, youth, family members, caregivers, friends, neighbors, clergy, coaches, social workers, Indian tribal representative and others where decisions about goals and strategies are made with the family's voice and choice.



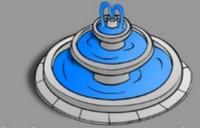
CFT Meeting

## VOLUNTARY SERVICES

Child remains at home. Family may receive Emergency Response services for 30 days or up to 6 months of Voluntary Family Maintenance services.



## PROTECTIVE SUPERVISION CASE OPENED:



If safety concerns are found and oversight is needed, the family will receive services.

## COURT CASE OPENED



Detention Hearing

Adjudication Hearing

Case Dismissed

## Permanency Planning



## HOME



## Family Reunification



### Placement Types

- In Home Relative
- Resource Family Home
- Foster Family Agency
- Transitional Shelter Care STRTP

## CASE PLAN

- Parenting
- Individual Counseling
- Domestic Violence Counseling
- Conjoint Counseling
- Substance Abuse Treatment & Drug Testing
- Literacy Classes
- Incarcerated Parent Services

18 MONTH JUDICIAL REVIEW

12 MONTH JUDICIAL REVIEW

6 MONTH JUDICIAL REVIEW

DISPOSITION



## HOME



## APPLA



Another Planned Permanency Living Arrangement

