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July 23, 2014

The Honorable John Laettner
Presiding Judge of the Contra Costa Superior Court
A.F. Bray Court House, Department 25
1020 Ward Street, Martinez CA 94553

Re: **Contra Costa County Grand Jury Report:** "Training City Personnel in Reporting Child Abuse" (Report 1403)

Dear Judge Laettner:

On behalf of the Antioch City Council, this letter responds to Contra Costa County Grand Jury Report: "Training City Personnel in Reporting Child Abuse." The City Council authorized this response at its meeting on July 22, 2014.

We appreciate the time and effort that you and the Grand Jury spent considering these matters. We trust that the Grand Jury also appreciates the City time spent reviewing and responding to Grand Jury reports, particularly given Antioch's continued weekly furloughs and 33% staffing reductions. Pursuant to California Penal Code section 933.05, the City will respond to each finding and to each recommendation individually.

Findings

Finding #1: "The law strongly encourages cities to provide their employees who are 'mandated reporters' with training about their obligations to identify and report known or suspected child abuse."

The City agrees with this finding.

Finding #2: "A 'mandated reporter' employed by a City includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children."

The City agrees with this finding.

Finding #3: "Training in child abuse reporting obligations should be given annually to every City employee whose duties require direct contact and supervision of children."

The City partially disagrees with this finding. While we recognize the importance of ensuring mandated reporters are aware of their obligations, annual training seems rather cumbersome. Instead the City would suggest that new employees be trained within a reasonable time of hire, and then participate in required training bi-annually thereafter. This is similar to the harassment training requirements of AB 1825, and ethics training requirements of AB 1234. In addition, due to the large volume of temporary/seasonal employees Antioch employs, most of our mandated reporter supervisors are reminded of their obligation each year when they perform the new employee orientation for the seasonal employees.

Finding #4: "Training in child abuse reporting obligations should include:

- a. Who are 'mandated reporters';
- b. What is 'reasonable suspicion' of child abuse;
- c. How and when a report should be made;
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report."

The City agrees with this finding.

Finding #5: "While volunteers who have direct contact or supervise children are excluded from the definition of 'mandated reporters' under the Penal Code, the law 'encourages' such volunteers to obtain training in identifying and reporting suspected or known child abuse."

The City agrees with this finding. Without reviewing the Penal Code in detail at this time, we accept the Grand Jury's statement that the law encourages training of volunteers.

Finding #6: "A procedure should be implemented to verify that all City personnel who are mandated reporters receive training."

The City agrees with this finding.

Finding #7: "The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to the cities in the County."

The City agrees with this finding. Although we have not utilized these County services, we accept the Grand Jury's finding that they are available to cities at no cost. We will be looking into the possibility of utilizing this service for future trainings.

Recommendations

Recommendation #1: "Each City should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse."

The recommendation has not been implemented. Although Antioch has not adopted a City-wide formal policy, we have provided training for mandated reporters. We appreciate the value of a formal policy and have collected several of the policies adopted by other agencies. We feel this approach allows us to implement a policy that incorporates the best practices identified. We have retained the law firm of Jackson Lewis to assist us with updating our Personnel Rules and employment related Administrative Policies. The Mandated Reporter policy development will be a component of that project. We anticipate finalizing our policy by September 2014.

Recommendation #2: "Each City should review the duties of all employees and other personnel to determine which personnel fall within the definition of 'mandated reporters' under Penal Code section 11165.7."

The recommendation has not been implemented. This will be completed as part of the development of our policy.

Recommendation #3: "The training program should include all personnel who are mandated reporters."

The recommendation has been implemented. As indicated above, although we do not yet have a formalized policy we have conducted appropriate training.

Recommendation #4: "The training program in child abuse reporting obligations should include:

- a. Who are 'mandated reporters'.
- b. What is 'reasonable suspicion' of child abuse.
- c. How and when a report should be made.
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report."

The recommendation has been implemented.

Recommendation #5: "Each City should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program."

The recommendation has not been implemented. At this time only employees have been included in the training program. We will evaluate the feasibility of training volunteers as we finalize our policy.

Recommendation #6: "In the case where a City enters into an agreement with an independent contractor to provide services that requires direct contact or supervision of children, the City should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the City's 'mandated reporting' training program.."

The recommendation has not been implemented. The feasibility of this recommendation will need to be evaluated as we finalize our policy.

Recommendation #7: "Each City should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year."

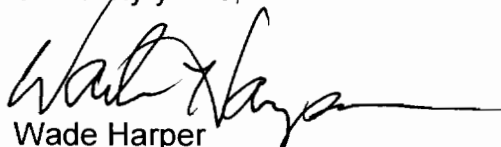
The recommendation has been partially implemented. The City has verified that all appropriate employees have received training. However, we are requiring training bi-annually, not annually.

Recommendation #8: "Each City should consider retaining the Child Abuse Prevention (CAP) Council of Contra Costa County to provide free training services about child abuse reporting."

The recommendation has not been implemented. The City was unaware of this training resource. We have previously used the law firm of Liebert Cassidy Whitmore or POST trainers for the police department. We will include CAP in our list of available trainers moving forward.

We trust that the Grand Jury will find these responses helpful to its endeavor.

Sincerely yours,


Wade Harper
Mayor, City of Antioch

cc: Stephen D. Conlin, Contra Costa County Grand Jury Foreperson,
725 Court Street, Martinez, CA 94553
Steve Duran, City Manager
Lynn Tracy Nerland, City Attorney

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July 23, 2014

The Honorable John T. Laettner
Judges of the Superior Court of Contra Costa County
A.F. Bray Court House, Department 25
1020 Ward Street
Martinez, CA 94553

Dear Judge Laettner:

This letter is in response to the questions raised in Grand Jury Report No. 1403 "Training City Personnel in Reporting Child Abuse". In accordance with Section 933.05 of the California Penal Code, the City provides the attached required responses to Findings 1-7 and Recommendations 1-8 as identified in the Grand Jury Report.

If you have questions or require any additional information, please do not hesitate to contact me at (925) 516-5440.

Sincerely,

Steven M. Salomon
Interim City Manager

cc: Stephen D. Conlin, Grand Jury Foreperson
725 Court Street, Martinez, CA 94553
Brentwood Mayor and City Council
Damien Brower, City Attorney

City Response to Grand Jury Findings and Recommendations

Grand Jury Report No. 1403, "Training City Personnel In Reporting Child Abuse"

Grand Jury Finding 1

The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse.

City Response: The City agrees with the finding.

Grand Jury Finding 2

A "mandated reporter" employed by a city includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children.

City Response: The City agrees with the finding.

Grand Jury Finding 3

Training in child abuse reporting obligations should be given annually to every city employee whose duties require direct contact and supervision of children.

City Response: The City partially agrees with the finding. The City believes that bi-annual training should be given to all mandated reporter city employees. This is consistent with the training schedule for city employees on other subject matters (such as sexual harassment and CPR). New hires will be provided with information as part of the new employee orientation and those designated as mandated reporters will receive training within thirty (30) days of appointment.

Grand Jury Finding 4

Training in child abuse reporting obligations should include: 1) who are "mandated reporters"; 2) what is "reasonable suspicion" of child abuse; 3) How and when a report should be made; 4) What safeguards are in place to protect mandated reporters; and 4) What are the ramifications of making a suspected child abuse report.

City Response: The City agrees with the finding.

Grand Jury Finding 5

While volunteers who have direct contact or supervise children are excluded from the definition of "mandated reporters" under the Penal Code, the law "encourages" such volunteers to obtain training in identifying and reporting suspected or known child abuse.

City Response: The City agrees with the finding.

Grand Jury Finding 6

A procedure should be implemented to verify that all city personnel who are mandated reporters receive training.

City Response: The City agrees with the finding.

Grand Jury Finding 7

The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County.

City Response: The City agrees with the finding.

Grand Jury Recommendation 1

Each City should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.

City Response: This recommendation has not yet been implemented, but will be implemented in the future. The City of Brentwood intends to amend our Child Abuse and Neglect Reporting Policy (Council/Administrative Policy No. 20-30) ("Policy") to include a provision regarding the training of our mandated reporters. This revised Policy will be prepared and presented to the City Council for amendment within the next six months.

Grand Jury Recommendation 2

Each City should review the duties of all employees and other personnel to determine which personnel fall within the definition of "mandated reporters" under Penal Code section 11165.7.

City Response: This recommendation has been implemented. As part of adopting the Policy in October of 2013, all of the City's job classifications were analyzed and a list of those determined to qualify as mandated reporters were identified in the Policy.

Grand Jury Recommendation 3

The training program should include all personnel who are "mandated reporters."

City Response: This recommendation has not yet been implemented, but will be implemented in the future. As stated in the City's response to Recommendation No. 1, the Policy will be amended within the next six months. The revised Policy will include a training requirement for all personnel identified as "mandated reporters."

Grand Jury Recommendation 4

The training program in child abuse reporting obligations should include: 1) Who are "mandated reporters"; 2) What is "reasonable suspicion" of child abuse; 3) How and when a report should be made; 4) What safeguards are in place to protect mandated reporters; and 5) What are the ramifications of making a suspected child abuse report.

City Response: This recommendation has not yet been implemented, but will be implemented in the future. As stated in the City's response to Recommendation No. 1, the Policy will be amended within the next six months. The revised Policy will include the above referenced items.

Grand Jury Recommendation 5

Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.

City Response: This recommendation has not yet been implemented, but will be implemented in the future. As stated in the City's response to Recommendation No. 1, the Policy will be amended within the next six months. The Policy will include a training requirement for volunteers who have direct contact or supervise children.

Grand Jury Recommendation 6

In the case where a city enters into an agreement with an independent contractor to provide services that requires direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city's "mandated reporter" training program.

City Response: This recommendation requires further analysis. While we wholeheartedly agree that all independent contractors who provide services that involve direct contact or supervision of children should be trained about reporting any suspected child abuse or neglect, there may be other training options available to these independent contractors and with verification that training has been provided, they may not be required to participate in the City's training as well. The City's goal is to ensure that the above described independent contractors have all received the appropriate training.

Grand Jury Recommendation 7

Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.

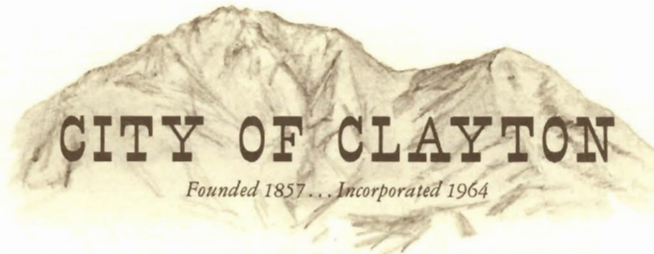
City Response: This recommendation has not yet been implemented, but will be implemented in the future. As stated in the City's response to Recommendation No. 1, the Policy will be

amended within the next six months. The revised Policy will include a procedure to verify that all mandated reporters receive the bi-annual training.

Grand Jury Recommendation 8

Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.

City Response: This recommendation requires further analysis. The City will explore all potential training options, including the Child Abuse Prevention Council of Contra Costa County. Depending on their availability and training curriculum, the City may wish to utilize other training providers, in addition to the Child Abuse Prevention Council.



Legal
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City Council
HANK STRATFORD, MAYOR
DAVID T. SHUEY, VICE MAYOR
JIM DIAZ
HOWARD GELLER
JULIE K. PIERCE

July 16, 2014

VIA U.S. REGULAR MAIL AND
REQUESTED EMAIL TO: clope2@contracosta.courts.ca.gov

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury, 2013-14
725 Court Street
P O Box 431
Martinez, CA 94553-0091

**Re: City Response to Civil Grand Jury Report No. 1403
"Training City Personnel in Reporting Child Abuse"**

Dear Mr. Conlin:

Pursuant to the May 6, 2014 letter regarding release of Report No. 1403 by the Contra Costa County Civil Grand Jury for 2013-14, the City of Clayton provides its attached Response as required by California Penal Code section 933.05(a). At its regular public meeting of July 15, 2014, the Clayton City Council reviewed, considered and then approved its attached Response.

Should any questions arise regarding our reply, please do not hesitate to contact us or our city manager at 925.673-7300.

Sincerely,

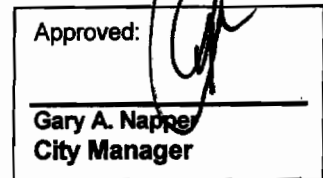
Hank Stratford
Mayor

Attachment: 1. City Response to Civil Grand Jury Report No. 1403 [4 pp.]

cc: Honorable Clayton City Council Members

Agenda Date: 7-15-2014

Agenda Item: 3g



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CITY MANAGER
DATE: 15 JULY 2014
SUBJECT: CITY RESPONSE TO CIVIL GRAND JURY REPORT NO. 1403

RECOMMENDATION

It is recommended the City Council review the prepared City response letter regarding Civil Grand Jury Report No. 1403, "Training City Personnel in Reporting Child Abuse; and then subject to any Council modifications to the proposed response, by minute motion approve the letter as the City's official response and authorize Mayor Stratford to sign.

BACKGROUND

A Civil Grand Jury is commissioned annually in Contra Costa County to investigate city and county governments, special districts and certain non-profit corporations to ensure functions are performed in a lawful, economical and efficient manner. Pursuant to *California Government Code* Section 933.5(a), whenever a civil grand jury issues a report that involves matters within a particular municipality's jurisdiction or area of responsibility, the respective city is required to respond in writing and in accord with a specific response format.

On 06 May 2014, the FY 2013-14 Contra Costa Civil Grand Jury released a Report directed to all nineteen cities within Contra Costa County. Report No. 1403 considered recent multiple lawsuits against school districts and city governments alleging child abuse, and the failures of personnel to report suspected instances of the same. It concluded the failures are due, in large part, to inadequate training of employees, and other personnel, in their legal obligations as "mandated reporters" of child abuse.

Civil Grand Jury Report No. 1403 resulted in seven (7) Findings and eight (8) Recommendations requiring structured responses by each of the listed respondents. Attached is staff's recommended draft letter for the City Council to consider and approve constituting our City's response to Civil Grand Jury Report No. 1403. The City's response to this particular Report is due by 06 August 2014. As the City Council regular meeting scheduled for August 5th has been canceled, this Agenda is the last opportunity to approve the City's Response to this Report.

Subject: City Response to Civil Grand Jury Report No. 1403

Date: 15 July 2014

Page 2 of 2

FISCAL IMPACT

None directly. However, there are certainly indirect staff costs and direct time incurred in responding to Civil Grand Jury Reports, Findings and Recommendations.

Exhibits: A. Proposed City Response and Cover Letter [5 pp.]

B. Civil Grand Jury Report No. 1403 and Cover Letter [11 pp.]



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City Coun
HANK STRATFORD, *MA*
DAVID T. SHUEY, *Vice MA*
JIM DI
HOWARD GELL
JULIE K. PIER

July 16, 2014

VIA U.S. REGULAR MAIL AND
REQUESTED EMAIL TO: clope2@contracosta.courts.ca.gov

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury, 2013-14
725 Court Street
P O Box 431
Martinez, CA 94553-0091

**Re: City Response to Civil Grand Jury Report No. 1403
"Training City Personnel in Reporting Child Abuse"**

Dear Mr. Conlin:

Pursuant to the May 6, 2014 letter regarding release of Report No. 1403 by the Contra Costa County Civil Grand Jury for 2013-14, the City of Clayton provides its attached Response as required by California Penal Code section 933.05(a). At its regular public meeting of July 15, 2014, the Clayton City Council reviewed, considered and then approved its attached Response.

Should any questions arise regarding our reply, please do not hesitate to contact us or our city manager at 925.673-7300.

Sincerely,

Hank Stratford
Mayor

Attachment: 1. City Response to Civil Grand Jury Report No. 1403 [4 pp.]

cc: Honorable Clayton City Council Members



**CITY OF CLAYTON RESPONSE TO
CIVIL GRAND JURY REPORT NO. 1403
"TRAINING CITY PERSONNEL IN REPORTING CHILD ABUSE"
2013-14 CONTRA COSTA COUNTY CIVIL GRAND JURY**

The City of Clayton, California provides the following response to Civil Grand Jury Report No. 1403, "Training City Personnel in Reporting Child Abuse", issued by the 2013-14 Contra Costa County Civil Grand Jury on 06 May 2014. Pursuant to page 8 of the Report, the City is required to respond to Findings 1 through 7 and Recommendations 1 through 8 adhering to format guidelines prescribed by the California Penal Code (Section 933.05).

FINDINGS

1. *The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse.*

City Response

The City agrees with this Finding.

2. *A "mandated reporter" employed by a city includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children.*

City Response

The City agrees with this Finding.

3. *Training in child abuse reporting obligations should be given annually to every city employee who duties require direct contact and supervision of children.*

City Response

The City agrees with this Finding.

4. *Training in child abuse reporting obligations should include:*
 - a. *Who are "mandated reporters";*
 - b. *What is "reasonable suspicion" of child abuse;*
 - c. *How and when a report should be made;*
 - d. *What safeguards are in place to protect mandated reporters; and*

e. What are the ramifications of making a suspected child abuse report.

City Response

The City agrees with this Finding.

5. *While volunteers who have direct contact or supervise children are excluded from the definition of "mandated reporters" under the Penal Code, the law "encourages" such volunteers to obtain training in identifying and reporting suspected or known child abuse.*

City Response

The City agrees with this Finding.

6. *A procedure should be implemented to verify that all city personnel who are mandated reporters receive training.*

City Response

The City agrees with this Finding.

7. *The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County.*

City Response

The City agrees with this Finding.

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RECOMMENDATIONS

1. *Each city should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.*

City Response

The recommendation has been implemented.

As noted on page 4 of Civil Grand Jury Report No. 1403, the Clayton City Council adopted a City Administrative Policy on this subject at its public meeting held on 13 December 2013. A copy of said City Policy was previously transmitted to the Civil Grand Jury shortly thereafter.

2. *Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of "mandated reporters" under Penal Code section 11165.7.*

City Response

The recommendation has been implemented during the preparation, drafting and adoption of a City Administrative Policy on this subject on 13 December 2013.

3. *The training program should include all personnel who are "mandated reporters".*

City Response

The recommendation has been implemented. Pursuant to the Penal Code definition of "mandated reporters", the only City of Clayton personnel matching that definition are sworn law enforcement officers of the City. City of Clayton police personnel receive annual training and updates on child abuse reporting via the California Peace Officers Standards and Training (POST).

The City of Clayton does not have a municipal parks and recreation department, nor does it employ any other City personnel whose duties require direct contact and/or supervision of children.

4. *The training program in child abuse reporting obligations should include:*

- a. Who are "mandated reporters";*
- b. What is "reasonable suspicion" of child abuse;*
- c. How and when a report should be made;*
- d. What safeguards are in place to protect mandated reporters; and*
- e. What are the ramifications of making a suspected child abuse report.*

City Response

The recommendation has been implemented. Clayton law enforcement personnel, as the City's only "mandated reporters" receive annual POST training on this matter.

5. *Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.*

City Response

The recommendation will not be implemented. The City of Clayton, lacking a municipal parks and recreation department or children programs, does not utilize volunteers in this capacity.

6. *In the case where a city enters into an agreement with an independent contractor to provide services that require direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city's "mandated reporting" training program.*

City Response

The recommendation has been implemented. As noted throughout Report No. 1403 and by the Report's very title, namely "Training City Personnel", Penal Code section 11165, et al. encompasses mandatory training of public agency personnel. The only City of Clayton personnel requiring "mandatory reporter" training are its law enforcement personnel who receive it through POST training.

