

Child Abuse Reporting Law

(Revised 06/05/20)

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Introduction

California Penal Code 11165.9 states that reports of suspected child abuse or neglect shall be made by mandated reporters to certain agencies including county welfare departments. County of San Diego Health and Human Services Agency Child Welfare Services is considered a county welfare department, and thus shall accept a report of suspected child abuse or neglect made by mandated reporters, another person or referred by another agency.

Reporting Party

Confidentiality

Pursuant to California Penal Code 11167(d)(1), the reporting party's (RP) identity is confidential, and may be disclosed only in the following circumstances:

- To agencies receiving or investigating mandated reports
- To the District Attorney (DA) in a criminal prosecution of child abuse and/or juvenile delinquency proceeding, arising from alleged child abuse
- To child's counsel
- To County Counsel or DA in a dependency or emancipation proceeding
- To a licensing agency when abuse in out-of-home care is reasonably suspected
- When the RP waives confidentiality
- By court order

Reporting Party Documentation

The SW must explain to the RP the circumstances under which the identity of the reporting party may be disclosed.

Documentation

The SW must never identify the reporting party in any CWS/CMS Contact Narratives or documents. The SW will refer to the person by name as a witness, in all reports and written documentation, without indicating the person is the reporting party. The SW will select Collateral from the Participant Type drop-down list on the Contact Page.

Alignment with SET

This policy supports SET [Value 4](#): Shared Responsibility With Community Partners by building and maintaining trusting relationships with partners to support the safety of children.
