

**OFFICE OF THE CHIEF OF POLICE**

**SPECIAL ORDER NO. 5**

February 25, 2021

**SUBJECT:       REPORTING SCAR INVESTIGATIONS – RENAMED AND REVISED**

**PURPOSE:**     The purpose of this Order is to revise and rename Department Manual Section 4/218.53, *Reporting SCAR Investigations*, as *Reporting Suspected Child Abuse Reports Investigations*. The revised Department Manual Section provides Department personnel standardized disposition procedures of Suspected Child Abuse Reports (SCAR) within the Electronic SCAR System.

**PROCEDURE:** Department Manual Section 4/218.53, *Reporting SCAR Investigations*, has been revised. Attached is the revised Department Manual section with the revisions indicated in italics.

**AMENDMENT:** This Order amends Section 4/218.53 of the Department Manual.

**AUDIT RESPONSIBILITY:** The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



MICHEL R. MOORE  
Chief of Police

Attachment

DISTRIBUTION "D"

**DEPARTMENT MANUAL  
VOLUME IV  
Revised by Special Order No. 5, 2021**

**218.53 REPORTING SUSPECTED CHILD ABUSE REPORT INVESTIGATIONS.** California law specifies that certain professionals, as well as employees of designated organizations and agencies (mandated reporters), as specified in Penal Code Section 11165.7 (e.g., health care professionals, school officials), *shall* report suspected child abuse and neglect to any of the following:

- Any law enforcement agency; or,
- The county welfare department [e.g., Department of Children and Family Services (DCFS)].

*Note: The Child Abuse and Neglect Reporting Act requires a mandated reporter [as defined in Penal Code Section 11165.7(a)], to make a report to a specified agency 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. Existing law provides that “child abuse or neglect” for these purposes includes “sexual assault,” that includes, among other things, the crimes of sodomy, oral copulation, and sexual penetration.*

*Assembly Bill 1145 “Child Abuse, Reportable Conduct” amending Penal Code Section 11165.1, states that “sexual assault” for these purposes does not include voluntary sodomy, oral copulation, or sexual penetration, if there are no indicators of abuse, unless that conduct is between a person who is 21 years of age or older and a minor who is under 16 years of age.*

Suspected child abuse can be reported to the Department *in any of the* as follows ways:

- *Electronically (e.g., email or social media);*
- *Via fax referral;*

**Note:** *Suspected Child Abuse Reports (SCAR) received electronically during business hours shall be reviewed, organized, and evaluated by the staff of the Investigative Control Unit (ICU), Juvenile Division. During weekends, holidays, and off-hours, these functions will be the responsibility of the Department Operations Center (DOC).*

- Direct verbal notification from a mandated reporter;
- Direct verbal notification from a concerned member of the public; *or,*
- *Mailed via US Mail* directly to the Department by DCFS or a mandated reporter.

**Note:** *Suspected Child Abuse Reports sent directly to the Department by DCFS or a mandated reporter shall be forwarded to the concerned Area SCAR Coordinator to be logged and filed. In situations when the Department is the first agency to receive a SCAR, the officers completing the initial investigation and appropriate report (i.e., investigative or injury report) shall notify DCFS and document the notification in the report.*

**Suspected Child Abuse Report Review Process.** The review process shall include determining whether the SCAR requires law enforcement investigation *and whether it requires* an immediate

**DEPARTMENT MANUAL**  
**VOLUME IV**  
**Revised by Special Order No. 5, 2021**

Department response. *If it is determined that an immediate Department response is needed, a unit shall be dispatched. If there was a delay in reporting, or other circumstances indicating the call may have already been handled, employees from the receiving division (e.g., Juvenile Division or DOC) shall use the alleged victim's name and address to query Department resources to determine if a report regarding the incident has already been completed. If a report has been completed, the Division of Records (DR) number, type of report, and the date of the report shall be included in the SCAR. No further preliminary investigation is required.*

***Suspected Child Abuse Reports Investigation Response Protocol.***

**Immediate Dispatch.** A patrol unit shall be immediately dispatched when any of the following are involved:

- An allegation of sexual abuse;
- Severe neglect requiring medical treatment;
- Hospitalization for internal injuries of a suspicious nature; *or*,
- Physical abuse with visible injury.