Although unnecessary under the law, the City has informed its independent contractor (All Out Sports League, or "AOSL"), which conducts recreation programs and services at a local school district gymnasium, of the public policy merits and benefits of having its employees receive child abuse reporting training. In this regard, AOSL has been referred to the services offered by the Child Abuse Prevention Council of Contra Costa County to undertake its valuable and important training.

7. *Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.*

City Response

The recommendation has been implemented. The City maintains training records of all those considered "mandated reporters" (i.e., Clayton law enforcement personnel).

8. *Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.*

City Response

The recommendation will not be implemented as this City has no "mandated reporters" other than its sworn law enforcement personnel who already receive annual POST training. However, the City is grateful that such an entity exists to provide such valuable public agency training; should it ever determine child abuse reporting training should be extended to non-mandatory reporters within its municipal organization, the City will certainly contact the Child Abuse Prevention Council to conduct such training.

#

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July 29, 2014

Stephen D. Conlin, Foreperson
Contra Costa Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Re: City of Concord Response to Grand Jury Report No. 1403
Training City Personnel in Reporting Child Abuse

Dear Mr. Conlin:

This letter serves as the City of Concord's response to the Contra Costa County Grand Jury's findings and recommendations set forth in Report No. 1403, entitled "Training City Personnel in Reporting Child Abuse."

I. FINDINGS

Finding No. 1: "The law encourages cities to provide their employees who are 'mandated reporters' with training about their obligations to identify and report known or suspected child abuse."

Response to Finding No. 1: The City of Concord agrees with this finding.

Finding No. 2: "A mandated reporter employed by a city includes, but is not limited to, an administrator or employee whose duties require direct contact with and supervision of children."

Response to Finding No. 2: The City of Concord agrees with this finding.

Finding No. 3: "Training in child abuse reporting obligations should be given annually to every city employee whose duties require direct contact and supervision of children"

Response to Finding No. 3: The City of Concord agrees with this finding.

Finding No. 4: "Training in child abuse reporting obligations should include:

- a. Who are 'mandated reporters;'
- b. What is 'reasonable suspicion' of child abuse;
- c. How and when a report should be made;
- d. What safeguards are in place to protect mandated reporters;
- e. What are the ramifications of making a suspected child abuse report."

Response to Finding No. 4: The City of Concord agrees with this finding.

Finding No. 5: "While volunteers who have direct contact or supervise children are excluded from the definition of 'mandated reporters' under the Penal Code, the law 'encourages' such volunteers to obtain training in identifying and reporting suspected or known child abuse."

Response to Finding No. 5: The City of Concord agrees with this finding.

Finding No. 6: "A procedure should be implemented to verify that all city personnel who are mandated reporters received training."

Response to Finding No. 6: The City of Concord agrees with this finding.

Finding No. 7: "The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County."

Response to Finding No. 7: The City of Concord agrees with this finding.

II. RECOMMENDATIONS

Recommendation No. 1: "Each City should immediately consider adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse."

Response to Recommendation 1: This recommendation has already been implemented. Administrative Directive 167, which defines who is a mandated reporter and their responsibilities and obligations, includes a section on training requirements.

Recommendation No. 2: "Each city should review all of the duties of all employees and other personnel to determine which personnel fall within the definition of 'mandated reporters' under Penal Code section 11165.7"

Response to Recommendation 2: This recommendation has already been implemented by the City of Concord with respect to employees and volunteers who have one-on-one contact with minors.

Recommendation No. 3: "The training program should include all personnel who are 'mandated reporters.'"

Response to Recommendation 3: This recommendation has already been implemented by the City of Concord with the exception that non-sworn police department employees—all of whom are mandated reporters under the law—have not historically received training. However, all will receive training by September 1, 2014 and regularly thereafter, in compliance with the City's adopted Administrative Directive.

Recommendation No. 4: "The training program in child abuse reporting obligations should include:

- a. Who are 'mandated reporters';
- b. What is 'reasonable suspicion' of child abuse;
- c. How and when a report should be made;
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report."

Response to Recommendation No. 4: The City has already implemented this recommendation.

Recommendation No. 5: "Each City should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program."

Response to Recommendation No. 5: The City of Concord already implements such training with respect to Parks and Recreation volunteers who have one-on-one contact with minors. Training of other City volunteers who have direct contact with or supervise children will be completed by September 1, 2014.

Recommendation No. 6: "In the case where a city enters into an agreement with an independent contractor to provide services that require direct contact with or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact with or supervision of children have successfully completed the city's 'mandated reporting' training program.

Response to Recommendation No. 6: The City of Concord will not implement this recommendation, because the City does not have the staff and resources to schedule and provide mandated reporter training to all independent contractors and their staff who contract with the City to provide services involving direct contact with or supervision of children. However, on a going forward basis the City will require that all such independent contractors provide proof that they have conducted such training.

Recommendation No. 7: "Each City should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training each year."

Response to Recommendation No. 7: This recommendation has already been implemented. The City of Concord maintains records verifying completion of child abuse reporting training by all mandated reporters and other employees and volunteers who receive such training.

Recommendation No. 8: "Each City should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting."

Response to Recommendation No. 8: This recommendation has already been implemented.

Please let me know if you have any questions or require additional information concerning the above responses. You can reach me at my direct telephone number (925) 671-3175 or by email at valerie.barone@cityofconcord.org.

Yours truly,



Valerie J. Barone
City Manager



passed 9/9/14
MJP
Coughlin

"Small Town Atmosphere
Outstanding Quality of Life"

July 16, 2014

Honorable John T. Laettner
Judge of the Superior Court
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Re: Contra Costa County Grand Jury Report No. 1403, "Training City Personnel in Reporting Child Abuse"

Dear Judge Laettner:

Pursuant to California Penal Code Section 933.05, this letter responds to Contra Costa County Grand Jury Report No. 1403, "Training City Personnel in Reporting Child Abuse." This response was reviewed and authorized by the Town Council at a duly noticed Town Council meeting on July 15, 2014.

Grand Jury Findings

Finding #1: The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse.

Response: Danville agrees with Finding #1.

Finding #2: A "mandated reporter" employed by a city includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children.

Response: Danville agrees with Finding #2.

Finding #3: Training in child abuse reporting obligations should be given annually to every city employee whose duties require direct contact and supervision of children.

Response: Danville agrees with Finding #3. The Town's policy, which is stricter than State law, requires child abuse reporting training every year to city employees whose duties require direct contact and supervision of children.

510 LA GONDA WAY, DANVILLE, CALIFORNIA 94526

Administration
(925) 314-3388

Building
(925) 314-3330

Engineering & Planning
(925) 314-3310

Transportation
(925) 314-3320

Maintenance
(925) 314-3450

Police
(925) 314-3700

Parks and Recreation
(925) 314-3400

July 16, 2014
Page 2

Finding #4: Training in child abuse reporting obligations should include:

- a. Who are "mandated reporters";
- b. What is "reasonable suspicion" of child abuse;
- c. How and when a report should be made;
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report.

Response: Danville agrees with Finding #4.

Finding #5: While volunteers who have direct contact or supervise children are excluded from the definition of "mandated reporters" under the Penal Code, the law "encourages" such volunteers to obtain training in identifying and reporting suspected or known child abuse.

Response: Danville agrees with Finding #5.

Finding #6: A procedure should be implemented to verify that all city personnel who are mandated reporters receive training.

Response: Danville agrees with Finding #6.

Finding #7: The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County.

Response: Danville agrees with Finding #7.

Grand Jury Recommendations

Recommendation #1: Each city should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.

Response: Danville has implemented this recommendation. The Danville Town Council adopted the Town's Child Abuse and Neglect Mandated Reporter Policy on January 14, 2014 and amended on July 1, 2014.

Recommendation #2: Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of "mandated reporters" under Penal Code section 11165.7.

Response: Danville has implemented this recommendation. The list of positions serving as mandated reporters is an appendix of the Town's Child Abuse and Neglect Mandated Reporter Policy.

Recommendation #3: The training program should include all personnel who are "mandated reporters."

Response: Danville has implemented this recommendation. All identified mandated reporters are part of the training program.

Recommendation #4: The training program in child abuse reporting obligations should include:

- a. Who are "mandated reporters";
- b. What is "reasonable suspicion" of child abuse;
- c. How and when a report should be made;
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report.

Response: Danville has implemented this recommendation.

Recommendation #5: Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.

Response: This recommendation has not yet been implemented, but will be implemented by November 1, 2014. The categories of volunteers that will undergo the training program include all volunteers supervising children without staff necessarily present at all times.

Recommendation #6: In the case where a city enters into an agreement with an independent contractor to provide services that require direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city's "mandated reporting" training program.

Response: This recommendation will not be implemented because it is not reasonable. The Town requires that all independent contractors who have direct contact with or supervise children are notified of the mandated reporter responsibilities of the Town and are provided with a copy of the Town's Child Abuse and Neglect Mandated Reporter Policy. However, Town staff cannot reasonably ensure that private contractors' employees complete the Town's training, because the Town contracts with the firm, not individual employees of the contractor. Furthermore, the Town believes that requiring independent

July 16, 2014

Page 4

contractors to complete training through the Town of Danville is inconsistent with rules distinguishing independent contractors from Town employees.

Recommendation #7: Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.

Response: Danville has implemented this recommendation. A procedure has been established to verify that all employees and volunteers who are mandated reporters have successfully completed the training program each year.

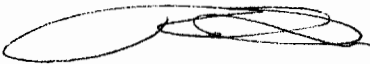
Recommendation #8: Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.

Response: Danville has implemented this recommendation. The Child Abuse Prevention Council of Contra Costa is one of the approved training providers available on the topic of child abuse reporting.

The Town appreciates the time and effort spent by His Honor and the Grand Jury in consideration of these matters.

Sincerely,

TOWN OF DANVILLE

A handwritten signature in black ink, appearing to read 'Robert Storer', with a large, loopy flourish at the end.

Robert Storer
Mayor



Filed 8/13
MM

August 4, 2014

Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P O Box 431
Martinez CA 94553-0091

RE: Grand Jury Report No. 1403, "Training City Personnel in Reporting Child Abuse"

Dear Mr. Conlin:

On behalf of the City of El Cerrito, this letter serves as a response to your May 6, 2014 letter regarding Grand Jury Report No. 1403, "Training City Personnel in Reporting Child Abuse," by the 2013-2014 Contra Costa Grand Jury.

In accordance with your request and Section 933.05 of the California Government Code, the City is responding as required to Findings 1-7 and Recommendations 1-8 as outlined in the Grand Jury Report.

FINDINGS:

1. The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse.

The City of El Cerrito agrees with this finding.

2. A "mandated reporter" employed by a city includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children.

The City of El Cerrito agrees with this finding.

3. Training in child abuse reporting obligations should be given annually to every city employee whose duties require direct contact and supervision of children.

The City of El Cerrito agrees with this finding.

4. Training in child abuse reporting obligations should include:
 - a. Who are "mandated reporters";
 - b. What is "reasonable suspicion" of child abuse
 - c. How and when a report should be made'
 - d. What safeguards are in place to protect mandated reporters; and
 - e. What are the ramifications of making a suspected child abuse report.

The City of El Cerrito agrees with this finding.



5. While volunteers who have direct contact or supervise children are excluded from the definition of “mandated reporters” under the Penal Code, the law “encourages” such volunteers to obtain training in identifying and reporting suspected or known child abuse.

The City of El Cerrito agrees with this finding.

6. A procedure should be implemented to verify that all city personnel who are mandated reporters receive training.

The City of El Cerrito agrees with this finding.

7. The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County.

The City of El Cerrito agrees with this finding.

RECOMMENDATIONS:

1. Each city should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.

The City of El Cerrito has implemented this recommendation. The departments that include personnel that are defined as mandated reporters have specific departmental policies outlining the obligations of mandated reporters that are signed and acknowledged by all Department staff upon hire. Additionally, the City is in the process of adopting a Citywide policy regarding mandated reporting, and will include updated procedures for training, identification of and reporting of suspected cases of child abuse, and verification of training of employees.

2. Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of “mandated reporters” under Penal Code section 11165.7.

The City of El Cerrito has implemented this recommendation.

3. The training program should include all personnel who are “mandated reporters”.

The City of El Cerrito has implemented this recommendation.

4. The training program in child abuse reporting should include:

- a. Who are “mandated reporters”;
- b. What is “reasonable suspicion” of child abuse
- c. How and when a report should be made’
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report.

The City of El Cerrito has implemented this recommendation.

5. Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.



This recommendation has not yet been implemented, but will be implemented in the future. The City will identify all of its types of volunteers, analyze the extent to which they interact with children, and consider the practicality of providing training.

6. In the case where a city enters into an agreement with an independent contractor to provide services that requires direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city's "mandated reporting" training program.

This recommendation has not yet been implemented, but will be implemented in the future. The City will identify all of its types of independent contractors, analyze the extent to which they interact with children, and consider the practicality of providing training.

7. Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.

The City of El Cerrito has implemented this recommendation. Currently, all departments that provide training to their staff who are identified as mandated reporters verify the completion of training, and documentation is kept in the employee's personnel file or within the records management system. Additionally, the City is in the process of adopting a Citywide policy regarding mandated reporting, and will include updated procedures for training, identification of and reporting of suspected cases of child abuse, and verification of training of employees.

8. Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.

This recommendation has not yet been implemented, but may be implemented in the future. The City will contact the Child Abuse Prevention Council of Contra Costa County to learn more about its training services and consider retaining it for appropriate training regarding child abuse reporting.

Should you have any questions regarding the City's response, please feel free to contact me.

Very truly yours,

Karen E. Pinkos
Assistant City Manager
City of El Cerrito

cc: El Cerrito City Council; Scott Hanin, City Manager



OFFICE OF THE CITY MANAGER

David Biggs

July 22, 2014

Mr. Stephen D. Conlin, Foreperson
Contra Costa County Grand Jury
P.O. Box 431
Martinez, CA 94553-0091

RE: Grand Jury Report No. 1403 – “Training City Personnel in Reporting Child Abuse”

Dear Mr. Conlin:

The City of Hercules has reviewed Grand Jury Report No. 1403 – “Training City Personnel in Reporting Child Abuse”. Required responses to Findings Nos. 1 through 7 and Recommendations Nos. 1 through 8 are provided below and meet the requirements of California Penal Code Sections 933.05(a) and 933.05(b).

FINDINGS

Finding No 1: The law strongly encourages cities to provide their employees who are “mandated reporters” with training about their obligations to identify and report known or suspected child abuse.

Response: *The City agrees with this finding.*

Finding No 2: A “mandated reporter” employed by a city includes, but not limited to, an administrator or employee whose duties require direct contact and supervision of children.

Response: *The City agrees with this finding.*

Finding No 3: Training in child abuse reporting obligations should be given annually to every city employee whose duties require direct contact and supervision of children.

Response: *The City agrees with this finding.*

Finding No 4: Training in child abuse reporting obligations should include:

- a. Who are “mandated reporters”;

- b. What is “reasonable suspicion” of child abuse;
- c. How and when a report should be made;
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report.

Response: *The City agrees with this finding.*

Finding No 5: While volunteers who have direct contact or supervise children are excluded from the definition of “mandated reporters” under the penal code, the law “encourages” such volunteers to obtain training in identifying and reporting suspected or known child abuse.

Response: *The City agrees with this finding.*

Finding No 6: A procedure should be implemented to verify that all city personnel who are mandated reporters receive training.

Response: *The City agrees with this finding.*

Finding No 7: The Child Abuse Prevention Council of Contra County provides training services in abuse reporting at no cost to cities in the County.

Response: *The City agrees with this finding.*

RECOMMENDATIONS:

Recommendation No. 1: Each city should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.

Response: *This recommendation has not yet been implemented and is currently working on a policy.*

Recommendation No. 2: Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of “mandated reporters” under Penal Code Section 11165.7.

Response: *This recommendation has not yet been implemented and is currently working on identifying all employees in order to determine who should be included.*

Recommendation No. 3: The training program should include all personnel who are “mandated reporters”.

Response: *This recommendation has partially been implemented. All child care / day care workers currently receive training. Any additional identified employees identified during the review of Recommendation No. 2 will receive training.*

Recommendation No. 4: Training in child abuse reporting obligations should include:

- a. Who are “ mandated reporters”;
- b. What is “reasonable suspicion” of child abuse;
- c. How and when report should be made;
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report.

Response: *This recommendation has been implemented and these components are included in the required training.*

Recommendation No. 5: Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.

Response: *This recommendation has not yet been implemented. The City will evaluate other cities’ policies related to the training of volunteers in this area and work to adopt and implement similar provisions.*

Recommendation No. 6: In the case where a city enters into an agreement with an independent contractor to provide services that requires direct contract or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contract or supervision of children have successfully completed the city’s “mandated reporting” training program.

Response: *This recommendation requires further analysis and will be completed with the policy from Recommendation No. 2.*

Recommendation No. 7: Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.

Response: *This recommendation has been implemented and mandated employees currently receive training which is documented in personnel files.*

Recommendation No. 8: Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.

Response: *This recommendation requires further analysis or study. The City currently has child abuse reporting training and the City will analyze this service for future training.*

The Hercules City Council thanks the Grand Jury for its service. If you have any questions or need additional clarification, please do not hesitate to contact us at (510) 799-8200.

Sincerely,

David Biggs
City Manager



Reced 8/4/14
WAP

City Council

Don Tatzin, Mayor
Brandt Andersson, Vice Mayor
Mike Anderson, Council Member
Mark Mitchell, Council Member
Traci Reilly, Council Member

July 15, 2014

Stephen D. Conlin, Foreperson
2013-2014 Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Dear Mr. Conlin:

Pursuant to your May 6, 2014 letter regarding Grand Jury Report No. 1403, "Training City Personnel in Reporting Child Abuse" please consider this to be the City of Lafayette's response. This response was reviewed and authorized by the City Council at a duly noticed City Council meeting on July 28, 2014. According to page 8 of the Report, Lafayette is required to respond to Findings 1-7 and Recommendations 1-8.

Finding 1: The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse.

City response: Agree.

Finding 2: A "mandated reporter" employed by a city includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children.

City response: Agree.

Finding 3: Training in child abuse reporting should be given annually to every city employee whose duties require direct contact and supervision children.

City response: Partially disagree. The City agrees that those employees whose duties require direct contact and supervision of children should be trained and that the training should be refreshed periodically, however we disagree that an annual training is necessary. The City believes that all new employees who are designated as mandated reporters should be trained within 3 months of employment, those who have already been trained need only to be retrained every 4-5 years since the laws and procedures do not change significantly each year.

Finding 4: Training in child abuse reporting obligations should include:

- a. Who are "mandated reporters:
- b. What is "reasonable suspicion" of child abuse
- c. How and when a report should be made
- d. What safeguards are in place to protect mandated reporters
- e. What are the ramifications of making a suspected child abuse report.

City response: Agree.

Finding 5: While volunteers who have direct contact or supervise children are excluded from the definition of "mandated reporters" under the Penal Code, the law encourages such volunteers to obtain training in identifying and reporting suspected or known child abuse.

City response: Agree.

Finding 6: A procedure should be implemented to verify that all city personnel who are mandated reporters receive training.

City response: Agree.

Finding 7: The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting and no cost to cities in the County.

City response: Agree.

Recommendation 1: Each city should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.

City response: Lafayette has implemented this recommendation. The Lafayette City Council adopted Resolution 2013-44: Adding Administrative Regulation 525 Mandated Reporter Policy on November 13, 2014.

Recommendation 2: Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of "mandated reporters" under Penal Code section 11165.7

City response: Lafayette has implemented this recommendation. The list of position designated as mandated reporters is included in the City's Mandated Reporter Policy.

Recommendation 3: The training program should include all personnel who are "mandated reporters".

City response: Lafayette has implemented this recommendation.

