

Child Abuse

326.1 PURPOSE AND SCOPE

This policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Department employees are required to notify Yolo County Child Welfare Services (CWS) of suspected child abuse.

326.2 POLICY

The Department will accept all reported incidents of alleged criminal child abuse and ensure CWS is notified within 36 hours of discovery as required by law.

326.3 MANDATORY NOTIFICATION

Yolo County Child Welfare Services shall be notified when (Pen. 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.

Notification should occur as follows:

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

The District Attorney's office shall be notified in all instances of known or suspected child abuse 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 .

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.

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; neglect; the willful harming or injuring of a child or the endangering of the person or health of a child; and unlawful corporal punishment or injury . 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 or her employment as a peace officer.

Yolo County Probation Department

Policy Manual

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STATUTORY REFERENCES

See Penal Code sections 11164-11174.3, the Child Abuse and Neglect Reporting Act, for specific statutory references to the reporting requirements listed herein.