**Note:** *In most cases the investigation of incidents involving visible injuries will require an immediate dispatch of a patrol unit, unless otherwise determined to have extenuating circumstances (i.e., injuries caused by children involved in mutual combat, minor injury caused during reasonable restraint, a parent holding down a combative child, or when there is minor injury and the perpetrator has no direct or likely access to the child) by ICU, and the approval of a supervisor.*

School cars and juvenile cars will not automatically be assigned child abuse calls. Child abuse calls for service generated by Juvenile Division or *the DOC, shall include in the comments of the radio call, a request for the handling unit to contact their watch commander prior to handling the call. The responding unit may request a copy of the SCAR from Juvenile Division or the DOC, which will be provided electronically via email.* If the SCAR indicates DCFS is handling as an "Immediate Response," a Children's Social Worker (CSW) will be assigned, and will respond regardless of the time of day or day of the week. However, law enforcement personnel are *still* required to complete a *separate and independent* criminal investigation.

**Exceptions to Immediate Dispatch – Delayed Handling.** The dispatch of a unit to investigate a SCAR may be delayed or *the SCAR may be handled differently*, if any of the following apply:

- The SCAR does not meet the criteria for immediate dispatch;
- Alleged sexual abuse that occurred more than 120 hours earlier *and* the perpetrator has no direct or likely access to the child; *or*,
- When an injury or crime report has already been taken for the incident reported in the SCAR.
- *The handling supervisor approves the delay of the handling of the investigation ("delayed handling" means a period not to exceed 24 hours in furtherance of the investigation, after consideration to the risk factors involving the child and any siblings);*

**DEPARTMENT MANUAL  
VOLUME IV  
Revised by Special Order No. 5, 2021**

**Example:** A SCAR describing minor bruising on a 10-year-old child is received at 0200 hours. Since dispatching a unit would most likely require both the child and the parents to be awakened, the supervisor *decides to approve the delay of dispatching a unit until the next morning when the child is in school, and can be interviewed in a neutral setting at a more convenient time.*

If the responding officers are unable to locate the reporting party or an alleged victim during their investigation, they shall contact their watch commander for guidance on how to proceed. The watch commander shall determine if the alleged abuse is serious enough to require the continuing efforts of the officers to locate the victim or whether another unit can be dispatched at a later time.

**Note:** *Watch commanders may refer to Special Order No. 26, Procedures for Suspected Child Abuse Investigations – Revised, dated on August 28, 2006, in determining if the alleged abuse is serious enough to require the continuing efforts of the officers to locate the victim or whether another unit can be dispatched at a later time.*

If the decision is made to dispatch a unit at a later time, the watch commander shall ensure appropriate arrangements are made for the call to be reassigned within the next 24 hours. If a second response has not been attempted prior to the concerned watch commander's end of watch, the watch commander shall make an entry in the Watch Commander's Daily Report, Form 15.80.00, specifically describing what arrangements have been made. After a total of two unsuccessful attempts to investigate the SCAR, the watch commander shall forward the SCAR to the Area SCAR Coordinator for additional follow-up. All efforts to handle the SCAR shall be chronologically documented on the SCAR, on an attached chronological record, or on an attached Area Command Center (ACC)/ Mobile Digital Computer (MDC) administrative message. The date and time of each attempt, together with the officers' names and unit numbers, shall be included. Officers concluding a SCAR investigation shall complete a crime report or injury report.

**Reporting Procedures.** An Injury Report, Form 03.15.00, is to be completed when there is no evidence of a crime to document the preliminary investigation. Reporting procedures shall be handled depending on the type of *incident*.