Recommendation 4: The training program in child abuse reporting obligations should include:

- a. Who are "mandated reporters:
- b. What is "reasonable suspicion" of child abuse
- c. How and when a report should be made
- d. What safeguards are in place to protect mandated reporters
- e. What are the ramifications of making a suspected child abuse report.

City response: Lafayette has implemented this recommendation.

Recommendation 5: Each City should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.

City response: Lafayette will not implement this recommendation. The City's policies do not allow volunteers to have direct contact with or supervise children without a City employee present.

Recommendation 6: In the case where a city enters into an agreement with an independent contractor to provide services that requires direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city's mandated reporter training.

City response: This recommendation will require further analysis. In the interim, the City will require that all contractors who have direct contact with or supervise children provide proof that they have obtained mandated reporter training on their own.

Recommendation 7: Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.

City response: The City has implemented a procedure to verify that all employees who are designated as mandated reporters have completed initial training. The City has not yet decided how often training for employees will need to be refreshed. Note however that mandated reporter training is now included as part of Parks and Recreation employee orientation each year.

Recommendation 8: Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.

City response: The City will further investigate the training offered by the Child Abuse Prevention Council. In addition, the City plans to research options for online training so that training can be scheduled more conveniently for employees, especially for refresher training.

We appreciate your time and attention in consideration of these important matters and hope this letter is responsive to your request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'S. Falk', is written above the printed name.

Steven Falk, City Manager



City of Martinez

525 Henrietta Street, Martinez, CA 94553-2394

(925) 372-3505
FAX (925) 229-5012

*logged
7/23/14*

July 18, 2014

2013-2014 Contra Costa County Civil Grand Jury
Attn: Stephen Conlin, Foreperson
725 Court Street
P. O. Box 431
Martinez, CA 94553-0091

Dear Mr. Conlin:

On behalf of the Martinez City Council, this letter responds to Contra Costa County Grand Jury Report: "Training City Personnel in Reporting Child Abuse" (Report 1403). The City Council authorized this response at its meeting on July 16, 2014.

According to page 8 of the Report, the City of Martinez is required to respond to Findings 1 through 7 and Recommendations 1 through 8. Pursuant to California Penal Code Section 933.05, the City will respond to each finding and to each recommendation individually.

CITY'S RESPONSES TO GRAND JURY FINDINGS 1-7

GRAND JURY FINDING #1

The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse.

City Response: With the information provided by the Grand Jury Report # 1403, the City agrees with this finding.

GRAND JURY FINDING #2

A "mandated reporter" employed by a city includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children.

City Response: With the information provided by the Grand Jury Report # 1403, the City agrees with this finding.

GRAND JURY FINDING #3

Training in child abuse reporting obligations should be given annually to every city employee whose duties require direct contact and supervision of children.

City Response: With the information provided by the Grand Jury Report # 1403, the City agrees with this finding.

GRAND JURY FINDING #4

Training in child abuse reporting obligations should include:

- a. Who are "mandated reporters";
- b. What is "reasonable suspicion" of child abuse;
- c. How and when a report should be made;
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report.

City Response: With the information provided by the Grand Jury Report # 1403, the City agrees with this finding.

GRAND JURY FINDING #5

While volunteers who have direct contact or supervise children are excluded from the definition of "mandated reporters" under the Penal Code, the law "encourages" such volunteers to obtain training in identifying and reporting suspected or known child abuse.

City Response: With the information provided by the Grand Jury Report # 1403, the City agrees with this finding.

GRAND JURY FINDING #6

A procedure should be implemented to verify that all city personnel who are mandated reporters receive training.

City Response: With the information provided by the Grand Jury Report # 1403, the City agrees with this finding.

GRAND JURY FINDING #7

The Child abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County.

City Response: With the information provided by the Grand Jury Report # 1403, the City agrees with this finding.

CITY'S RESPONSES TO GRAND JURY RECOMMENDATIONS 1-8

GRAND JURY RECOMMENDATION #1

Each city should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.

City Response: The recommendation has been implemented. The City has adopted a policy and is implementing training in conformance.

GRAND JURY RECOMMENDATION #2

Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of “mandated reporters” under Penal Code section 11165.7.

City Response: The recommendation has been implemented. The City’s Policy provides that the City shall identify all Mandated Reporters (which in accordance with the City’s Policy includes employees, volunteers, and contractors serving in positions with contact with children) and will provide training and advice to such persons.

GRAND JURY RECOMMENDATION #3

The training program should include all personnel who are “mandated reporters.”

City Response: The recommendation has been implemented. The City’s training program covers all personnel who are identified as mandated reporters.

GRAND JURY RECOMMENDATION #4

The training program in child abuse reporting obligations should include:

- a. Who are “mandated reporters”;
- b. What is “reasonable suspicion” of child abuse;
- c. How and when a report should be made;
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report.

City Response: The recommendation has been implemented. The training program that the City utilizes includes each of these components.

GRAND JURY RECOMMENDATION #5

Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.

City Response: The recommendation has been implemented. As mentioned in the City Response to Recommendation #2 above, the City’s Policy and training program includes volunteers.

GRAND JURY RECOMMENDATION #6

In a case where a city enters into an agreement with an independent contractor to provide services that require direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city’s “mandated reporting” training program.

City Response: The recommendation has been implemented. As mentioned in the City Response to Recommendation #2 above, the City’s Policy and training program includes contractors.

GRAND JURY RECOMMENDATION #7

Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.

City Response: The recommendation has been implemented. Personnel designated as mandated reporters sign a form acknowledging the training.

GRAND JURY RECOMMENDATION #8

Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.

City Response: The recommendation has not yet been implemented. The City will consider use of this resource as needed. Recreation staff recently attended a training provided through our Insurance Risk Pool, the Municipal Pooling Authority of Northern California, and presented by the law firm Liebert, Cassidy and Whitmore, so multiple free resources are available in this regard.

Sincerely,



Robert Schroder
Mayor, City of Martinez

cc: City Council

Anna Gwyn Simpson, Interim City Manager

Jeffrey Walter, City Attorney

Alan Shear, Assistant City Manager



Town of Moraga

TOWN MANAGER

Legged
7/7 MMJ

June 25, 2014

Mr. Stephen D. Conlin, Foreperson
2013-2014 Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Via US Mail and Electronic mail: clope2@contracosta.courts.ca.gov

SUBJECT: TOWN OF MORAGA RESPONSE TO GRAND JURY REPORT NO. 1403, "TRAINING CITY PERSONNEL IN REPORTING CHILD ABUSE" BY THE 2013-2014 CONTRA COSTA COUNTY GRAND JURY

Dear Jury Foreperson Conlin:

The Town of Moraga provides this response to Grand Jury Report No. 1403, "Training City Personnel in Reporting Child Abuse" pursuant to your May 6, 2014 letter and California Penal Code Section 933.05.

According to page 1 of the report, the Town of Moraga is required to respond to Findings 1 through 7 and Recommendations 1 through 8.

RESPONSES TO GRAND JURY FINDINGS 1-7:

In compliance with Section 933.05(a), The Town of Moraga responds to each of the report's findings as follows:

GRAND JURY FINDING #1:

The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse.

RESPONSE: The Town of Moraga agrees with this finding.

GRAND JURY FINDING #2:

A "mandated reporter" employed by a city includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children.

RESPONSE: The Town of Moraga agrees with this finding.

GRAND JURY FINDING #3:

Training in child abuse reporting obligations should be given annually to every city employee whose duties require direct contact and supervision of children.

RESPONSE: The Town of Moraga agrees with this finding.

GRAND JURY FINDING #4:

Training in child abuse reporting obligations should include:

- a) Who are "mandated reporters;"
- b) What is "reasonable suspicion" of child abuse;
- c) How and when a report should be made;
- d) What safeguards are in place to protect mandated reporters; and
- e) What are the ramifications of making a suspected child abuse report?

RESPONSE: The Town of Moraga agrees with this finding.

GRAND JURY FINDING #5:

While volunteers who have direct contact or supervise children are excluded from the definition of "mandated reporters" under the Penal Code, the law "encourages" such volunteers to obtain training in identifying the reporting suspected or known child abuse.

RESPONSE: The Town of Moraga agrees with this finding.

GRAND JURY FINDING #6:

A procedure should be implemented to verify that all city personnel who are mandated reporters receive training.

RESPONSE: The Town of Moraga agrees with this finding.

GRAND JURY FINDING #7:

The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County.

RESPONSE: The Town of Moraga agrees with this finding.

RESPONSES TO GRAND JURY RECOMMENDATIONS 1-8:

In compliance with Section 933.05(b), the Town of Moraga responds to each of the report's recommendations as follows:

GRAND JURY RECOMMENDATION #1:

Each city should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.

RESPONSE: The Town of Moraga has implemented this recommendation.

Police: The Moraga Police Department conducts Field Training that includes mandated reporting for every new officer of the department, and every officer is a graduate of a certified California Commission on Peace Officer Standards and Training (POST) Academy, which includes Mandated Reporter Training. Reserve Officers also receive the same training.

Parks and Recreation: The Parks and Recreation Department provides a four-day training for part-time seasonal recreation leaders hired each year. Training includes many topics, one of which is Mandated Reporting. Typically 1.5 to 2 hours is dedicated to Mandated Reporting during our intensive training program.

Christina Hickey, Community Education Coordinator for the Child Abuse Prevention Council of Contra Costa County, conducted the Mandated Reporting training in 2013. The same training is currently being scheduled in preparation for the summer of 2014. Ms. Hickey provided many handouts in a folder that each employee was able to keep. The folder contents included:

- The California Child Abuse and Neglect Reporting Law, Issues and Answers for Mandated Reporters
- Typical signs of Child Abuse, Sexual Abuse and Neglect
- Dynamics of Abusive and Neglectful Families
- Culturally Diverse Childrearing Practices: Abusive or just Different?
- Who and how to contact in cases of suspected abuse
- Reasonable Suspicion
- Individual responsibilities
- The 4 P's of the California Child Abuse and Neglect Reporting Act
- Suspected Child Abuse Report form
- Scenarios

In addition, the Town is a member of the Municipal Pooling Authority (MPA) and as such has the opportunity to send employees to an annual Mandated Reporter training conducted by Liebert Cassidy Whitmore.

GRAND JURY RECOMMENDATION #2:

Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of "mandated reporters" under Penal Code section 11165.7.

RESPONSE: The Town of Moraga has implemented this recommendation. As stated in the response to Recommendation #1 above, the Town does review the duties of all employees and other personnel.

GRAND JURY RECOMMENDATION #3:

The training program should include all personnel who are "mandated reporter."

RESPONSE: The Town of Moraga has implemented this recommendation. Police personnel receive the training through POST training and Parks and Recreation personnel receive the training through the Child Abuse Prevention Council of Contra Costa County.

GRAND JURY RECOMMENDATION #4:

The training program in child abuse reporting obligations should include:

- a) Who are "mandated reporters;"
- b) What is "reasonable suspicion" of child abuse;
- c) How and when a report should be made;
- d) What safeguards are in place to protect mandated reporters; and
- e) What are the ramifications of making a suspected child abuse report?

RESPONSE: The Town of Moraga has implemented this recommendation. As stated in the response to Recommendation #1 above, the Child Abuse Prevention Council of Contra Costa County training includes:

- The California Child Abuse and Neglect Reporting Law, Issues and Answers for Mandated Reporters
- Typical signs of Child Abuse, Sexual Abuse and Neglect
- Dynamics of Abusive and Neglectful Families
- Culturally Diverse Childrearing Practices: Abusive or just Different?
- Who and how to contact in cases of suspected abuse
- Reasonable Suspicion
- Individual responsibilities
- The 4 P's of the California Child Abuse and Neglect Reporting Act
- Suspected Child Abuse Report form
- Scenarios

GRAND JURY RECOMMENDATION #5:

Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.

RESPONSE: The Town of Moraga has implemented this recommendation.

Police: The Moraga Police Department conducts Field Training that includes mandated reporting for officers within the department.

Parks and Recreation: The Parks and Recreation Department does not currently allow volunteers to work in an environment where they will have direct contact with or supervise children.

GRAND JURY RECOMMENDATION #6:

In the case where a city enters into an agreement with an independent contractor to provide services that requires direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city's "mandated reporting" training program.

RESPONSE: The Town of Moraga has implemented this recommendation.

Parks and Recreation: Our next scheduled training will be hosted by the Child Abuse Prevention Council of Contra Costa County at the Hacienda de las Flores in Moraga during the week of June 16, 2014. Our summer session independent contractors, that have not previously received the training, will be included. As the Town provides new enrichment classes on a tri-annual basis, recreational instructors will be provided the training prior to the start of their instruction. The Town's standard Agreement for Recreational Instructor Services requires instructors be a mandated reporter of child abuse and neglect.

GRAND JURY RECOMMENDATION #7:

Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.

RESPONSE: The Town of Moraga has implemented this recommendation.

Police: Training records are maintained in the employee's departmental personnel file.

Parks and Recreation: Upon completion of the training, each employee is required to sign the last page of the employee manual, acknowledging training received on each topic of the employee manual, including mandated reporter duties and responsibilities.

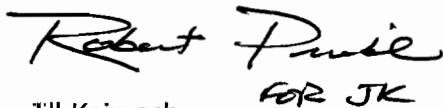
GRAND JURY RECOMMENDATION #8:

Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.

RESPONSE: The Town of Moraga has implemented this recommendation. As previously stated, the Parks and Recreation Department engages the Child Abuse Prevention Council of Contra Costa County on an annual basis to conduct mandated reporter training for Moraga employees. For this year, this training has been scheduled for the week of June 16, 2014, and Moraga intends to use the services provided by the Child Abuse Prevention Council of Contra Costa County annually.

I appreciate the opportunity to provide this response. If you have any questions, please contact me or Jay Ingram, Parks and Recreation Director, at (925) 888-7034 or jingram@moraga.ca.us. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Robert Paul". Below the signature, the text "FOR JK" is written in a smaller, handwritten font.

Jill Keimach
Town Manager

Typed in
7/15 mm

3231 Main Street
Oakley, CA 94561
925 625 7000 tel
925 625 9859 fax
www.ci.oakley.ca.us

MAYOR
Randy Pope

VICE MAYOR
Doug Hardcastle

COUNCILMEMBERS
Diane Burgis
Kevin Romick
Carol Rios

July 9, 2014

Stephen D. Conlin, Foreperson
CONTRA COSTA CIVIL GRAND JURY
P.O. Box 911
Martinez, CA 94553-0091
Attn: clope2@contracosta.courts.ca.gov

Subject: Civil Grand Jury Report 1403, "Training City Personnel in Reporting Child Abuse."

Mr. Conlin:

This letter is in response to this Grand Jury report regarding training for the reporting of suspected child abuse. Our letter is consistent with Section 933.05 of the California Penal Code and includes the requested responses to the Grand Jury findings and recommendations on this topic.

With regard to **Findings #1 through #7** (which includes all of the Findings in this report), the City of Oakley agrees with all of them.

Recommendation #1 – Each city should consider immediately adopting a policy to train its employees and other personnel about their obligations to identify and report suspected cases of child abuse

City Response: *The City has implemented this recommendation and has already adopted this policy.*

Recommendation #2 – Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of "mandated reports" under Penal Code section 11165.7.

City Response: *The City has implemented this recommendation and the employees have been identified as a part of the City's Mandated Reporter Policy.*

Recommendation #3 – The training program should include all personnel who are "mandated reporters."

City Response: *This recommendation has been implemented and all identified personnel have been trained and will continue to be trained.*

Recommendation #4 – The training program should include:

- a. Who are “mandated reporters”;
- b. What is “reasonable suspicion” of child abuse;
- c. How and when a report should be made;
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report.

City Response: This recommendation has been implemented and these components are included in the required training.

Recommendation #5 – Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.

City Response: The current volunteers working periodically with children are minors themselves. We will evaluate other cities' policies relating to the training of volunteers in this area and work to adopt and implement similar provisions.

Recommendation #6 – In the case of an independent contractor providing services that require direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city's “mandated reporting” training program.

City Response: This has been implemented and contract personnel have been included in the training.

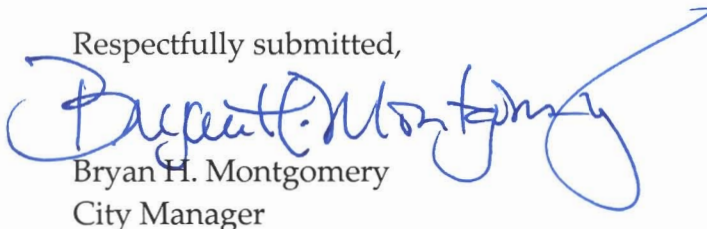
Recommendation #7 – Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters.

City Response: This has been implemented.

Recommendation #8 – Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse training.

City Response: The City will gladly seek out this source for future training.

Respectfully submitted,



Bryan H. Montgomery
City Manager



22 orinda way • orinda • california • 94563

July 2, 2014

Stephen D. Conlin, Foreperson
2013-2014 Contra Costa County
Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Dear Mr. Conlin:

Pursuant to your May 6, 2014 letter regarding Grand Jury Report No. 1403, "Training City Personnel in reporting Child Abuse", please consider this to be the City of Orinda's response.

According to pages 6-7 of the Report, Orinda is required to respond to Findings 1 through 7 and Recommendations 1 through 8.

Findings

1. The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse. ***Orinda agrees with this finding.***
2. A "mandated reporter" employed by a city includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children. ***Orinda agrees with this finding.***
3. Training in child abuse reporting obligations should be given annually to every city employee whose duties require direct contact and supervision of children. ***Orinda agrees with this finding.***
4. Training in child abuse reporting obligations should include: a. who are "mandated reporters; b. what is "reasonable suspicion" of child abuse; c. how and when a report should be made; d. what safeguards are in place to protect mandated reporters; e. what are the ramifications of making a suspected child abuse report. ***Orinda agrees with this finding.***
5. While volunteers who have direct contact or supervise children are excluded from the definition of "mandated reporters" under the Penal Code, the law "encourages" such volunteers to obtain training in identifying and reporting suspected or known child abuse. ***Orinda agrees with this finding.***
6. A procedure should be implemented to verify that all city personnel who are mandated reporters receive training. ***Orinda agrees with this finding.***
7. The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County. ***Orinda agrees with this finding.***

Heard
7/11
MKS

Recommendations

1. Each City should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse. **Orinda has implemented this recommendation. Orinda pays close attention to the best practices of cities in the County that have adopted Mandated Reporter policies, including the training component, and, as such, has implemented a Mandated Reporter policy including a training element for employees and other personnel.**
2. Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of "mandated reporters" under Penal Code section 11165.7. **Orinda has reviewed the duties of all employees and other personnel that fall within the definition of "mandated reporter" and has implemented a policy for those the City has deemed "mandated reporters".**
3. The training program should include all personnel who are "mandated reporters". **Orinda provides training to all personnel who are "mandated reporters".**
4. The training program in child abuse reporting obligations should include:
 - a. Who are "mandated reporters";
 - b. What is "reasonable suspicion" of child abuse;
 - c. How and when a report should be made;
 - d. What safeguards are in place to protect mandated reporters; and
 - e. What are the ramifications of making a suspected child abuse report.

Orinda provides training to all "mandated reporters" on components a-e indicated in question 4.

5. Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program. **Orinda provides training to all volunteers who have contact with or supervise children in its Mandated Reporter training program.**
6. In the case where a city enters into an agreement with an independent contractor to provide services that require direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city's "mandated reporting" training program. **Orinda includes independent contractors that provide services that require direct contact or supervision of children in its Mandated Reporter training program.**
7. Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year. **Orinda maintains training records for all those considered "mandated reporters".**
8. Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting. **Orinda staff provides training to all personnel that are considered "mandated reporters"; however, Orinda is thankful that such services are provided by the Child Abuse Prevention Council in the event that such services are needed by the City in the future.**

We hope this letter is responsive to your request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Sue Severson". The signature is fluid and cursive, with the first name "Sue" and last name "Severson" clearly distinguishable.

