

MARIN COUNTY SHERIFF'S OFFICE
INVESTIGATIONS DIVISION POLICY AND PROCEDURE MANUAL

CHAPTER 2 - INVESTIGATIONS
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DATE
November 15, 2001
Rev. 10/26/01

CHILD ABUSE REPORTING

POLICY

It shall be the Policy of the Marin County Sheriff's Office to document all reports of child abuse, comply with reporting regulations and initiate criminal investigations whenever appropriate.

DEFINITIONS

CHILD – A person under the age of eighteen.

CHILD ABUSE – Physical injury which is inflicted by other than accidental means upon a child by another person. *Child Abuse* also means the sexual abuse of a child or any act or omission proscribed by section PC 273a or PC 273d. *Child Abuse* also means the neglect of a child, or abuse in out-of-home care. *Child Abuse* does not mean a mutual affray between minors, nor an injury caused by reasonable and necessary force used by a Peace Officer, or by a person employed by a public school, during course of employment, to control or stop disturbances.

CPA – Child Protective Agency is any police or sheriff's department, a county probation department, a county welfare department. It does not include school district police or security department.

REPORTING – INTERAGENCY: A CPA must report every suspected incident of child abuse it receives to: 1. Another CPA in the county, 2. The CPA responsible for investigations under W&I 300. (Marin County CPS) 3. The District Attorney. The CLASSIFICATIONS are; Sexual abuse, Physical abuse, Mental/emotional abuse, Severe neglect and General neglect. Reports are to be made via telephone as soon as practical, and via written report within 36 hrs of report of incident.

REPORTING - DOJ: A CPA must report to DOJ every suspected incident of child abuse for which they conduct an *active investigation*, on the Form SS 8583. Only the detective assigned to the case will complete Form SS 8583. Do not report to DOJ cases of General neglect, Unfounded reports, Consensual sexual behavior between minors under 14 and of similar age, Negligence of a pregnant woman effecting well-being of fetus, Adults who report themselves as victims of prior abuse, and Child stealing PC277/278 unless defined in classification section above. The investigating detective will submit form SS 8583 to DOJ, as soon as an investigation has been conducted and not proven to be unfounded.

PROCEDURE

Reports of suspected child abuse are usually received in one of three ways: 1. From a concerned citizen, or victim's parents. 2. From a mandated reporter or 3. From another CPA.. Cases that originate from a concerned citizen's or victim's parents' report will result in a deputy being dispatched to investigate and document actions in a report. Reports originating from either a mandated reporter or another CPA are cross-reports and will be evaluated individually by a detective assigned to the Juvenile Bureau.

The detective receiving a report of suspected child abuse will contact the reporting party to determine the facts of the case and if immediate action is necessary for the safety of the child, to prevent escape of the suspect or destruction of evidence. In cases where the reporting party is not Child Protective Services (CPS), the detective will contact a child welfare worker at CPS and cross-report the case to them, and discuss the necessity for any immediate action. In all cases, the detective receiving a report of suspected child abuse will discuss the merits of the case with a child welfare worker, and arrive at a determination on how to proceed, taking into consideration the best interests of the child. The detective will also determine whether or not the case merits a criminal investigation.

All reports of suspected child abuse will be assigned a Sheriff's case number, and require a report documenting, minimally, the name and address of the child, the reporting party, the child welfare worker consulted and the suspect(s) involved, as well as a narrative describing what action was taken by the investigating deputy. Cases determined to be unfounded, involving general neglect or sexual activity between minors under 14 and of similar ages, involving pregnant women effecting the well-being of the fetus, child stealing or adults reporting themselves as victims of past abuse will not be reported to DOJ. All other types will be reported to DOJ by the assigned detective, using the Form SS 8583.

RELATED STANDARDS:

PC 11165.	PC 11166.2
PC 11165.6	PC 11166.3
PC 11165.9	PC 11166.6

AFFECTED DIVISIONS

Patrol
Communications
Investigations

DATE OF REVISIONS:

9/27/99
10/26/01

By Order of:


DANIEL R. PAYNE
CAPTAIN