

EV08 – Family Violence
 Session 4 - Child Abuse Reporting Requirements
 LD09 - Crimes Against Children

Date Revised: 10/17/2019

Course Goal: To teach recruit officers crimes committed against children.

Learning Objective:

- Identify by category the professional occupations required to report suspected child abuse [\[9.II.A\]](#)
- Recognize the specific law enforcement reporting requirements [\[9.II.B\]](#)
- Recognize the required documentation when investigating crimes against children [\[9.II.C\]](#)
- Recognize a peace officer’s responsibility for maintaining the confidentiality of the reporting party [\[9.II.D\]](#)
- Recognize the legal basis for entry without a warrant to protect a minor [\[9.III.A\]](#)
- Recognize the exigent circumstances that could lead an officer to reasonably believe that there is an immediate threat to a minor [\[9.III.B\]](#)

Session Time: 1 Hour

<p>Resources:</p> <ul style="list-style-type: none"> • Classroom with tables • Overhead projector • Computer with multimedia software and Microsoft PowerPoint 	
<p>Session Summary: The instructor will lead a facilitated discussion accompanied with learning activities with the whole class.</p>	
Outline	Instructor’s Notes
<p>I. Reporting Requirements of Suspected Child Abuse</p> <p>A. Reporting Requirements</p> <p>1. Mandated Reporters [9.II.A]</p> <ol style="list-style-type: none"> a. Child care custodians (including teachers and peace officers), b. Health practitioners (medical and non-medical), c. Employees of child protective agencies, d. Child visitation monitors, e. Firefighters, f. Clergy (except when in confessional), g. Animal control officers, h. Humane society officers, and 	<p>TTS 9.2.A – 9.3.B (1 hour)</p> <p style="text-align: center;">PowerPoint Slides # 1 - 16</p> <p>Ask Who do you think are mandated reporters for child abuse?</p>

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<ul style="list-style-type: none">i. Commercial film processors2. Child care custodian includes employees w/ direct contact and supervision of children<ul style="list-style-type: none">a. Employees in public and private schools, youth centers, youth recreation programs or organizations, child care facilities, foster homes, group homes, residential care facilities,b. Social workers,c. Probation officers,d. Parole officers,e. Peace officers,f. Including peace officers at schools3. Once a reporter knows or has reasonable suspicion of child abuse, he or she shall immediately, or as soon as possible, contact a child protective agency by telephone [9.II.B]4. Depending on the relationship of the suspected abuser to the child, different child protective agencies may also conduct a separate investigation of the case5. A report shall be prepared, written, and sent to the child protective agency within 36 hours of the initial contact6. County probation or welfare agency shall contact the:<ul style="list-style-type: none">a. Child protective agency having jurisdiction over the case and/orb. District attorney's office.7. Content of Report [9.II.C]<ul style="list-style-type: none">a. Over the telephone<ul style="list-style-type: none">1) Name and age of child2) Name of the reporter3) Location of child4) Nature and extent of injuries5) Current condition of child6) Facts which lead to reasonable suspicion that abuse has occurredb. For written report: Fact sensitive	<p>Ask Who else do child care custodians include?</p> <p>Ask When a mandated reporter knows about possible child abuse, when should it be reported?</p> <p>Ask What information should be reported?</p>
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<ul style="list-style-type: none">e. State Department of Social Servicesf. Hospital scan teamsg. Coroners and medical examiners when conducting a postmortem examination on a childh. Board of Prison Termsi. Personnel from an agency responsible for making a placement of a childj. Persons identified by the DOJ as listed in the Child Abuse Central Index (PC 11170(c))k. Out-of-state law enforcement agencies conducting an investigation of child abuse or neglectl. Persons who have verified with the DOJ that they are listed in the Child Abuse Central Index (PC 11170(e))m. Each chairperson of a county child death review team <p>3. Failure to maintain confidentiality is a misdemeanor, PC 11167.5</p> <p>II. Warrantless Entries to Protect Minors</p> <p>A. Warrant vs Warrantless Entry [9.III.A]</p> <ul style="list-style-type: none">1. Peace officers have the authority to make a warrantless entry into a home whenever they reasonably believe a minor is in immediate danger of being physically abused, neglected, or sexually exploited2. Peace officers not permitted inside residence without<ul style="list-style-type: none">a. Warrantb. Consentc. Exigent circumstances [9.III.B]<ul style="list-style-type: none">1) Imminent danger to a person’s life or safety,2) Serious damage to property,3) Imminent escape of a suspect, or4) Evidence is about to be destroyed or removed3. Court Cases	<p>Ask What ways are police officers allowed into residences?</p> <p>Ask What constitutes exigent circumstances?</p> <p>Point out All the ways officers can enter residences apply just the same in relation to the protection of minors and investigating child abuse.</p> <p>Review court cases if time permits. They are all cases in which police made warrantless entry during a child abuse investigation.</p>
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| <ul style="list-style-type: none">a. In <i>People v. Brown</i> (1970) 12 Cal.App.3d 600, the peace officer intervened based upon a reasonable suspicion of sexual abuse upon an incapacitated victim.b. In <i>re Dawn O.</i> (1976) 58 Cal.App.3d 160, the courts decided the facts reasonably indicated that an unattended child (neglect) constitutes a substantial threat to his or her safety. The details of the case are described below.c. In <i>People v. Sutton</i> (1976) 65 Cal.App.3d 341, a peace officer had to determine whether the child was under the care of a responsible adult (endangerment of a minor in a private dwelling).d. In <i>People v. Payne</i> (1977) 65 Cal.App.3d 679, the court ruled that the officers' warrantless entry into a private dwelling was justified by exigent circumstances, which included prior reliable information about the suspect.e. In <i>People v. Miller</i> (1999) 69 Cal.App.4th 190, the peace officer made a warrantless entry into a home to determine if a 2-year-old wandering in the neighborhood could be safely reunited with his parents and siblings. | |
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