Sue Severson
Mayor



CITY OF PINOLE

City Manager's Office

2131 Pear Street
Pinole, CA 94564
Phone: (510) 724-8933
FAX: (510) 724-9826
www.ci.pinole.ca.us

July 1, 2014

Mr. Stephan D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
PO Box 431
Martinez, CA 94553-0091

Also sent via email: vince2@contracosta.courts.ca.gov

Re: Contra Costa County Grand Jury Report 1403: "Training City Employees in Reporting Child Abuse"

Dear Mr. Conlin:

We are in receipt of your Contra Costa County Grand Jury Report 1403: "Training City Employees in Reporting Child Abuse" and this letter outlines our response to the findings and recommendations that are outlined in the report in accordance with California Penal Code Section 933.05.

The City of Pinole appreciates the work that the Grand Jury undertook, and we agree with the statements in the Report that we should be cognizant of the need for transparency in government, ethics training and maintaining an up to date policy on nepotism and conflict of interest.

GRAND JURY FINDINGS SPECIFIC TO THE CITY OF PINOLE

- **Finding Number 1**

"The law strongly encourages cities to provide their employees who are mandated reporters with training about their obligations to identify and report known or suspected child abuse".

Response: *The City of Pinole agrees with this recommendation.*

- **Finding Number 2**

"A mandated reporter employed by a city includes but is not limited to, an administrator or employee whose duties require direct contact and supervision with children".

Response: *The City of Pinole agrees with this recommendation.*

- **Finding Number 3**

“Training in child abuse reporting obligations should be given annually to every city employee whose duties require direct contact and supervision of children”.

Response: *The City of Pinole agrees with this recommendation.*

- **Finding Number 4**

“Training in child abuse reporting obligations should include:

- Who are mandated reporters;
- What is “reasonable suspicion” of child abuse;
- What is reasonable suspicion of child abuse;
- How and when a report should be made;
- What safeguards are in place to protect mandated reporters; and
- What are the ramifications of making a suspected child abuse report

Response: *The City of Pinole agrees with this recommendation.*

- **Finding Number 5**

“While volunteers who have direct contact or supervise children are excluded from the definition of mandated reporters under the Penal Code, the law encourages such volunteers to obtain training in identifying and reporting suspected or known child abuse”.

Response: *The City of Pinole agrees with this recommendation.*

- **Finding Number 6**

“A procedure should be implemented to verify that all city personnel who are mandated reporters receive training”.

Response: *The City of Pinole agrees with this recommendation.*

- **Finding Number 7**

“The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the county”.

Response: *The City of Pinole agrees with this recommendation.*

GRAND JURY RECOMMENDATIONS SPECIFIC TO THE CITY OF PINOLE

- **Recommendation Number 1**

"Each city should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse".

Response: *The City has trained employees who are considered Mandated Reporters. The training was and continues to be provided to existing and new employees.*

- **Recommendation Number 2**

"Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of mandated reporters under Penal Code section 11165.7".

Response: *The City has designated employees who fall under the definition of Mandated Reporters under Penal Code section 11165.7.*

- **Recommendation Number 3**

"The training program should include all personnel who are mandated reporters".

Response: *Mandated Reporter training is performed to those employees designated under Penal Code section 11165.7.*

- **Recommendation Number 4**

"The training program in child abuse reporting obligations should include:

- Who are the mandated reporters;
- What is reasonable suspicion of child abuse;
- How and when a report should be made;
- What safeguards are in place to protect mandated reporters; and
- What are the ramifications of making a suspected child abuse report

Response: *The City's training program does comply with the reporting obligations.*

- **Recommendation Number 5**

"Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program".

Response: *The City will consider providing all volunteers who have direct contact with or supervise children with mandated reporter training.*

- **Recommendation Number 6**

"In the case where a city enters into an agreement with an independent contractor to provide services that requires direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city's mandated reporting training program".

Response: *The City of Pinole does not contract with any independent child care providers. All of our programs include in house staff.*

- **Recommendation 7**

"Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year".

Response: *The City does verify that all employees have been trained.*

- **Recommendation 8**

"Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting:

Response: *This is a very good idea. The City of Pinole agrees with this recommendation and will do so in the future.*

In closing, I would like to thank the Grand Jury again for their effort at these municipal service reviews and annual reports. I hope that this response meets the expectations of the Grand Jury and that transparency in local government continues to be a focal point.

Respectfully Submitted,



Timothy Banuelos, Mayor

C Stephen Conlin, Contra Costa County Grand Jury Foreperson
Pinole City Councilmembers
Belinda B. Espinosa, City Manager
Ben Reyes, City Attorney



City of Pittsburg
65 Civic Avenue
Pittsburg, California 94565-3814

Legged 8/14/14 MMB

July 25, 2014

Contra Costa County Civil Grand Jury
Stephen D. Conlin, Foreperson
PO Box 431
Martinez, CA 94553-0091
clope2@contracosta.courts.ca.gov

Re: Training City Personnel in Reporting Child Abuse, Grand Jury Report #1403

Dear Mr. Conlin:

On behalf of the City of Pittsburg, this letter serves as our response to the Contra Costa County Grand Jury Report titled "Training City Personnel in Reporting Child Abuse" (Report 1403). The Grand Jury asked that the City of Pittsburg respond to the Findings and Recommendations on the report.

Finding #1: The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse.

Response: The City agrees with this finding.

Recommendation #1: Each city should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.

Response: The recommendation is already implemented at the City of Pittsburg with a Mandated Reporters policy. The policy includes definitions, reporting procedures, training, employee acknowledgement form, reporting forms and related information.

Finding #2: A "mandated reporter" employed by the city includes, but is not limited to an administrator or employee whose duties require direct contact and supervision of children.

Response: The City agrees with this finding.

Recommendation #2: Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of "mandated reporters" under Penal Code section 11165.7.



Response: The City agrees with this recommendation and has determined under Penal Code Section 11165.7(a) its mandated reporters as all Recreation, Police and Housing personnel including volunteers and contractors whose duties require direct contact and supervision of children.

Finding #3: Training in child abuse reporting obligations should be given annually to every city employee whose duties require direct contact and supervision on children.

Response: The City agrees with this finding.

Recommendation #3: The training program should include all personnel who are "mandated reporters" under Penal Code section 11165.7.

Response: The City's training program includes personnel identified as "mandated reporters".

Finding #4:

Training in child abuse reporting obligations should include:

- a) Who are "mandated reports";
- b) What is "reasonable suspicion" of child abuse;
- c) How and when a report should be made;
- d) What safeguards are in place to protect mandated reporters; and
- e) What are the ramifications of making a suspected child abuse report.

Response: The City agrees with this finding.

Recommendation #4: The training program in child abuse reporting obligations should include:

- a) Who are "mandated reporters";
- b) What is "reasonable suspicion" of child abuse;
- c) How and when a report should be made;
- d) What safeguards are in place to protect mandated reporters; and
- e) What are the ramifications of making a suspected child abuse report.

Response: The City's training program has included a workshop provided by the law offices of Liebert Cassidy Whitmore and a DVD entitled Depending On You: Child Abuse and Neglect Prevention for Mandated Reporters. Both trainings include the child abuse reporting obligations listed in the recommendation above.

Findings #5: While volunteers who have direct contact or supervise children are excluded from the definition of “mandated reporters” under the Penal Code, the law “encourages” such volunteers to obtaining training in identifying and reporting suspected or known child abuse.

Response: The City agrees with this finding.

Recommendation #5: Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training.

Response: The City will continue to include volunteers who have direct contact with or supervise children in its current and future abuse reporting training.

Findings #6: A procedure should be implemented to verify that all city personnel who are mandated reporters receive training.

Response: The City agrees with this finding.

Recommendation #6: In the case where a city enters into an agreement with an independent contractor to provide services that requires direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city’s “mandated reporting” training program.

Response: The City plans to include independent contractors who provide services that require direct contact or supervision of children, and each of its staff in its annual training to ensure they have successfully completed the city’s “mandated reporting” training program.

Findings #7: The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County.

Response: The City agrees with the findings and has contacted the Child Abuse Prevention Council of Contra Costa County for information on training at the City of Pittsburg.

Recommendation #7: Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.

Response: The City agrees with this recommendation and plans on establishing such a procedure to verify mandated reporters complete the training program on an annual basis.

Recommendation #8: Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.

Response: The City agrees with this recommendation and has contacted the Child Abuse Prevention Council of Contra Costa County for information on their free training services about child abuse reporting.

Please feel welcomed to call upon the City should you have any additional questions or concerns.

Sincerely,

Joe Sbranti
City Manager

A handwritten signature in black ink, appearing to read 'Joe Sbranti', written over the printed name.



City of Pleasant Hill

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MMJ
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July 8, 2014

John T. Laettner, Judge of the Superior Court
Stephen D. Conlin, 2013-2014 Civil Grand Jury Foreperson
A. F. Bray Courthouse
1020 Ward Street
Martinez, CA 94553

RE: City of Pleasant Hill's Response to Report "Training City Personnel in Reporting Child Abuse" (Number 1403)

Dear Judge Laettner and Foreperson Conlin:

In June 2014, the 2013-2014 Contra Costa Civil Grand Jury (Grand Jury) issued a report (number 1403) entitled "Training City Personnel in Reporting Child Abuse." Below find the City of Pleasant Hill's (City) responses to the report's findings and recommendations.

FINDINGS

Finding: 1. The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse.

City Response: Agree

Finding: 2. A "mandated reporter" employed by a City includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children.

City Response: Agree

Finding: 3. Training in child abuse reporting obligations should be given annually to every City employee whose duties require direct contact and supervision of children.

City Response: Agree

Finding: 4. Training in child abuse reporting obligations should include:

- a. Who are “mandated reporters”;
- b. What is “reasonable suspicion” of child abuse;
- c. How and when a report should be made;
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report.

City Response: Agree

Finding: 5. While volunteers who have direct contact or supervise children are excluded from the definition of “mandated reporters” under the Penal Code, the law “encourages” such volunteers to obtain training in identifying and reporting suspected or known child abuse.

City Response: Agree

Finding: 6. A procedure should be implemented to verify that all City personnel who are mandated reporters receive training.

City Response: Agree

Finding: 7. The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County.

City Response: Agree

RECOMMENDATIONS

Recommendation: 1. Each City should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.

City Response: The recommendation has been implemented. The employees of the Police Department and the City Manager are the key mandated reporters at the City of Pleasant Hill. The Police Department trains its employees on identifying and reporting suspected cases of child abuse, as described in the attached Memorandum from the Pleasant Hill Police Department on “Request for Information on Abuse of Minors”. The City Manager also receives appropriate training.

Recommendation: 2. Each City should review the duties of all employee and other personnel to determine which personnel fall within the definition of “mandated reporters” under Penal Code Section 11165.7.

City Response: The recommendation has been implemented. Prior to responding to the Grand Jury’s request for information of November 2013, the City reviewed the duties of all employees to determine which met the definition of mandated reporters.

Recommendation: 3. The training program should include all personnel who are “mandated reporters”.

City Response: The recommendation has been implemented. The City has a practice of providing training, has identified all relevant personnel, and has provided the training.

Recommendation: 4. The training program in child abuse reporting obligations should include:

- a. Who are “mandated reporters”;
- b. What is “reasonable suspicion” of child abuse;
- c. How and when a report should be made;
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report.

City Response: The recommendation has been implemented. The training that the City provides to mandated reporters covers the topics listed above.

Recommendation: 5. Each City should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.

City Response: The recommendation has not yet been implemented, but will be implemented in the future. The City will identify all of its types of volunteers, analyze the extent to which they interact with children, and consider the practicality of providing training.

Recommendation: 6. In the case where a City enters into an agreement with an independent contractor to provide services that requires direct contact or supervision of children, the City should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the City’s “mandated reporting” training program.

City Response: The recommendation has not yet been implemented, but will be implemented in the future. As stated in the City's letter to the Grand Jury dated December 6, 2013, the City of Pleasant Hill does not have a Parks and Recreation function. In addition, the City does not have a human services function, which might provide various services to populations in need, such as youth and elders. Therefore, aside from the City of Pleasant Hill Police Department, the City has few programs that require direct contact with or supervision of children. Nonetheless, the City will identify all of its types of contractors, analyze the extent to which they interact with children, and consider the practicality of providing training.

Recommendation: 7. Each City should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.

City Response: The recommendation has been implemented. The City's personnel administration system tracks each employee's required training and its completion.

Recommendation: 8. Each City should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.

City Response: This recommendation has not yet been implemented, but will be implemented in the future. The City will contact the Child Abuse Prevention Council of Contra Costa County to learn more about its training services and consider retaining it for appropriate training regarding child abuse reporting.

Please feel free to contact me for additional information regarding the City's response at 925-671-5204.

Sincerely,



June Catalano
City Manager

Cc: Timothy M. Flaherty, Mayor
Ken Carlson, Vice-Mayor
David E. Durant, Councilmember
Michael G. Harris, Councilmember

Jack Weir, Councilmember
Janet Coleson, City Attorney
John Moore, Chief of Police
Andrew Murray, Assistant City Manager
Cecelia Nichols-Fritzler, Human Resources Manager

- Attachments:
- Letter from Contra Costa County Grand Jury dated May 6, 2014
 - Contra Costa County Grand Jury Report "Training City Personnel in Reporting Child Abuse" (Number 1403)
 - Memorandum from the Pleasant Hill Police Department on "Request for Information on Abuse of Minors"



CITY OF PLEASANT HILL POLICE DEPARTMENT



MEMORANDUM

Date: December 2, 2013
To: Andrew Murray, Assistant City Manager
From: Dan Connelly, Lieutenant
Subject: Request for Information on Abuse of Minors

Below is the information requested from the Contra Costa County Grand Jury on the police department's training and procedures as it relates to child abuse reporting.

1. All sworn police department employees receive training on child abuse reporting in the basic police academy. This information is covered in Learning Domain #09. All non-sworn Police Dispatchers and Community Service Officers receive initial training at the Public Safety Dispatcher Basic Course. These courses are approved by the California Commission on Peace Officer Standards and Training (POST) and in addition to classroom instruction students are required to pass a test. A copy of each outline is attached. There is no requirement for update training on the reporting of child abuse, but periodically officers will attend advance courses in child abuse investigations where the topic of reporting is covered. The training records are maintained by POST and a certificate of completion for the entire course is maintained by the police department's training manager.
2. Yes. The Pleasant Hill Police Department Policy Manual, section 330.3.1, covers the reporting requirements as outlined in Penal Code section 11166. Refer to attached policy.
3. Yes. Both sworn and non-sworn employees must successfully complete a department training program, referred to as "field training", in addition to completing the basic courses from POST. As a requirement of the department training, personnel must demonstrate knowledge of their mandated reporting requirements established in penal code section 11166 and department policy.
4. No changes have been made to this training procedure within the last three years.
5. Sgt. Lisa Hugdahl is the department's Training Manager and is responsible for overseeing the program.
6. Each employee must complete the course of instruction discussed above, provide evidence of completion, and demonstrate knowledge of the material. These records are kept on file in the training office.
7. The police department co-sponsors a Police Explorer program with the Boy Scouts of America that involves persons age 14 to 21 years who are interested in the field of law enforcement. Explorers are provided with basic police training, attend meetings, and participate in ride-a-longs with officers.

Grand Jury

June Catalano, City Manager
100 Gregory Lane
Pleasant Hill, CA 94523

Contra
Costa
County



cc: Andrew

725 Court Street
P.O. Box 911
Martinez, CA 94553-0091

RECEIVED

NOV 12 2013
CITY CLERK'S OFFICE
CITY OF PLEASANT HILL

Dear MsCatalano

November 12, 2013

The 2013-2014 Contra Costa County Grand Jury requests that you respond to the following questions:

1. Describe in detail the program currently used by your City to train City employees regarding their obligations to identify and report abuse of minors. Your response should include, but is not limited to:
 - a. Method and procedures used in training;
 - b. Topics covered by training;
 - c. Categories of employees trained;
 - d. Frequency of training;
 - e. Description of records maintained of training and location of same.
2. Does your City have a written policy regarding abuse reporting? If so, please provide a copy of the document with your response.
3. Does your City have a written document which describes your training program for abuse reporting required by your employees? If so, please provide a copy of the document with your response.
4. Has your City made any changes to your training program within the last three years? If so, please identify the changes and the reason(s) for the same.
5. Identify the person(s) in your City who currently has responsibility for overseeing and monitoring the training program.
6. Please describe the method used by your City to verify that each employee has successfully completed the program.
7. Please describe all programs sponsored or monitored by the City which involve participation by minors.

We request that you respond no later than December 3, 2013. Any questions or comments should be sent to Trey Dodson at tdg.grandjury@gmail.com.

Thank you for your cooperation.

Stephen D. Conlin

Stephen D. Conlin, Foreperson
Contra Costa Civil Grand Jury

Child Abuse

330.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Pleasant Hill Police Department members are required to notify the Contra Costa County Child and Family Services (CFS) of suspected child abuse.

330.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency or law enforcement (Penal Code § 11165.9; Penal Code § 11166).

330.2 POLICY

The Pleasant Hill Police Department will investigate all reported incidents of alleged criminal child abuse and ensure CFS is notified as required by law.

330.3 MANDATORY NOTIFICATION

Members of the Pleasant Hill Police Department shall notify CFS when (Penal Code § 11166):

- (a) There is a known or suspected instance of child abuse or neglect reported, which is alleged to have occurred as a result of the action of a person responsible for the child's welfare, or
- (b) A person responsible for the child's welfare fails to adequately protect the child from abuse when the person knew or reasonably should have known that the child was in danger of abuse.

For purposes of notification, the abuse or neglect includes physical injury or death inflicted by other than accidental means upon a child by another person; sexual abuse (Penal Code § 11165.1); neglect (Penal Code § 11165.2); the willful harming or injuring of a child or the endangering of the person or health of a child (Penal Code § 11165.3); and unlawful corporal punishment or injury (Penal Code § 11165.4). Child abuse or neglect does not include a mutual affray between minors, nor does it include an injury caused by the reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment as a peace officer.

330.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (Penal Code § 11166):

- (a) Notification to CFS shall be made immediately, or as soon as practicably possible, by telephone, fax or electronic transmission.

Pleasant Hill Police Department

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Child Abuse

- (b) A written follow-up report is forwarded to CFS within 36 hours of receiving the information concerning the incident.

When the abuse or neglect occurs at a facility or by a person from a facility that requires a state license (e.g., foster homes, group homes, day care), notification shall also be made to the California Department of Social Services or other applicable licensing authority (Penal Code 11166.1; Penal Code 11166.2).

330.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 18961.7).

330.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

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All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

330.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact CFS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to CFS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations when a court order cannot reasonably be obtained in a timely manner (Welfare and Institutions Code § 305):

- (a) The officer reasonably believes the child is a person described in Welfare and Institutions Code § 300, and further has good cause to believe that any of the following conditions exist:
 - 1. The child has an immediate need for medical care.
 - 2. The child is in immediate danger of physical or sexual abuse.
 - 3. The physical environment or the fact that the child is left unattended poses an immediate threat to the child's health or safety. In the case of a child left unattended, the officer shall first attempt to locate and determine if a responsible parent or guardian is available and capable of assuming custody before taking the child into protective custody.
- (b) The officer reasonably believes the child requires protective custody under the provisions of Penal Code § 279.6, in one of the following circumstances:
 - 1. It reasonably appears to the officer that a person is likely to conceal the child, flee the jurisdiction with the child or, by flight or concealment, evade the authority of the court.
 - 2. There is no lawful custodian available to take custody of the child.
 - 3. There are conflicting custody orders or conflicting claims to custody and the parties cannot agree which party should take custody of the child.
 - 4. The child is an abducted child.
- (c) The child is in the company of, or under the control of, a person arrested for Penal Code § 278 or Penal Code § 278.5.