**Notification from DCFS.** Officers responding to a call *arising* from a DCFS notification do not need to complete a SCAR *if one has already been generated by the DCFS*. Department of Children and Family Services has the responsibility for ensuring a SCAR has been completed or will be completed. If the CSW has the SCAR available, officers shall obtain a copy and attach it to a copy of the crime or Injury Report *and* forward it to the Area SCAR Coordinator. *Upon the completion of the criminal investigation, officers shall notify the DCFS Protection Hot Line, at (800) 540-4000 to cross-report the allegations and findings of the investigation.*

**Notification from a Mandated Reporter.** If the mandated reporter has the SCAR available, officers shall have him *or* her retain the yellow copy, and the officer shall take the remaining

**DEPARTMENT MANUAL  
VOLUME IV  
Revised by Special Order No. 5, 2021**

copies. The officers shall attach these copies, along with a copy of the crime or Injury Report and forward it to the Area SCAR Coordinator.

If the mandated reporter has not yet completed a SCAR, officers shall advise him *or* her to complete a SCAR within 36 hours. Officers do not need to complete a SCAR. If the mandated reporter has completed a SCAR, and obtained a DCFS referral number, officers shall include it in the narrative of the *crime or Injury* report. If there is no DCFS referral number, officers *shall* cross report *the allegations and findings* to the DCFS Child Protection Hot Line *for a referral number*. Upon completion of the *crime and Injury* report, officers *shall obtain* the child's name and the name of the social worker giving the referral number. The referral number shall be included in the narrative portion of the crime or Injury Report.

**Note:** The identity of mandated reporters shall be kept confidential, and disclosed only to other involved agencies, in accordance with Penal Code Section 11167. Mandated reporters are required to make an initial telephonic report as soon as practicable, and a written report within 36 hours.

**Notification from a Concerned Member of the Public.** Upon notification from a concerned member of the public, officers shall contact the DCFS Child Protection Hot Line for a referral number. The officer *shall* provide the child's name and the name of the social worker giving the referral number. This information shall be included in the narrative of the crime or Injury Report. *When ICU receives a SCAR investigation electronically, the SCAR shall be forwarded to the Area SCAR Coordinator. The Area SCAR Coordinator shall be responsible for closing out the investigation in the Electronic Suspected Child Abuse Report (ESCAR) System with the appropriate disposition category.*

**Notification Received by Mail.** If a SCAR received by mail does not have a DCFS referral number, officers *shall* cross-report to the DCFS Child Protection Hot Line. Officers shall then forward the SCAR, along with a copy of the crime or Injury Report, to the Area SCAR Coordinator. The SCAR Coordinator shall ensure a copy of the SCAR, and the associated *all* report(s) are sent to ICU, Juvenile Division.

***Electronic Suspected Child Abuse Report System.*** *The Electronic Suspected Child Abuse Report (ESCAR) System facilitates the requirement to cross-report allegations of suspected child abuse between all involved agencies.*

*Department personnel shall enter the appropriate standardized disposition category for SCAR investigations within the ESCAR Database. Department personnel shall be guided by the Chief of Detectives Notice, "Standardized Disposition of Suspected Child Abuse Reports (SCAR) within the Electronic SCAR Database", dated July 30, 2020.*

***Juvenile Division Responsibilities.*** *The ICU, Juvenile Division, is responsible for oversight of all ESCARs received by the Department and tasks including:*

**DEPARTMENT MANUAL**  
**VOLUME IV**  
**Revised by Special Order No. 5, 2021**

- Tracking all child abuse preliminary investigations resulting from a SCAR being faxed, mailed, or otherwise delivered to any Department entity;
- Providing crime or Injury Reports, and other information related to SCAR investigations to the City Attorney's Office upon *its* request;
- *Providing copies and all associated reports that are mailed to ICU to the City Attorney's Office upon request;*
- Providing procedural advice to Department personnel upon request, and investigative advice when Juvenile Division is responsible for the follow-up investigations;
- *Providing monthly and yearly assessment of all ESCARs received by the Department and forwarding these assessments to COMPSTAT Division.*
- *Providing the geographic Areas a list of all overdue ESCARs;*
- *Completing quarterly and yearly inspections of SCAR investigations to ensure appropriate and timely disposition of SCAR investigations;*
- *Completing the routing of ESCARs to DCFS, between geographic Areas or other jurisdictions.*
- *Responsible for reviewing and the distribution of all ESCARs designated as "Sensitive; and,"*
- *Entering the Status/Disposition of "Child Fatality" and "Sensitive" ESCARs assigned to the Abused Child Section (ACS).*

*Note: Area ESCAR Coordinators should only close out "Child Fatality" ESCARs if their respective Bureau Homicide Team was assigned investigative responsibility for the incident.*

**Notification to Mandated Reporters Upon Completion of Suspected Child Abuse Investigations.** Upon completion of a suspected child abuse investigation generated from information received from a mandated reporter, the assigned investigator shall ensure that the Suspected Child Abuse Investigation Mandated Reporter Notification is completed and:

- Mailed via United States *Mail* to the mandated reporter when he or she has provided the Department with a mailing address; or,
- Scanned and sent via email to the mandated reporter when he or she has provided the Department with an email address.