A child taken into protective custody shall be delivered to CPS unless otherwise directed by court order.

Pleasant Hill Police Department

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333.6.1 CALIFORNIA SAFELY SURRENDERED BABY LAW

An individual having lawful custody of an infant less than 72 hours old is not guilty of abandonment if the individual voluntarily surrenders physical custody of the infant to personnel on-duty at a safe-surrender site, such as a hospital or fire department (Penal Code § 271.5). The law requires the surrender site to notify CFS.

330.7 INTERVIEWS

330.7.1 PRELIMINARY INTERVIEWS

If practical, officers should record the preliminary interview with suspected child abuse victims.

Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

330.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

330.7.3 INTERVIEWS AT A SCHOOL

Any student at school who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of the school staff to be present. The purpose of the staff member's presence is to provide comfort and support. The staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship (Penal Code § 11174.3).

330.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding.

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If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

330.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

330.9.1 SUPERVISOR RESPONSIBILITIES

The Investigations Division supervisor should:

- (a) Activate available interagency responses when an officer notifies the Investigations Division supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.

330.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate.
- (b) Notify the Investigations Division supervisor so an interagency response can begin.

330.10 STATE MANDATES AND OTHER RELEVANT LAWS

California requires or permits the following:

330.10.1 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Release of Records and Information Policy (Penal Code 841.5; Penal Code § 11167.5).

330.10.2 REQUESTS FOR REMOVAL FROM THE CHILD ABUSE CENTRAL INDEX (CACI)

Any person whose name has been forwarded to the California Department of Justice (DOJ) for placement in California's CACI, as a result of an investigation, may request that his/her name be removed from the CACI list. Requests shall not qualify for consideration if there is an active case, ongoing investigation or pending prosecution that precipitated the entry to CACI (Penal Code § 11169). All requests for removal shall be submitted in writing by the requesting person and promptly routed to the CACI hearing officer.

330.10.3 CACI HEARING OFFICER

The Investigations Division Commander will normally serve as the hearing officer but must not be actively connected with the case that resulted in the person's name being submitted to CACI. Upon receiving a qualified request for removal, the hearing officer shall promptly schedule a hearing to take place during normal business hours and provide written notification of the time and place of the hearing to the requesting party.

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330.10.4 CACI HEARING PROCEDURES

The hearing is an informal process where the person requesting removal from the CACI list will be permitted to present relevant evidence (e.g., certified copy of an acquittal, factual finding of innocence) as to why his/her name should be removed. The person requesting the hearing may record the hearing at his/her own expense.

Formal rules of evidence will not apply and the hearing officer may consider, in addition to evidence submitted by the person requesting the hearing, any relevant information including, but not limited to, the following:

- (a) Case reports including any supplemental reports
- (b) Statements by investigators
- (c) Statements from representatives of the District Attorney's Office
- (d) Statements by representatives of a child protective agency who may be familiar with the case

After considering all information presented, the hearing officer shall make a determination as to whether the requesting party's name should be removed from the CACI list. Such determination shall be based on a finding that the allegations in the investigation are not substantiated (Penal Code § 11169).

If, after considering the evidence, the hearing officer finds that the allegations are not substantiated, he/she shall cause a request to be completed and forwarded to the DOJ that the person's name be removed from the CACI list. A copy of the hearing results and the request for removal will be attached to the case reports.

The findings of the hearing officer shall be considered final and binding.

330.10.5 CHILD DEATH REVIEW TEAM

This department should cooperate with any interagency child death review team investigation (Penal Code § 11174.32).

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[Specifications \(TTS\)](#)

Contact Us

[Basic Training Bureau](#)
 (916) 227-4252

[Alexia Bitaylock](#)
 (916) 227-3935

Public Safety Dispatchers' Basic Course

The Public Safety Dispatchers' Basic Course is the entry-level training requirement for dispatchers employed by agencies participating in POST's public safety dispatcher program, as specified in Commission Regulation 1018. Information on presenters of the POST-certified Public Safety Dispatchers' Basic Course can be found in POST's Catalog of Certified Courses.

The Public Safety Dispatchers' Basic Course has a minimum hourly requirement of 120 hours, which is divided into 14 individual topics, called Learning Domains. The Learning Domains contain the minimum required foundational information for given subjects, which are detailed in the publication Training Specifications for the Public Safety Dispatchers' Basic Course (pdf).

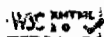
Student Preparedness

The Public Safety Dispatchers' Basic Course introduces the necessary skills and knowledge to work in a law enforcement communications center in a productive and professional manner. The course also prepares each student for the basic roles, responsibilities, and duties of a public safety dispatcher within the law enforcement agency. The minimum training requirements for the Public Safety Dispatchers' Basic Course can be found in Commission Procedure D-1.

Please contact presenters of Dispatcher, Public Safety (Basic) course for course schedule, tuition, and admission information

Public Safety Dispatchers' Basic Course Curriculum**Content and Minimum Hourly Requirements**

Learning Domain	Domain Description	Minimum Hours
100	Professional Orientation and Ethics	6 hours
101	Criminal Justice System	4 hours
102	Introduction to Law	12 hours
103	Interpersonal Communication	4 hours
104	Telephone Technology and Procedures	12 hours
105	Missing Persons	4 hours
106	Domestic Violence	4 hours
107	Community Policing/Cultural Diversity/Hate Crimes/Gang Awareness	8 hours
108	Child, Elder and Dependent Adult Abuse	4 hours
109	Law Enforcement Telecommunications	8 hours
110	Radio Technology and Procedures	12 hours
111	Resources/Referral Services	2 hours
112	Critical Incidents	16 hours
113	Wellness Management	4 hours
	Minimum Domain Hours	102 hours
	Supporting Instructional/Activities - Exercises	18 hours
	Total Minimum Required Hours	120 hours


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PUBLIC SAFETY DISPATCHER COURSE
SPECIFICATIONS FOR LEARNING DOMAIN #108
CHILD, ELDER AND DEPENDENT ADULT ABUSE
July 1, 2010

I. LEARNING NEED

In order to effectively carry out their responsibilities, public safety dispatchers need a basic understanding of the types of child, elder and dependent adult abuse, related laws, and the available resources, services and facilities for victims.

II. LEARNING OBJECTIVES

A. An overview of child abuse

1. Statistics
2. The effects of child abuse

B. Types of child abuse, including:

1. Neglect
2. Sexual abuse
3. Physical abuse
4. Emotional abuse

C. Laws related to child abuse

1. Penal Code section 273, Child abuse defined
2. Penal Code section 288a, Lewd act with a child under 14 years of age
3. Penal Code sections 288b, Lewd act with a child under 14 years of age, force involved

D. Crimes associated with the abuse of children

1. Domestic violence
2. Sexual misconduct in multiple child homes

E. Resources, services and facilities available to victims of child abuse

1. Local sheriff or police department

2. Child abuse and neglect hotlines, council or center
 3. Child welfare services organizations
 4. Local Welfare or Social Services Departments
 5. Human Resources Agency, Department of Public Social Services
 6. Department of Health and Human Services, Department of Public Assistance
 7. Local/County juvenile probation department
- F. An overview of elder/dependent adult abuse
1. Statistics
- G. Types of elder/dependent adult abuse, including:
1. Physical abuse/neglect
 2. Emotional abuse
 3. Sexual abuse
 4. Fiduciary abuse
- H. Laws related to elder/dependent adult abuse
1. Welfare & Institutions Code section 15656 - Elder/dependent abuse defined
 2. Legislative recognition that elders/dependent adults may be abused, neglected, or abandoned and the state is responsible to protect these persons (Welfare & Institutions Code section 15600 et. seq.)
 3. Mandated reporters (Welfare & Institutions Code section 15630)
 4. Victim may refuse or withdraw consent for the investigation of the provision of protective services (Welfare & Institutions Code section 15636)
 5. Punishment for failure to report (Welfare & Institutions Code section 15630(h))
 6. Elder Abuse (Penal Code section 368 et. al.)
- I. Crimes associated with the abuse of elders and dependent adults
1. Elders can also be a helpless victim who lives in a residence where other illegal activities may be occurring

2. Physical assaults

3. Neglect

4. Financial crimes

5. Sexual assaults

J. Resources, services and facilities available to victims of elder/dependent adult abuse

1. Adult Protective Services agencies

2. National Center on Elder Abuse

K. The public safety dispatcher's role in child, elder and dependent adult abuse cases

1. Initial call screening

2. Notifications (e.g., child or adult protective service agencies)

3. Resource identification and referral

4. Documentation

5. Premises history

III. REQUIRED TESTS

None

IV. REQUIRED LEARNING ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of 4 hours of instruction on child, elder and dependent adult abuse.

VI. ORIGINATION DATE

November 1, 1994

VII. REVISION DATES

January 1, 1999

July 1, 2002

July 1, 2010

[illegible]

LEARNING NEED

To effectively carry out their responsibilities for the protection of children as some of the most vulnerable members of society, peace officers need knowledge of the crimes that may be committed against children. The ability to arrest and successfully prosecute depends on the development of probable cause. Peace officers must know the elements required to prove these crimes and to correctly categorize them as misdemeanors or felonies.

LEARNING OBJECTIVES

- A. Recognize the crime elements required to arrest for:**

1. Child harm, injury, or endangerment
2. Physical abuse of a child
3. Lewd or lascivious acts with a child
4. Annoying or molesting children
5. Possession of child pornography
6. Unlawful sexual intercourse

- B. Recognize the crime classification as a misdemeanor or felony**

LEARNING NEED

The California Penal Code mandates that certain professional occupations follow specific requirements for reporting suspected child abuse cases to the proper authority. Failure to do so is a crime.

LEARNING OBJECTIVES

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X				X	X	
X				X	X	
X				X	X	
X				X	X	
X				X	X	
X				X	X	
X				X	X	
X				X	X	
X				X	X	
X				X	X	
X				X	X	
4				4	4	2

3. Identifying the suspect
4. Locating witnesses
5. Recovering physical evidence, photographs and statements
6. Demonstrating a knowledge of child abuse reporting procedures
7. Demonstrating a knowledge of the contents in a child abuse report
8. Effectively interviewing a child who may have been a victim of child abuse or sexual assault to include:
 - a. Gaining the child's confidence
 - b. Remaining neutral in the interview
 - c. Speaking to the child in a level the child understands
9. Taking the child into protective custody if at risk of serious physical harm

VII. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on crimes against children.

VIII. ORIGINATION DATE

January 1, 2001

IX. REVISION DATE

October 1, 2001	January 1, 2006	July 1, 2010
January 1, 2002	January 19, 2007	
January 1, 2004	July 1, 2008	
September 15, 2004	January 1, 2009	

AGENCY ORIENTATION / DEPARTMENT POLICIES

1.1.05 The trainee shall review and briefly explain agency directives, rules, and regulations pertaining to:

- A. Standard of conduct on and off duty (values, ethics, principles)
- B. Rules governing outside employment
- C. Regulations on carrying weapons off duty
- D. Hours of all shifts and absence reporting requirements
- E. Interaction with associated law enforcement agencies
- F. News media release laws, rules and regulations
- G. Security of agency facilities
- H. Any additional agency-specific directives, rules and regulations

Reference:

	INSTRUCTED		COMPETENCY DEMONSTRATED		How Demonstrated? ☐ Field Perform ☐ Role Play ☐ Written Test ☐ Verbal Test	REMEDIED		How Remediated? ☐ Field Perform ☐ Role Play ☐ Written Test ☐ Verbal Test
	Name	Date	Name	Date		Name	Date	
F.T.O.								
Trainee								
Comments:								Case/Report No.:

1.1.06 The trainee shall review and explain department General Orders related to:

- A. Use of Force
- B. Use and Discharge of Firearms
- C. Domestic Violence
- D. Emergency Vehicle Operations
- E. Sexual Harassment
- F. Use of Less-Lethal Weapons
- G. Protective Orders
- H. Hate Crimes
- I. Child Abuse Investigations
- J. Any additional agency-specific General Orders

Reference:

	INSTRUCTED		COMPETENCY DEMONSTRATED		How Demonstrated? ☐ Field Perform ☐ Role Play ☐ Written Test ☐ Verbal Test	REMEDIED		How Remediated? ☐ Field Perform ☐ Role Play ☐ Written Test ☐ Verbal Test
	Name	Date	Name	Date		Name	Date	
F.T.O.								
Trainee								
Comments:								Case/Report No.:

Pleasant Hill Police Department
 Services Division Checklist
 Community Service Officer



TASK #	TASK	Initial Training Provided			Demonstrated or Reviewed by Trainer			Performed Satisfactorily by Trainee		
		Date	FIO	Trainee	Date	FIO	Trainee	Date	FIO	Trainee
CS-221	CLETS training									
CS-222	CORI									
CS-223	Government Code 6254(f)									
CS-224	Penal Code 293(a) requests									
CS-225	Child and Elder Abuse									
CS-226	Release of Juvenile reports									
CS-227	Vehicle Code 20012									
CS-228	Missing Person requirement									
CS-229										
CS-230	Public Records									
CS-231	Speed Survey Information									
CS-232	Subpoena Duces Tecum									

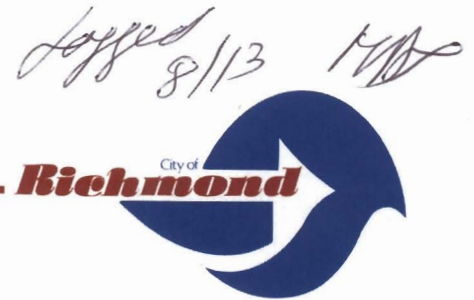
Notes:

Pleasant Hill Police Department
Services Division Checklist
Records



TASK #	TASK	Initial Training Provided			Demonstrated or Reviewed by Trainer			Performed Satisfactorily by Trainee		
		Date	FIO	Trainer	Date	FIO	Trainer	Date	FIO	Trainer
D1-449	PC530.6									
D1-450	VC20001/VC20002									
D1-451	GC6254(f)									
D1-452	PC293(a) requests									
D1-453	Child and Elder abuse									
D1-454	Release of Juvenile Reports									
D1-455	VC20012									
D1-456	Missing Person requirement									
D1-457										
D1-458										
D1-459	Speed Survey									
D1-460	CORI									

Notes:



July 29, 2014

Stephen D. Conlin, Foreperson
2013-2014 Contra Costa County Grand Jury
725 Court Street
P.O. Box 431
Martinez, California 94553-0091

Re: City of Richmond's Response to Grand Jury Report No. 1403: "Training City Personnel in Reporting Child Abuse"

Dear Foreperson Conlin:

In accordance with California Government Code Sections 933.5(a) and 933.5(b), please find below the responses of the City of Richmond to the findings and recommendations of the Grand Jury included in your letter of May 6, 2014. The City's response is in italics directly below each finding or recommendation.

FINDINGS

1. The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse.

Response: *The City of Richmond agrees with the finding.*

2. A "mandated reporter" employed by a City includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children.

Response: *The City of Richmond agrees with the finding.*

3. Training in child abuse reporting obligations should be given annually to every City employee whose duties require direct contact and supervision of children.

Response: *The City of Richmond agrees with the finding.*

4. Training in child abuse reporting obligations should include:
- Who are “mandated reporters”;
 - What is “reasonable suspicion” of child abuse;
 - How and when a report should be made;
 - What safeguards are in place to protect mandated reporters; and
 - What are the ramifications of making a suspected child abuse report.

Response: *The City of Richmond agrees with the finding.*

5. While volunteers who have direct contact or supervise children are excluded from the definition of “mandated reporters” under the Penal Code, the law “encourages” such volunteers to obtain training in identifying and reporting suspected or known child abuse.

Response: *The City of Richmond agrees with the finding.*

6. A procedure should be implemented to verify that all City personnel who are mandated reporters receive training.

Response: *The City of Richmond agrees with the finding.*

7. The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County.

Response: *The City of Richmond agrees with the finding.*

RECOMMENDATIONS

1. Each City should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.

Response: *The recommendation has not yet been implemented, but will be implemented within FY 2014-15. The City of Richmond does not currently have an adopted policy on this issue. However, “mandated reporters” in the Police Department and Recreation Department receive this training.*

2. Each City should review the duties of all employee and other personnel to determine which personnel fall within the definition of “mandated reporters” under Penal Code Section 11165.7.

Response: *The recommendation has not yet been implemented, but will be implemented within FY 2014-15. Although, “mandated reporters” in the Police Department and Recreation Department receive training, the City of Richmond will be sure to review the duties of all employees and other personnel to ensure that all personnel that are “mandated reporters” are included in the trainings.*

3. The training program should include all personnel who are “mandated reporters”.

Response: *The recommendation has not yet been implemented, but will be implemented within FY 2014-15. Once the duties of all employees and other personnel are reviewed, the City will ensure that all personnel who are “mandated reporters” receive the training.*

4. The training program in child abuse reporting obligations should include:

- a. Who are “mandated reporters”;
- b. What is “reasonable suspicion” of child abuse;
- c. How and when a report should be made;
- d. What safeguards are in place to protect mandated reporters; and
- e. What are the ramifications of making a suspected child abuse report.

Response: *The recommendation has been implemented. The topics listed above are currently covered in the training provided to “mandated reporters.”*

5. Each City should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.

Response: *The recommendation has not yet been implemented, but will be implemented within FY 2014-15. The Recreation Department’s volunteers who work through the Summer Youth Employment program and those who attend the summer training attend the “mandated reporting” training program. The City will take inventory of the work performed by volunteers working for the City and work on providing abuse reporting training to the volunteers who have direct contact with or supervise children.*

6. In the case where a City enters into an agreement with an independent contractor to provide services that requires direct contact or supervision of children, the City should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the City's "mandated reporting" training program.

Response: *The recommendation has not yet been implemented, but will be implemented within FY 2014-15.*

7. Each City should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.

Response: *The recommendation has not yet been implemented, but will be implemented within FY 2014-15. The City will establish a procedure to verify and track mandated reporters that have successfully completed the training. The City's current system for tracking employee trainings could be utilized.*

8. Each City should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.

Response: *The recommendation has been implemented. The City of Richmond currently uses the Child Abuse Prevention Council of Contra Costa County to provide training services about child abuse reporting.*

The Richmond City Council reviewed and approved this response at their meeting of July 29, 2014.

Thank you for the opportunity to respond on this very important issue. Please contact at (510) 620-6512 or at bill_lindsay@ci.richmond.ca.us if you have any additional questions.

Respectfully,



William Lindsay
City Manager
City of Richmond

City of Richmond – Training City Personnel in Reporting Child Abuse
July 29, 2014
Page 5

Cc: Gayle McLaughlin, Mayor
Bruce Goodmiller, City Attorney
Lisa Stephenson, Human Resources Director

Attachments:

Letter from 2013-2014 Contra Costa County Grand Jury dated May 6, 2014 and
Contra Costa County Grand Jury Report No. 1403, "Training City Personnel in
Reporting Child Abuse"

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CITY OF SAN PABLO

City of New Directions

July 21, 2014

Mr. Stephen D. Conlin, Foreperson
Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Via US Mail and Electronic mail: clope2@contracosta.courts.ca.gov

SUBJECT: CITY OF SAN PABLO RESPONSE TO GRAND JURY REPORT NO. 1403, "TRAINING CITY PERSONNEL IN REPORTING CHILD ABUSE" BY THE 2013-2014 CONTRA COSTA COUNTY GRAND JURY

Dear Jury Foreperson Conlin:

The City of San Pablo provides this response to Grand Jury Report No. 1403, "Training City Personnel in Reporting Child Abuse" pursuant to your May 6, 2014 letter and California Penal Code Section 933.05.

According to page 1 of the report, the City of San Pablo is required to respond to Findings 1 through 7 and Recommendations 1 through 8.

RESPONSES TO GRAND JURY FINDINGS 1-7:

In compliance with Section 933.05(a), The City of San Pablo responds to each of the report's findings as follows:

GRAND JURY FINDING #1:

The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse.

RESPONSE: The City of San Pablo agrees with this finding.

GRAND JURY FINDING #2:

A "mandated reporter" employed by a city includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children.

RESPONSE: The City of San Pablo agrees with this finding.

GRAND JURY FINDING #3:

Training in child abuse reporting obligations should be given annually to every city employee whose duties require direct contact and supervision of children.

RESPONSE: The City of San Pablo agrees with this finding.

GRAND JURY FINDING #4:

Training in child abuse reporting obligations should include:

- a) Who are “mandated reporters;”
- b) What is “reasonable suspicion” of child abuse;
- c) How and when a report should be made;
- d) What safeguards are in place to protect mandated reporters; and
- e) What are the ramifications of making a suspected child abuse report?

RESPONSE: The City of San Pablo agrees with this finding.

GRAND JURY FINDING #5:

While volunteers who have direct contact or supervise children are excluded from the definition of “mandated reporters” under the Penal Code, the law “encourages” such volunteers to obtain training in identifying the reporting suspected or known child abuse.

RESPONSE: The City of San Pablo agrees with this finding.

GRAND JURY FINDING #6:

A procedure should be implemented to verify that all city personnel who are mandated reporters receive training.

RESPONSE: The City of San Pablo agrees with this finding.

GRAND JURY FINDING #7:

The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County.

RESPONSE: The City of San Pablo agrees with this finding.

RESPONSES TO GRAND JURY RECOMMENDATIONS 1-8:

In compliance with Section 933.05(b), the City of San Pablo responds to each of the report’s recommendations as follows:

GRAND JURY RECOMMENDATION #1:

Each city should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.

RESPONSE: The City of San Pablo has implemented this recommendation. A Policy was adopted by our City Council on January 13, 2014. The adopted policy on Child Abuse and Neglect Reporting complies with the requirements of California Penal Code Sections 11164 – 11174.5, the Child Abuse and Neglect Reporting Act. In addition, the San Pablo Police Department has also adopted a departmental policy (*Department Policy 330*) to this effect which includes the following language:

“The Department is encouraged to provide annual training on reporting requirements to all police employees (mandatory reporters) and other civilian personnel who are mandated reporters and have not received annual mandated reporter training provided by the Child Abuse Prevention Council of Contra Costa County. The training should minimally include a review of Department Policy 330 with an emphasis on:

1. *Who are mandated reporters?*
2. *What is ‘reasonable suspicion’ of child abuse?*
3. *How and when a report should be made?*

4. *What safeguards are in place to protect mandated reporters?*
5. *What are the ramifications of making a suspected child abuse report?*

In addition, the City is a member of the Municipal Pooling Authority (MPA) and as such has the opportunity to send employees to an annual Mandated Reporter training conducted by Liebert Cassidy Whitmore. Both the Citywide policy and the Police Department Policy 330 are attached for your convenience.

GRAND JURY RECOMMENDATION #2:

Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of "mandated reporters" under Penal Code section 11165.7.

RESPONSE: The City of San Pablo has implemented this recommendation. As stated in the response to Recommendation #1 above, the City does review the duties of all employees and other personnel.

GRAND JURY RECOMMENDATION #3:

The training program should include all personnel who are "mandated reporter."

RESPONSE: The City of San Pablo has implemented this recommendation. Police personnel receive the training annually as required in the Police Department Policy 330 and Recreation personnel will receive the training through the Child Abuse Prevention Council of Contra Costa County.

GRAND JURY RECOMMENDATION #4:

The training program in child abuse reporting obligations should include:

- a) Who are "mandated reporters;"
- b) What is "reasonable suspicion" of child abuse;
- c) How and when a report should be made;
- d) What safeguards are in place to protect mandated reporters; and
- e) What are the ramifications of making a suspected child abuse report?

RESPONSE: The City of San Pablo has implemented this recommendation. As stated in the response to Recommendation #1 above, the police department policy 330 requires annual training that address the five areas listed above. In addition, training for recreation staff and police department civilian staff by the Child Abuse Prevention Council of Contra Costa County includes:

- The California Child Abuse and Neglect Reporting Law, Issues and Answers for Mandated Reporters
- Typical signs of Child Abuse, Sexual Abuse and Neglect
- Dynamics of Abusive and Neglectful Families
- Culturally Diverse Childrearing Practices: Abusive or just Different?
- Who and how to contact in cases of suspected abuse
- Reasonable Suspicion
- Individual responsibilities
- The 4 P's of the California Child Abuse and Neglect Reporting Act
- Suspected Child Abuse Report form
- Scenarios

GRAND JURY RECOMMENDATION #5:

Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.

RESPONSE: The City of San Pablo has implemented this recommendation.

The City does not currently assign volunteers to work in an environment where they will have direct contact with or supervise children.

GRAND JURY RECOMMENDATION #6:

In the case where a city enters into an agreement with an independent contractor to provide services that requires direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city's "mandated reporting" training program.

RESPONSE: The City of San Pablo has implemented this recommendation.

Recreation: Our independent contractors, that have not previously received the training, will be included in the next training by the Child Abuse Prevention Council of Contra Costa County. As the City provides new enrichment classes, recreational instructors will be provided the training prior to the start of their instruction. The City's standard Agreement for Recreational Instructor Services shall require that instructors be a mandated reporter of child abuse and neglect.

GRAND JURY RECOMMENDATION #7:

Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.

RESPONSE: The City of San Pablo has implemented this recommendation.

Police: Training records are maintained in the employee's departmental personnel file.

Recreation: Training records are maintained in the employee's departmental personnel file.

GRAND JURY RECOMMENDATION #8:

Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.

RESPONSE: The recommendation has not yet been implemented but will be implemented in the next 12 months.

I appreciate the opportunity to provide this response. If you have any questions, please contact me or Tina Gallegos, Assistant to the City Manager, at (510) 215-3002 or tinag@sanpabloca.gov. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Rodriguez", with a stylized flourish extending to the right.

Matt Rodriguez
City Manager
City of San Pablo



San Pablo Police Department

Policy Manual

Child Abuse

330.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when San Pablo Police Department members are required to notify the county Child Protective Services (CPS) of suspected child abuse.

330.1.1 DEFINITIONS

Definitions related to this policy include:

Child -Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse -Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency or law enforcement (Penal Code § 11165.9; Penal Code § 11166).

330.2 POLICY

The San Pablo Police Department will investigate all reported incidents of alleged criminal child abuse and ensure CPS is notified as required by law.

330.3 MANDATORY NOTIFICATION

The child protection agency shall be notified when (Penal Code § 11166):

- (a) There is a known or suspected instance of child abuse or neglect reported, which is alleged to have occurred as a result of the action of a person responsible for the child's welfare, or
- (b) A person responsible for the child's welfare fails to adequately protect the child from abuse when the person knew or reasonably should have known that the child was in danger of abuse.

The District Attorney's office shall be notified in all instances of known or suspected child abuse or neglect reported to this department. Reports only involving neglect by a person, who has the care or custody of a child, to provide adequate food, clothing, shelter, medical care or supervision where no physical injury to the child has occurred should not be reported to the District Attorney (Penal Code § 11166).

When the abuse or neglect occurs at a licensed facility or is alleged to have resulted from the actions of a person who is required to have a state license (e.g., foster homes, group homes, day care), notification shall also be made to the California Department of Social Services or other applicable licensing authority (Penal Code § 11166.1; Penal Code § 11166.2).

For purposes of notification, the abuse or neglect includes physical injury or death inflicted by other than accidental means upon a child by another person; sexual abuse (Penal Code § 11165.1); neglect (Penal Code § 11165.2); the willful harming or injuring of a child or the endangering of the person or health of a child (Penal Code § 11165.3); and unlawful corporal punishment or injury (Penal Code § 11165.4). Child abuse or neglect does not include a mutual affray between minors, nor does it include an injury caused by the reasonable

San Pablo Police Department

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and necessary force used by a peace officer acting within the course and scope of his/her employment as a peace officer.

330.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (Penal Code § 11166):

- (a) Notification shall be made immediately, or as soon as practicable, by telephone, fax or electronic transmission.
- (b) A written follow-up report should be forwarded within 36 hours of receiving the information concerning the incident.

330.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians, and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 18961.7).

330.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.

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- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

330.5.1 EXTRA JURISDICTIONAL REPORTS

If a report of known or suspected child abuse or neglect that is alleged to have occurred outside this jurisdiction is received, department members shall ensure that the caller is immediately transferred to the agency with proper jurisdiction for the investigation of the case. If the caller cannot be successfully transferred to the appropriate agency, a report shall be taken and immediately referred by telephone, fax or electronic transfer to the agency with proper jurisdiction (Penal Code 11165.9).

330.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact CPS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to CPS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations when a court order cannot reasonably be obtained in a timely manner (Welfare and Institutions Code § 305):

(a) The officer reasonably believes the child is a person described in Welfare and Institutions Code § 300, and further has good cause to believe that any of the following conditions exist:

- The child has an immediate need for medical care.
- The child is in immediate danger of physical or sexual abuse.
- The physical environment or the fact that the child is left unattended poses an immediate threat to the child's health or safety. In the case of a child left unattended, the officer shall first attempt to locate and determine if a responsible parent or guardian is available and capable of assuming custody before taking the child into protective custody.

— (b) The officer reasonably believes the child requires protective custody under the provisions of Penal Code § 279.6, in one of the following circumstances:

1. It reasonably appears to the officer that a person is likely to conceal the child, flee the jurisdiction with the child or, by flight or concealment, evade the authority of the court.

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- 1 There is no lawful custodian available to take custody of the child.
- 2 There are conflicting custody orders or conflicting claims to custody and the parties cannot agree which party should take custody of the child.
- 3 The child is an abducted child.

(c) The child is in the company of, or under the control of, a person arrested for Penal Code § 278 or Penal Code § 278.5.

A child taken into protective custody shall be delivered to CPS unless otherwise directed by court order.

330.6.1 CALIFORNIA SAFELY SURRENDERED BABY LAW

An individual having lawful custody of an infant less than 72 hours old is not guilty of abandonment if the individual voluntarily surrenders physical custody of the infant to personnel on-duty at a safe-surrender site, such as a hospital or fire department (Penal Code § 271.5). The law requires the surrender site to notify CPS.

330.6.2 NEWBORNS TESTING POSITIVE FOR DRUGS

Under certain circumstances, officers can be prohibited from taking a newborn who is the subject of a proposed adoption into protective custody, even when the newborn has tested positive for illegal drugs or the birth mother tested positive for illegal drugs.

Officers shall instead follow the provisions of Welfare and Institutions Code § 305.6 to ensure that the newborn is placed with the adoptive parents when it is appropriate.

330.7 INTERVIEWS

330.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

330.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:

- A reasonable belief that medical issues of the child need to be addressed immediately.
- A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
- The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.

— (b) A court order or warrant has been issued.

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330.7.3 INTERVIEWS AT A SCHOOL

Any student at school who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of the school staff to be present. The purpose of the staff member's presence is to provide comfort and support. The staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship (Penal Code § 11174.3).

330.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

330.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

330.9.1 SUPERVISOR RESPONSIBILITIES

The Investigations Division supervisor should:

- (a) Work with professionals from the appropriate agencies, including CPS, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Investigations Division supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.
- (c) Develop a report form or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

330.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Investigations Division supervisor so an interagency response can begin.

330.10 STATE MANDATES AND OTHER RELEVANT LAWS

California requires or permits the following:

San Pablo Police Department

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Child Abuse

330.10.1 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Release of Records and Information Policy (Penal Code 841.5; Penal Code § 11167.5).

330.10.2 CHILD DEATH REVIEW TEAM

This department should cooperate with any interagency child death review team investigation (Penal Code § 11174.32).

330.11 TRAINING

The Department is encouraged to provide annual training on reporting requirements to all police employees (mandatory reporters) and other civilian personnel who are mandated reporters and have not received annual mandated reporter training provided by the Child Abuse Prevention Council of Contra Costa County. The training should minimally include a review of Department Policy 330 with an emphasis on:

- (a) Who are mandated reporters?
- (b) What is "reasonable suspicion" of child abuse?
- (c) How and when a report should be made?
- (d) What safeguards are in place to protect mandated reporters?
- (e) What are the ramifications of making a suspected child abuse report?

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.

The Department shall make available to the City Manager each year its plans and schedules for any such training.

Mandated Reporters of Child Abuse or Neglect Policy



CITY OF SAN PABLO

City of New Directions

1. PURPOSE

Under California law, there are two statutory schemes that designate certain individuals to be "mandated reporters:" the "Child Abuse and Neglect Reporting Act" (Penal Code §§11164 *et seq.*), and the "Elder Abuse and Dependent Adult Civil Protection Act" (Welfare and Institutions Code §§15600 *et seq.*).

A mandated reporter is an individual who is obligated by state law to report known or suspected cases of child, elder or dependent adult abuse and neglect to any law enforcement agency, child protective or welfare services agency.

Certain categories of City employees fall under the definition of "mandated reporter." Therefore, this administrative directive shall serve to address the requirements of the law, including identifying the reporting procedures for employees to follow when reporting cases of suspected child, elder or dependent adult abuse. This directive shall also address the recommended procedures for City employees, volunteers and independent contractors who are not considered legal mandated reporters.

Imminent Harm/Danger – Call 911. Regardless of any mandated reporting duties imposed under the law or by this directive, it should be noted that if a City employee suspects or believes that a child, dependent adult or elder is in imminent harm, faces immediate physical danger or harm, or is in a life-threatening situation, City employees should immediately contact the Police Department by calling 911.

2. DEFINITIONS

2.1 "Child" means a person under the age of 18 years. [Penal Code §11165.]

2.2 "Child Abuse" or "Child Neglect" includes but is not limited to physical injury or death inflicted upon a child by another person by other than accidental means, sexual abuse, assault or exploitation, neglect or maltreatment of a child by both acts or omissions on the part of the responsible person; failure to provide adequate nutrition, clothing, shelter or medical care, un-lawful corporal punishment or injury, willful harming or injury of a child. [Penal Code §11165.6]

2.21 "Child Abuse" or "Child Neglect" does not include mutual affray between minors, or 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. [Penal Code §11165.6.]

2.3 "Dependent Adult" means a person between the ages of 18 and 64 years who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights, including but not limited to, persons who have physical or developmental disabilities, or whose physical or mental abilities have diminished because of age. [W & I Code §15610.23.] 2.4 "Elder" means any person 65 years of age or older.

2.4 "Elder Abuse" or "Dependent Adult Abuse" includes but is not limited to physical abuse and injury, abandonment, abduction, isolation, financial abuse or neglect.

2.5 "Emotional damage" is evidenced by states of being or behavior, including but not limited to, severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others. [Penal Code §11166.05.]

2.6 "Mandated Reporter" for purposes of reporting child abuse or neglect generally includes all City employees who have direct contact or supervisory control over children and children programs.

State law (Penal Code §11165.7) includes an extensive list of categories of employment for mandated reporters. The following positions are excerpts from that list, as the positions would apply to City employees and programs:

- Teacher
- Instructional Aide
- An administrator of a day camp
- An administrator or employee of a youth recreation program or youth organization
- An administrator or employee whose duties require direct contact and supervision of children
- An administrator or employee of a licensed community care or child day care facility
- Athletic coaches employed by a private or public school
- Peace officer
- All employees of a police department, sworn or non-sworn

2.61 "Mandated Reporter" for purposes of reporting elder or dependent adult abuse or neglect includes any licensed City employee who provides care or services for elder or dependent adults, including administrators and supervisors of said programs. [W & I Code §15630(a).]

2.61.1 All employees of the police department (sworn and non-sworn) are considered "mandated reporters" for purposes of reporting elder and dependent adult abuse. [W&I Code §15630(a).]

3. MANDATED REPORTER RESPONSIBILITIES FOR SUSPECTED CHILD ABUSE OR NEGLECT

3.1 Reporting Process. As required by state law, all mandated reporters who know of or reasonably suspect child abuse or neglect within the course and scope of their employment with the City must comply with the reporting process described below:

3.11 When it is objectively reasonable for a mandated reporter to suspect child abuse or neglect, in his or her professional capacity or within the scope of his or her employment, the mandated reporter must immediately or as soon as possible make an oral report by telephone to either of the following agencies:

3.11.1 The police department, by calling 911.

3.11.2 The Contra Costa County Child Welfare Services Agency at 1-877-881-1116.

3.11.3 If the mandated reporter is unable to submit an initial report by telephone, he or she shall immediately or as soon as practical, submit by fax or electronic transmission a one-time automated written report on a form prescribed by the Department of Justice (Attachment A).

3.12 Within 36 hours after making the oral report, the mandated reporter shall transmit, either by fax or electronically a written follow-up report (Attachment A) to the same agency who received the initial oral report. [Penal Code §11166.]

3.13 A mandated reporter who has knowledge or who reasonably suspects that a child is suffering from severe emotional damage may but is not legally obligated to make a re-report to either the police department or the Contra Costa County Child Welfare Services. [Penal Code §11166.05.]

3.2 Individual Duty to Report. A mandated reporter has an individual duty to report suspected child abuse or neglect. This duty cannot be passed off to another employee or to a supervisor and the duty to report is not excused by a supervisor's opinion that a report is not necessary. [Penal Code §11166(i)(1).]

3.3 Designated Reporter. When two or more mandated reporters become aware of a known or suspected instance of abuse or neglect, they may, by mutual agreement, designate one of themselves to make the required oral and/or written report. However, if a mandated reporter becomes aware that the designated individual failed to report, then he or she must make the report. [Penal Code § 11166(h).]

3.4 Supervisor's Duties. A supervisor shall not impede or inhibit reporting by a mandated reporter, and may not impose disciplinary action against the reporter for making a report. A supervisor who impedes, inhibits a mandated report, or imposes disciplinary action against a reporter may be subject to criminal liability. [Penal Code §§11166(i)(1) and 11166.01.]

3.5 No Duty to Investigate. A mandated reporter should not conduct any investigation of suspected child abuse or neglect.

3.6 Notification to City/Police of Report. Although not legally required, mandated reporters who make a report about suspected abuse and neglect are strongly encouraged to notify his or her Department Head, Personnel Department or the City Attorney's Office. Mandated reporters are also encouraged to notify the San Pablo Police Department any time a mandatory report is made to another agency, including another law enforcement agency.

3.61 Identity May Remain Confidential. However, nothing in this administrative directive shall require any employee who is required to make reports to disclose his or her identity to the City. [Penal Code § 11166(i)(2).]

3.62 Record keeping. Mandated reporters should retain a copy of the submitted written mandated report. In addition, the City recommends that an "Incident Report" be completed by the mandated reporter of the event, unless the mandated reporter wishes to remain anonymous.

3.7 Volunteers and Independent Contractors. By law, City volunteers and independent contractors whose duties require direct contact with and supervision of children are not included as City mandated reporters under Penal Code §11165.7; however, by this directive, the City shall encourage that its volunteers and independent contractors be trained on recognizing instances of abuse or neglect, and to make reports of suspected abuse and neglect as provided for in this directive.

3.8 Facility Renters/User Groups. The City shall also require its facility renters and facility user groups (including but not limited to soccer, baseball, softball, swimming and other sports teams and activities) to adhere to the applicable mandated reporter laws and be responsible for appropriate training of their respective employees and staff.