When the Suspected Child Abuse Investigation Mandated Reporter Notification is mailed to the mandated reporter via United States *Mail*, the completed original form shall be mailed, and a copy shall be included in the Detective's Case Envelope, Form 15.15.00. When the Suspected Child Abuse Investigation Mandated Reporter Notification is sent to the mandated reporter via e-mail, the completed original form shall be retained in the Detective's Case Envelope.

The assigned investigator shall document the date that the Suspected Child Abuse Investigation Mandated Reporter Notification was mailed or e-mailed and include any pertinent information (*e.g.*, such as the mandated reporter's name, the agency he or she works for, and the mailing address or e-mail address to which the form was sent) in the Detective Case Tracking System

**DEPARTMENT MANUAL  
VOLUME IV  
Revised by Special Order No. 5, 2021**

Chronological Activity Log. The information shall also be entered on the final Follow-Up Investigation, Form 03.14.00, when applicable.

**Area SCAR Coordinator's Responsibilities.** The Area Major Assault Crime (MAC) Coordinator is *responsible for the duties of* the Area SCAR Coordinator. The Area SCAR Coordinator is responsible for ensuring all SCAR investigations and related reports *are processed within the guidelines of this Department Manual section and other Department directives.* The Area SCAR Coordinator shall ensure all SCARs received (which pertain to the Area) are entered in a control log and *filed and organized by a tracking number* at the conclusion of the preliminary investigation. The Area SCAR coordinator shall forward completed SCARs or dispositions and any associated reports to ICU, Juvenile Division, by either regular mail or email. The SCAR Coordinator shall cause all SCARs received directly from ICU, or incomplete SCARs received from the watch commander, to be further investigated by a school or juvenile car.

**Note:** When e-mailing dispositions to ICU, the tracking log number, victim's name, type of report, and DR number shall be included.

**Geographic Area ESCAR Coordinator Responsibilities.** *The ESCAR Coordinator is responsible for reviewing and assigning all ESCARs assigned to the geographical Area for investigation. The ESCAR Coordinator shall ensure that ESCAR investigations are completed within 10 calendar days of receipt, in accordance with the Office of the Chief of Police Notice, "Suspected Child Abuse Report Investigative Response, Review, Dispatch and Case Prioritization", dated on November 21, 2019.*

**Note:** *Any deviation from the 10-day rule should be explained in the "LEA Comments" section of the "Status Update" drop-down box (e.g., the 10-day rule was not met due to receipt on a weekend and/or holiday).*

**Department Operations Center Responsibilities.** When ICU is closed (*during off-hours, weekends, and holidays*), the DOC shall assume the responsibilities for reviewing, organizing, and determining if the immediate dispatch of a unit is warranted on all incoming SCARs. When an immediate dispatch is necessary, *the DOC will document the required information regarding the call for service and the disposition of the SCAR investigation. When the ICU is closed, the DOC shall also review ESCARs sent to the Department and send an email entitled "Daily ESCAR Log" to ICU for secondary review of all ESCARs received by the DOC.*

**Detective Commanding Officer Responsibilities.** *The geographic Area Detective Commanding Officer is responsible for ensuring that a detective supervisor is trained and assigned as the ESCAR Coordinator to oversee the investigation of all ESCARs assigned to their geographic Area.*

**Area Commanding Officer's Responsibilities.** The Area Commanding Officer (CO) is responsible for the overall management of SCAR investigations assigned to the Area. The Area CO shall also ensure that an individual *is assigned to assume the responsibility in the event of the Area SCAR Coordinator's absence.*