3.9 Interim Employees. Any City employee who is appointed or employed on an interim or temporary basis in any of the positions listed in Section 2.6 above is considered a "mandated re-porter" for purposes of this directive.

4. MANDATED REPORTER RESPONSIBILITIES FOR SUSPECTED ELDER OR DEPENDENT ADULT ABUSE OR NEGLECT

4.1 Licensed Employees/Police Employees as Mandated Reporters. Any licensed City employee who provides care and services for elder or dependent adults, or any employee of the police department (sworn and non-sworn) is deemed to be mandated reporters [W & I Code §15630].

4.2 Non-Licensed Employees. Although not legally required to report, all non-licensed City employees who work with elder or dependent adults are encouraged to report suspected neglect and abuse to their supervisor, to the Police Department, or to the appropriate social services agency as described below in subsection 4.3.

4.21 Volunteers and Independent Contractors. All independent contractors and volunteers that work in City programs, including VIPs and reserve officers, that provide elder and dependent adult services are also encouraged to report suspected cases of neglect and abuse to their supervisors, the police department, or the appropriate social services agency as described below in subsection 4.3.

4.3 Reporting Procedures. The appropriate reporting agency for elder and dependent adult abuse depends on the location in which the abuse occurred, not the location in which it was discovered. [W & I §15630.]

All mandated reporters who know of or reasonably suspect elder or dependent adult abuse or neglect must comply with the following reporting procedures:

4.31 If the suspected abuse or neglect is from services from a long-term care or adult day health care center:

4.31.1 The mandated reporter must immediately, or as soon as practical, telephone the police department by calling 911, or contact the local Ombudsman program at (925) 685-2070. [W & I §5630(b)(1)(A).]

4.31.2 A written report (Attachment C) must be submitted within two working days after the oral report to the local Ombudsman program.

4.32 If the suspected abuse or neglect is not from a long-term care or adult day health care center:

4.32.1 The mandated reporter must immediately, or as soon as practical, make a telephone report to the County's Adult Protective Services at (925) 646-2854.

4.32.2 A written report (Attachment B) must be submitted within two working days after the oral report to Adult Protective Services.

4.4 Facility Renters/User Groups. The City shall also require its facility renters and facility user groups to adhere to the applicable mandated reporter laws and be responsible for appropriate training of their respective employees and staff.

5. ACKNOWLEDGMENT OF POSITION; TRAINING

5.1 Acknowledgment. Upon employment or retention by the City of an individual who is deter-

mined to be a mandated reporter in connection with the law and this directive, the individual shall sign an acknowledgement (Attachment C) which states that the individual is aware of the mandated reporter requirements under Penal Code § 11166.

5.11 The original signed acknowledgement form shall be retained by the responsible Department or shall be placed in the employee's personnel file.

5.2 Training. Each City Department shall be responsible for providing periodic training to staff as necessary for identifying potential indicators of abuse and neglect to children, elders or dependent abuse.

6. CONTENTS AND DISCLOSURE OF MANDATED REPORTER REPORT

6.1 Contents of Report re Suspected Child Abuse/Neglect. Reports of suspected abuse or neglect of a child, dependent adult or elder shall be made on the form attached as Attachment A and shall include the following:

- Name, business address, telephone number and City position/title of mandated reporter;
- The information that gave rise to the reasonable suspicion of abuse and neglect and the source(s) of that information;
- If known, the child's name, elder's name, or adult dependent's name, address and telephone number, school, grade or class, the telephone number and addresses of parents/guardians;
- If known, other relevant personal information about the person(s) who might have abused or neglected the child, elder or dependent adult.

6.2 Contents of Report re Suspected Elder/Dependent Abuse or Neglect. Information relevant to the incident or report of abuse and neglect of either a child, elder or adult dependent may be given to an investigator from an agency that is investigating the suspected case of abuse or neglect on the form attached as Attachment B.

6.3 Confidentiality. The report and other pertinent information shall be considered confidential and may be given to the investigating licensing agency or the Police Department.

7. LIABILITY

7.1 Mandated reporters who report suspected cases of abuse or neglect are civilly and criminally immune from liability for making such reports. [Penal Code § 11172 and W & I Code § 15634.]

8. PENALTIES FOR FAILURE TO REPORT

8.1 Any mandated reporter who fails to make a report of suspected abuse and neglect shall be punished by not more than six months in a county jail, a fine of not more than one thousand dollars (\$1,000) or both. [Penal Code § 11166.01(a) and W & I Code § 15630(h).]

8.2 Any mandated reporter who willfully fails to report abuse or neglect, impedes or inhibits a report of abuse or neglect, where that abuse or neglect results in death or great bodily injury, shall be punished by not more than one year in a county jail, by a fine of not more than five thousand (\$5,000) or both. [Penal Code § 11166.01(b) and W & I Code § 15630(h).]

9. FORMS

Attachment A: Form SS 8572 "Suspected Child Abuse Report" (with instructions)

Attachment B: Form SOC 341 "Report of Suspected Dependent Adult/Elder Abuse" (with instructions)

Attachment C: Acknowledgment of Mandated Reporting Requirements (with Penal Codes)

Approved by:

Matt Rodriguez, City Manager

Date



CITY OF SAN PABLO
City of New Directions

ACKNOWLEDGMENT OF MANDATED REPORTER STATUS AND LEGAL DUTY TO REPORT CHILD ABUSE OR NEGLECT

California law **requires** certain persons who work with children to report known or suspected child abuse and neglect. These individuals are known under the law as “mandated reporters” and include child care workers, teachers and coaches. California Penal Code §11166.5(a) re-quires that all mandated reporters of child abuse and neglect to sign an acknowledgment of their legal duties and that the City retain the signed acknowledgment as part of your personnel record.

When Reporting Abuse is Required:

As a mandated reporter, whenever you, in your professional capacity or within the scope of your employment, reasonably suspect a child to be the victim of child abuse or neglect, you must report the suspected abuse and neglect. Abuse and neglect include observations of:

- Physical abuse
- Sexual abuse
- Child exploitation, child pornography and child prostitution
- Neglect, such as in the failure to provide adequate nutrition, clothing, shelter or medical care
- Extreme corporal punishment resulting in injury
- Willful cruelty or unjustifiable punishment

A mandated reporter may make, but is not legally required to make, a report of suspected emotional damage.

How to Make the Report:

There are **two steps** in the reporting process. First, a telephone report must be made immediately to either the police department or county child welfare department. Second, a written re-port, made on the approved form, must be sent within **36 hours** after the telephone report has been made.

To Whom Do You Report?

By law, you may report to either the police department, sheriff's department or child welfare agencies. The City encourages you to also report to the San Pablo Police Department if a report is made to a child welfare agency or to another law enforcement agency, as well as notifying your supervisor.

Individual Responsibility:

A mandated reporter is individually responsible to report suspected child abuse and neglect. Two or more mandated reporters may, by mutual agreement, designate one of themselves to make the report. However, if the mandated reporter becomes aware that the other

designated individual failed to report, (even if the other designated individual is a supervisor), then he or she must make the report.

Confidentiality:

Mandated reports are to remain confidential and shall only be disclosed to appropriate investigating agencies. All mandated reporters are required to disclose their names in the report. However, child protective agencies are required to keep the mandated reporter's name confidential, unless a court orders the information disclosed.

Mandated reporters are not required to, but may share information suspected abuse and neglect with the supervisor, manager or Department Director of the mandated reporter.

Immunity:

All mandated reporters are civilly and criminally immune from liability as a result of making a report. No individual may be dismissed, disciplined or harassed for making a report of suspected child abuse and neglect.

Criminal Liability:

A mandated reporter may be held criminally liable for failing to comply with the mandated reporting laws and reporting requirements and in failing to report suspected abuse and neglect. The penalty for failing to report is up to six months in County jail, a fine of no more than \$1,000, or both. Mandated reporters may also be held civilly liable for damages for a failure to report suspected abuse and neglect.

Acknowledgement:

By signing below, I acknowledge the following:

- Under California Penal Code Section 11165.7, I am a mandated reporter of child abuse and neglect. As a mandated reporter, I understand that **I have a legal obligation to report child abuse and neglect** and will comply with the law.
- I have been provided copies of California Penal Code Sections 11165.7, 11166 and 11167.
- I have been provided a copy of the City's Mandated Reporters of Child Abuse and Neglect Policy
- I understand that this signed Acknowledgment will be retained in my personnel file.

Print Name

Signature

Date

MANDATED REPORTER STATUTES
Penal Code 11165.7.

(a) As used in this article, "mandated reporter" is defined as any of the following:

- (1) A teacher.
- (2) An instructional aide.
- (3) A teacher's aide or teacher's assistant employed by a public or private school.
- (4) A classified employee of a public school.
- (5) An administrative officer or supervisor of child welfare and attendance, or a certificated pupil personnel employee of a public or private school.
- (6) An administrator of a public or private day camp.
- (7) An administrator or employee of a public or private youth center, youth recreation program, or youth organization.
- (8) An administrator or employee of a public or private organization whose duties require direct contact and supervision of children.
- (9) An employee of a county office of education or the State Department of Education whose duties bring the employee into contact with children on a regular basis.
- (10) A licensee, an administrator, or an employee of a licensed community care or child day care facility.
- (11) A Head Start program teacher.
- (12) A licensing worker or licensing evaluator employed by a licensing agency, as defined in Section 11165.11.
- (13) A public assistance worker.
- (14) An employee of a child care institution, including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities.
- (15) A social worker, probation officer, or parole officer.
- (16) An employee of a school district police or security department.
- (17) A person who is an administrator or presenter of, or a counselor in, a child abuse prevention program in a public or private school.
- (18) A district attorney investigator, inspector, or local child support agency caseworker, unless the investigator, inspector, or caseworker is working with an attorney appointed pursuant to Section 317 of the Welfare and Institutions Code to represent a minor.
- (19) A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, who is not otherwise described in this section.
- (20) A firefighter, except for volunteer firefighters.
- (21) A physician and surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, optometrist, marriage and family therapist, clinical social worker, professional clinical counselor, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code.
- (22) An emergency medical technician I or II, paramedic, or other person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

- (23) A psychological assistant registered pursuant to Section 2913 of the Business and Professions Code.
- (24) A marriage and family therapist trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code.
- (25) An unlicensed marriage and family therapist intern registered under Section 4980.44 of the Business and Professions Code.
- (26) A state or county public health employee who treats a minor for venereal disease or any other condition.
- (27) A coroner.
- (28) A medical examiner or other person who performs autopsies.
- (29) A commercial film and photographic print or image processor as specified in subdivision (e) of Section 11166. As used in this article, "commercial film and photographic print or image processor" means a person who develops exposed photographic film into negatives, slides, or prints, or who makes prints from negatives or slides, or who prepares, publishes, produces, develops, duplicates, or prints any representation of information, data, or an image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disk, computer hardware, computer software, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image, for compensation. The term includes any employee of that person; it does not include a person who develops film or makes prints or images for a public agency.
- (30) A child visitation monitor. As used in this article, "child visitation monitor" means a person who, for financial compensation, acts as a monitor of a visit between a child and another person when the monitoring of that visit has been ordered by a court of law.
- (31) An animal control officer or humane society officer. For the purposes of this article, the following terms have the following meanings:
- (A) "Animal control officer" means a person employed by a city, county, or city and county for the purpose of enforcing animal control laws or regulations.
- (B) "Humane society officer" means a person appointed or employed by a public or private entity as a humane officer who is qualified pursuant to Section 14502 or 14503 of the Corporations Code.
- (32) A clergy member, as specified in subdivision (d) of Section 11166. As used in this article, "clergy member" means a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized denomination or organization.
- (33) Any custodian of records of a clergy member, as specified in this section and subdivision (d) of Section 11166.
- (34) An employee of any police department, county sheriff's department, county probation department, or county welfare department.
- (35) An employee or volunteer of a Court Appointed Special Advocate program, as defined in Rule 5.655 of the California Rules of Court.
- (36) A custodial officer, as defined in Section 831.5.
- (37) A person providing services to a minor child under Section 12300 or 12300.1 of the Welfare and Institutions Code.
- (38) An alcohol and drug counselor. As used in this article, an "alcohol and drug counselor" is a person providing counseling, therapy, or other clinical services for a state licensed or certified drug, alcohol, or drug and alcohol treatment program. However, alcohol or drug abuse, or both alcohol and drug abuse, is not, in and of itself, a sufficient basis for reporting child abuse or neglect.
- (39) A clinical counselor trainee, as defined in subdivision (g) of Section 4999.12 of the Business and Professions Code.
- (40) A clinical counselor intern registered under Section 4999.42 of the Business and Professions Code.

(41) An employee or administrator of a public or private postsecondary institution, whose duties bring the administrator or employee into contact with children on a regular basis, or who supervises those whose duties bring the administrator or employee into contact with children on a regular basis, as to child abuse or neglect occurring on that institution's premises or at an official activity of, or program conducted by, the institution. Nothing in this paragraph shall be construed as altering the lawyer-client privilege as set forth in Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.

(42) An athletic coach, athletic administrator, or athletic director employed by any public or private school that provides any combination of instruction for kindergarten, or grades 1 to 12, inclusive.

(43) (A) A commercial computer technician as specified in subdivision (e) of Section 11166. As used in this article, "commercial computer technician" means a person who works for a company that is in the business of repairing, installing, or otherwise servicing a computer or computer component, including, but not limited to, a computer part, device, memory storage or recording mechanism, auxiliary storage recording or memory capacity, or any other material relating to the operation and maintenance of a computer or computer network system, for a fee. An employer who provides an electronic communications service or a remote computing service to the public shall be deemed to comply with this article if that employer complies with Section 2258A of Title 18 of the United States Code.

(B) An employer of a commercial computer technician may implement internal procedures for facilitating reporting consistent with this article. These procedures may direct employees who are mandated reporters under this paragraph to report materials described in subdivision (e) of Section 11166 to an employee who is designated by the employer to receive the re-ports. An employee who is designated to receive reports under this subparagraph shall be a commercial computer technician for purposes of this article. A commercial computer technician who makes a report to the designated employee pursuant to this subparagraph shall be deemed to have complied with the requirements of this article and shall be subject to the protections afforded to mandated reporters, including, but not limited to, those protections afforded by Section 11172.

(44) Any athletic coach, including, but not limited to, an assistant coach or a graduate assistant involved in coaching, at public or private postsecondary institutions.

(b) Except as provided in paragraph (35) of subdivision (a), volunteers of public or private organizations whose duties require direct contact with and supervision of children are not mandated reporters but are encouraged to obtain training in the identification and reporting of child abuse and neglect and are further encouraged to report known or suspected instances of child abuse or neglect to an agency specified in Section 11165.9.

(c) Employers are strongly encouraged to provide their employees who are mandated reporters with training in the duties imposed by this article. This training shall include training in child abuse and neglect identification and training in child abuse and neglect reporting. Whether or not employers provide their employees with training in child abuse and neglect identification and reporting, the employers shall provide their employees who are mandated reporters with the statement required pursuant to subdivision (a) of Section 11166.5.

(d) School districts that do not train their employees specified in subdivision (a) in the duties of mandated reporters under the child abuse reporting laws shall report to the State Department of Education the reasons why this training is not provided.

(e) Unless otherwise specifically provided, the absence of training shall not excuse a mandated reporter from the duties imposed by this article.

(f) Public and private organizations are encouraged to provide their volunteers whose duties require direct contact with and supervision of children with training in the identification and reporting of child abuse and neglect.

(Amended by Stats. 2012, Ch. 521, Sec. 1.15. Effective January 1, 2013.)

Penal Code Section 11166.

(a) Except as provided in subdivision (d), and in Section 11166.05, a mandated reporter shall make a report to an agency specified in Section 11165.9 whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. The mandated reporter shall make an initial report by telephone to the agency immediately or as soon as is practicably possible, and shall prepare and send, fax, or electronically transmit a written follow up report within 36 hours of receiving the information concerning the incident. The mandated reporter may include with the report any non-privileged documentary evidence the mandated reporter possesses relating to the incident.

(1) For purposes of this article, "reasonable suspicion" means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect. "Reasonable suspicion" does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect; any "reasonable suspicion" is sufficient. For purposes of this article, the pregnancy of a minor does not, in and of itself, constitute a basis for a reasonable suspicion of sexual abuse.

(2) The agency shall be notified and a report shall be prepared and sent, faxed, or electronically transmitted even if the child has expired, regardless of whether or not the possible abuse was a factor contributing to the death, and even if suspected child abuse was discovered during an autopsy.

(3) Any report made by a mandated reporter pursuant to this section shall be known as a mandated report.

(b) If after reasonable efforts a mandated reporter is unable to submit an initial report by telephone, he or she shall immediately or as soon as is practicably possible, by fax or electronic transmission, make a one-time automated written report on the form prescribed by the Department of Justice, and shall also be available to respond to a telephone follow up call by the agency with which he or she filed the report. A mandated reporter who files a one-time automated written report because he or she was unable to submit an initial report by telephone is not required to submit a written follow up report.

(1) The one-time automated written report form prescribed by the Department of Justice shall be clearly identifiable so that it is not mistaken for a standard written follow up report. In addition, the automated one-time report shall contain a section that allows the mandated reporter to state the reason the initial telephone call was not able to be completed. The reason for the submission of the one-time automated written report in lieu of the procedure prescribed in subdivision (a) shall be captured in the Child Welfare Services/Case Management System (CWS/CMS). The department shall work with stakeholders to modify reporting forms and the CWS/CMS as is necessary to accommodate the changes enacted by these provisions.

(2) This subdivision shall not become operative until the CWS/CMS is updated to capture the information prescribed in this subdivision.

(3) This subdivision shall become inoperative three years after this subdivision becomes operative or on January 1, 2009, whichever occurs first.

(4) On the inoperative date of these provisions, a report shall be submitted to the counties and the Legislature by the State Department of Social Services that reflects the data collected from automated one-time reports indicating the reasons stated as to why the automated one-time report was filed in lieu of the initial telephone report.

(5) Nothing in this section shall supersede the requirement that a mandated reporter first attempt to make a report via telephone, or that agencies specified in Section 11165.9 accept reports from mandated reporters and other persons as required.

(c) Any mandated reporter who fails to report an incident of known or reasonably suspected child abuse or neglect as required by this section 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. If a mandated reporter intentionally conceals his or her failure to report an incident known by the mandated reporter to be abuse or severe neglect under this section, the failure to report is a continuing offense until an agency specified in Section 11165.9 discovers the offense.

(d) (1) A clergy member who acquires knowledge or a reasonable suspicion of child abuse or neglect during a penitential communication is not subject to subdivision (a). For the purposes of this subdivision, "penitential communication" means a communication, intended to be in confidence, including, but not limited to, a sacramental confession, made to a clergy member who, in the course of the discipline or practice of his or her church, denomination, or organization, is authorized or accustomed to hear those communications, and under the discipline, tenets, customs, or practices of his or her church, denomination, or organization, has a duty to keep those communications secret.

(2) Nothing in this subdivision shall be construed to modify or limit a clergy member's duty to report known or suspected child abuse or neglect when the clergy member is acting in some other capacity that would otherwise make the clergy member a mandated reporter.

(3) (A) On or before January 1, 2004, a clergy member or any custodian of records for the clergy member may report to an agency specified in Section 11165.9 that the clergy member or any custodian of records for the clergy member, prior to January 1, 1997, in his or her professional capacity or within the scope of his or her employment, other than during a penitential communication, acquired knowledge or had a reasonable suspicion that a child had been the victim of sexual abuse that the clergy member or any custodian of records for the clergy member did not previously report the abuse to an agency specified in Section 11165.9. The provisions of Section 11172 shall apply to all reports made pursuant to this paragraph.

(B) This paragraph shall apply even if the victim of the known or suspected abuse has reached the age of majority by the time the required report is made.

(C) The local law enforcement agency shall have jurisdiction to investigate any report of child abuse made pursuant to this paragraph even if the report is made after the victim has reached the age of majority.

(e) (1) Any commercial film, photographic print, or image processor who has knowledge of or observes, within the scope of his or her professional capacity or employment, any film, photograph, videotape, negative, slide, or any representation of information, data, or an image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disc, computer hardware, computer software, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image depicting a child under 16 years of age engaged in an act of sexual conduct, shall immediately, or as soon as practically possible, telephonically report the instance of suspected abuse to the law enforcement agency located in the county in which the images are seen. Within 36 hours of receiving the information concerning the incident, the reporter shall prepare and send, fax, or electronically transmit a written follow up report of the incident with a copy of the image or material attached.

(2) Any commercial computer technician who has knowledge of or observes, within the scope of his or her professional capacity or employment, any representation of information, data, or an image, including, but not limited, to any computer hardware, computer software, computer file, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image that is retrievable in perceivable form and that is intentionally saved, transmitted, or organized on an electronic medium, depicting a child under 16 years of age engaged in an act of sexual conduct, shall immediately, or as soon as practicably possible, telephonically report the instance of suspected abuse to the law enforcement agency located in the county in which the images or material are seen. As soon as practicably possible after receiving the information concerning the incident, the reporter shall prepare and send, fax, or electronically transmit a written follow up report of the incident with a brief description of the images or materials.

(3) For purposes of this article, "commercial computer technician" includes an employee designated by an employer to receive reports pursuant to an established reporting process authorized by subparagraph (B) of paragraph (4) of subdivision (a) of Section 11165.7.

(4) As used in this subdivision, "electronic medium" includes, but is not limited to, a recording, CD-ROM, magnetic disk memory, magnetic tape memory, CD, DVD, thumb drive, or any other computer hardware or media.

(5) As used in this subdivision, "sexual conduct" means any of the following:

(A) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex or between humans and animals.

(B) Penetration of the vagina or rectum by any object.

(C) Masturbation for the purpose of sexual stimulation of the viewer.

(D) Sadomasochistic abuse for the purpose of sexual stimulation of the viewer.

(E) Exhibition of the genitals, pubic, or rectal areas of any person for the purpose of sexual stimulation of the viewer.

(f) Any mandated reporter who knows or reasonably suspects that the home or institution in which a child resides is unsuitable for the child because of abuse or neglect of the child shall bring the condition to the attention of the agency to which, and at the same time as, he or she makes a report of the abuse or neglect pursuant to subdivision (a).

(g) Any other person who has knowledge of or observes a child whom he or she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to an agency specified in Section 11165.9. For purposes of this section, "any other person" includes a mandated reporter who acts in his or her private capacity and not in his or her professional capacity or within the scope of his or her employment.

(h) When two or more persons, who are required to report, jointly have knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, the telephone report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report.

(i) (1) The reporting duties under this section are individual, and no supervisor or administrator may impede or inhibit the reporting duties, and no person making a report shall be subject to any sanction for making the report. However,

internal procedures to facilitate reporting and apprise supervisors and administrators of reports may be established provided that they are not inconsistent with this article.

(2) The internal procedures shall not require any employee required to make reports pursuant to this article to disclose his or her identity to the employer.

(3) Reporting the information regarding a case of possible child abuse or neglect to an employer, supervisor, school principal, school counselor, coworker, or other person shall not be a substitute for making a mandated report to an agency specified in Section 11165.9.

(j) A county probation or welfare department shall immediately, or as soon as practicably possible, report by telephone, fax, or electronic transmission to the law enforcement agency having jurisdiction over the case, to the agency given the responsibility for investigation of cases under Section 300 of the Welfare and Institutions Code, and to the district attorney's office every known or suspected instance of child abuse or neglect, as defined in Section 11165.6, except acts or omissions coming within subdivision (b) of Section 11165.2, or reports made pursuant to Section 11165.13 based on risk to a child which relates solely to the inability of the parent to provide the child with regular care due to the parent's substance abuse, which shall be reported only to the county welfare or probation department. A county probation or welfare department also shall send, fax, or electronically transmit a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it makes a telephone report under this subdivision.

(k) A law enforcement agency shall immediately, or as soon as practicably possible, report by telephone, fax, or electronic transmission to the agency given responsibility for investigation of cases under Section 300 of the Welfare and Institutions Code and to the district attorney's office every known or suspected instance of child abuse or neglect reported to it, except acts or omissions coming within subdivision (b) of Section 11165.2, which shall be reported only to the county welfare or probation department. A law enforcement agency shall report to the county welfare or probation department every known or suspected instance of child abuse or neglect reported to it which is alleged to have occurred as a result of the action of a person responsible for the child's welfare, or as the result of the failure of a person responsible for the child's welfare to adequately protect the minor from abuse when the person responsible for the child's welfare knew or reasonably should have known that the minor was in danger of abuse. A law enforcement agency also shall send, fax, or electronically transmit a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it makes a telephone re-port under this subdivision.

(Amended by Stats. 2012, Ch. 521, Sec. 2.5. Effective January 1, 2013.)

Penal Code Section 11167.

(a) Reports of suspected child abuse or neglect pursuant to Section 11166 or Section 11166.05 shall include 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. If a report is made, 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.

(b) Information relevant to the incident of child abuse or neglect and information relevant to a report made pursuant to Section 11166.05 may be given to an investigator from an agency that is investigating the known or suspected case of child abuse or neglect.

(c) Information relevant to the incident of child abuse or neglect, including the investigation report and other pertinent materials, and information relevant to a report made pursuant to Section 11166.05 may be given to the licensing agency when it is investigating a known or suspected case of child abuse or neglect.

(d) (1) The identity of all persons who report under this article shall be confidential and disclosed only among agencies receiving or investigating mandated reports, to the prosecutor in a criminal prosecution or in an action initiated under Section 602 of the Welfare and Institutions Code arising from alleged child abuse, or to counsel appointed pursuant to subdivision (c) of Section 317 of the Welfare and Institutions Code, or to the county counsel or prosecutor in a proceeding under Part 4 (commencing with Section 7800) of Division 12 of the Family Code or Section 300 of the Welfare and Institutions Code, or to a licensing agency when abuse or neglect in out-of-home care is reasonably suspected, or when those persons waive confidentiality, or by court order.

(2) No agency or person listed in this subdivision shall disclose the identity of any person who reports under this article to that person's employer, except with the employee's consent or by court order.

(e) Notwithstanding the confidentiality requirements of this section, a representative of a child protective services agency performing an investigation that results from a report of suspected child abuse or neglect made pursuant to Section 11166 or Section 11166.05, at the time of the initial contact with the individual who is subject to the investigation, shall advise the individual of the complaints or allegations against him or her, in a manner that is consistent with laws protecting the identity of the reporter under this article.

(f) Persons who may report pursuant to subdivision (g) of Section 11166 are not required to include their names.

(Amended by Stats. 2010, Ch. 95, Sec. 1. Effective January 1, 2011.)



Leged 8/6/14
KMB

CITY OF SAN RAMON

2226 CAMINO RAMON
SAN RAMON, CALIFORNIA 94583
PHONE: (925) 973-2500
WEB SITE: www.sanramon.ca.gov

July 28, 2014

Mr. Stephen D. Conlin, Foreperson
2013-2014 Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Via US Mail and Electronic [mail: clope2@contracosta.courts.ca.gov](mailto:clope2@contracosta.courts.ca.gov)

SUBJECT: CITY OF SAN RAMON RESPONSE TO GRAND JURY REPORT NO. 1403

Dear Jury Foreperson Conlin:

The City of San Ramon provides this response to Grand Jury Report No. 1403, "Training City Personnel in Reporting Child Abuse" pursuant to your May 6, 2014 letter and California Penal Code Section 933.05.

According to page 1 of the report, the City of San Ramon is required to respond to Findings 1 through 7 and Recommendations 1 through 8.

RESPONSES TO GRAND JURY FINDINGS 1-7:

In compliance with Section 933.05(a), The City of San Ramon responds to each of the report's findings as follows:

GRAND JURY FINDING #1:

The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse.

RESPONSE: The City of San Ramon agrees with this finding.

GRAND JURY FINDING #2:

A "mandated reporter" employed by a city includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children.

RESPONSE: The City of San Ramon agrees with this finding.

GRAND JURY FINDING #3:

Training in child abuse reporting obligations should be given annually to every city employee whose duties require direct contact and supervision of children.

RESPONSE: The City of San Ramon agrees with this finding.

GRAND JURY FINDING #4:

Training in child abuse reporting obligations should include:

- a) Who are “mandated reporters;”
- b) What is “reasonable suspicion” of child abuse;
- c) How and when a report should be made;
- d) What safeguards are in place to protect mandated reporters;
- e) What are the ramifications of making a suspected child abuse report?

RESPONSE: The City of San Ramon agrees with this finding.

GRAND JURY FINDING #5:

While volunteers who have direct contact or supervise children are excluded from the definition of “mandated reporters” under the Penal Code, the law “encourages” such volunteers to obtain training in identifying the reporting suspected or known child abuse.

RESPONSE: The City of San Ramon agrees with this finding.

GRAND JURY FINDING #6:

A procedure should be implemented to verify that all city personnel who are mandated reporters receive training.

RESPONSE: The City of San Ramon agrees with this finding.

GRAND JURY FINDING #7:

The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County.

RESPONSE: The City of San Ramon agrees with this finding.

RESPONSES TO GRAND JURY RECOMMENDATIONS 1-8:

In compliance with Section 933.05(b), the City of San Ramon responds to each of the report’s recommendations as follows:

GRAND JURY RECOMMENDATION #1:

Each city should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.

RESPONSE: The City of San Ramon has implemented this recommendation.

Police: The San Ramon Police Department conducts Field Training that includes mandated reporting for every new officer of the department, and every officer is a graduate of a certified California Commission on Peace Officer Standards and Training (POST) Academy, which includes Mandated Reporter Training. Reserve Officers also receive the same training.

The City of San Ramon Police Department (SRPD) investigation and reporting requirements for the abuse of minors is governed by the SRPD Policy Section 330. Each officer is required to be familiar with the policy and is subject to ongoing training. The SRPD provides training on best practices in

child abuse and dependent adult/elder abuse investigations to members of the police department. During 2013, police department personnel have conducted training involving those topics a minimum of 8 times through the Daily Training Bulletin program.

Parks and Community Services: The Parks and Community Services Department (SRPCSD) provides annual [at a minimum] training of child, dependent and adult/elder abuse and reporting responsibilities. SRPCSD has a written policy and procedure and every temporary employee, regular employee, contractor instructor and volunteer of the Department is accountable to the policy and procedures. Supervisors retain a Temporary Employee Annual Training Components Form for each employee in their personnel file. A centralized file is also retained for all Regular Employee Training. All contract instructors, permanent and temporary employees, and volunteer coaches sign an Acknowledgment of Mandated Reporting Requirements and Receipt of Penal Code Statutes upon hire and/or prior to providing services to the City.

In addition, the City is a member of the Municipal Pooling Authority (MPA) and as such has the opportunity to send employees to an annual Mandated Reporter training conducted by Liebert Cassidy Whitmore.

GRAND JURY RECOMMENDATION #2:

Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of “mandated reporters” under Penal Code section 11165.7.

RESPONSE: The City of San Ramon has implemented this recommendation. In July 2014, a new city wide policy has also been approved that includes employees and other personnel outside of the Parks and Community Services and Police Departments including the City Manager, Administrative Services Director and Human Resources Manager. Additional employees have been designated as Mandated Reporters as a part of that policy.

GRAND JURY RECOMMENDATION #3:

The training program should include all personnel who are “mandated reporter.”

RESPONSE: The City of San Ramon has implemented this recommendation. Police personnel receive the training through POST training and Parks and Community Services personnel receive the training through the approved training curriculum for the Department. Human Resources will be responsible for conducting training for other mandated reporters.

GRAND JURY RECOMMENDATION #4:

The training program in child abuse reporting obligations should include:

- a) Who are “mandated reporters;”
- b) What is “reasonable suspicion” of child abuse;
- c) How and when a report should be made;
- d) What safeguards are in place to protect mandated reporters;
- e) What are the ramifications of making a suspected child abuse report?

RESPONSE: The City of San Ramon has implemented this recommendation. The training curriculum and the policy and procedure cover all of these areas.

GRAND JURY RECOMMENDATION #5:

Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.

RESPONSE: The City of San Ramon has implemented this recommendation.

The SRPCSD includes training for all volunteers who work in an environment where they will have direct contact with or supervise children. Additionally, the City policy on Mandated Reporters designates volunteer coaches of the SRPCSD are mandated reporters per Section 11165.7a (44) of the California law (State Penal Code 11164 – 11174.3) to report known or suspected child abuse.

GRAND JURY RECOMMENDATION #6:

In the case where a city enters into an agreement with an independent contractor to provide services that requires direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city's "mandated reporting" training program.

RESPONSE: The City of San Ramon has implemented this recommendation.

Independent contractors who provide service that requires direct contact or supervision of children have always been subject to the Parks and Community Services Department policy and procedure on mandating reporting. Training on that policy is provided. Acknowledgement of their mandated reporter duties are called out on the service agreement. Additionally, the City policy on Mandated Reporters designates course instructors/contractors of the SRPCSD are mandated reporters per Section 11165.7a (1), (2), (44) of the California law (State Penal Code 11164 – 11174.3) to report known or suspected child abuse.

GRAND JURY RECOMMENDATION #7:

Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.

RESPONSE: The City of San Ramon has implemented this recommendation. Training records of this annual training will be kept by both the Human Resources Division and the respective Departments.

Police: Training records are maintained in the employee's departmental personnel file.

Parks and Community Services: Upon completion of the training, each employee is required to sign off as completing the training and an acknowledgement form at the time of hire.

GRAND JURY RECOMMENDATION #8:

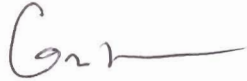
Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.

RESPONSE: The City of San Ramon will consider this recommendation and considers the Child Abuse Prevention Council of Contra Costa County as a good resource for free training. As previously stated, the SRPCSD conducts training for those designated as mandated reporters as a part of the required training and curriculum established.

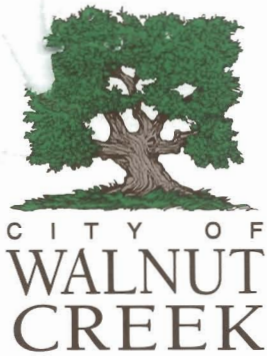
I appreciate the opportunity to provide this response. If you have any questions, please contact me or Karen McNamara, Interim Director Parks and Community Services at (925)973-2801 or kmcnamara@sanramon.ca.gov

Thank you.

Sincerely,



Greg Rogers
City Manager



Legget
7/23
MAG

July 16, 2014

Steven D. Conlin, Foreperson
2013-2014 Contra Costa County Civil Grand Jury
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

Dear Mr. Conlin,

This correspondence will serve as the City of Walnut Creek's response to your May 6, 2014 letter regarding Grand Jury Report 1403 – TRAINING CITY PERSONNEL IN REPORTING CHILD ABUSE.

FINDINGS

1. The law strongly encourages cities to provide their employees who are "mandated reporters" with training about their obligations to identify and report known or suspected child abuse.
Response: The respondent agrees with the finding.
2. A "mandated reporter" employed by a city includes, but is not limited to, an administrator or employee whose duties require direct contact and supervision of children.
Response: The respondent agrees with the finding.
3. Training in child abuse reporting obligations should be given annually to every city employee whose duties require direct contact and supervision of children.
Response: The respondent agrees with the finding.
4. Training in child abuse reporting obligation should include:
 - a. Who are "mandated reporters";
 - b. What is "reasonable suspicion" of child abuse;
 - c. How and when a report should be made;
 - d. What safeguards are in place to protect mandated reporters; and
 - e. What are the ramifications of making a suspected child abuse report?Response: The respondent agrees with each of these findings.

5. While volunteers have direct contact or supervise children are excluded from the definition of "mandated reporters" under the Penal Code, the law "encourages" such volunteers to obtain training in identifying and reporting suspected or known child abuse.

Response: The respondent agrees with the finding.

6. A procedure should be implemented to verify that all city personnel who are mandated reporters receive training.

Response: The respondent agrees with the finding.

7. The Child Abuse Prevention Council of Contra Costa County provides training services in abuse reporting at no cost to cities in the County.

Response: The respondent agrees with the finding.

RECOMMENDATIONS

1. Each city should consider immediately adopting a policy to train its employees and other personnel about their obligation to identify and report suspected cases of child abuse.

Response: The recommendation has been implemented.

This topic is addressed in Section 5, "Training of Mandated Reporter" of the City of Walnut Creek Administrative Policy #402; "Child Abuse and Neglect Mandated Reporter Policy", issued 11/7/13.

2. Each city should review the duties of all employees and other personnel to determine which personnel fall within the definition of "mandated reporters" under Penal Code section 11165.7.

Response: This recommendation has been implemented.

This review was completed in 2013 as part of the development of City of Walnut Creek Administrative Policy #402; "Child Abuse and Neglect Mandated Reporter Policy", which was issued 11/7/13. Mandated Reporter positions are listed in Appendix A of the policy.

3. The training program should include all personnel who are "mandated reporters".

Response: This recommendation has been implemented.

This topic is addressed in Section 5, "Training of Mandated Reporter" of the City of Walnut Creek Administrative Policy #402; "Child Abuse and Neglect Mandated Reporter Policy", issued 11/7/13.

4. The training program in child abuse reporting obligation should include:

- a. Who are "mandated reporters",
- b. What is "reasonable suspicion" of child abuse;
- c. How and when a report should be made;
- d. What safeguards are in place to protect mandate reporters; and
- e. What are the ramifications of making a suspected child abuse report.

Response: This recommendation has been implemented.

Items a through e are included in City of Walnut Creek Administrative Policy #402; "Child Abuse and Neglect Mandated Reporter Policy", issued 11/7/13, a copy of which is provided to all city employees. Additionally, all of these items are covered in the Mandated Reporter training program.

5. Each city should consider including all volunteers who have direct contact with or supervise children in its abuse reporting training program.

Response: This recommendation has been implemented.

Volunteers who supervise or have direct contact with children are encouraged to attend the Mandated Reporter trainings.

6. In the case where a city enters into an agreement with an independent contractor to provide services that requires direct contact or supervision of children, the city should consider ensuring that the independent contractor and each of its staff who will have direct contact or supervision of children have successfully completed the city's "mandated reporting" training program.

Response: *The recommendation will be implemented effective July 9, 2014.*

7. Each city should establish a procedure for verifying that all employees and other personnel who are mandated reporters have successfully completed the training program each year.

Response: The recommendation has been implemented.

The City of Walnut Creek maintains training records and does verify that all mandated reporters complete training.

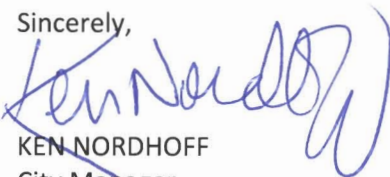
8. Each city should consider retaining the Child Abuse Prevention Council of Contra Costa County to provide free training services about child abuse reporting.

Response: The recommendation has been implemented.

The Child Abuse Prevention Council of Contra Costa County provided training for City of Walnut Creek employees and volunteers in 2013 and 2014. The City of Walnut Creek plans to continue to retain the Child Abuse Prevention Council of Contra Costa County to provide future trainings.

The City Council approved this response at their July 15, 2014 regular meeting.

Sincerely,



KEN NORDHOFF
City Manager

Cc:

City Council

City Attorney

Human Resources Director