0023 - CHILD ABUSE CENTRAL INDEX PROCESS

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

DETECTIVE DIVISION

SPECIAL VICTIMS BUREAU



Bureau Order No:	**0023**
Subject:	**CHILD ABUSE CENTRAL INDEX PROCESS**

Effective Date	Jan. 2023	**Last Date Reviewed**	Jan. 2023	**Last Date Revised**	Jan. 2023

PURPOSE:

The Attorney General administers the Child Abuse Central Index (CACI), which was created by the Legislature in 1965 as a tool for state and local agencies to help protect the health and safety of California's children. Defined in Penal Code (PC) sections 11164 through 11174.31, these statutes are referred to as the Child Abuse and Neglect Reporting Act (CANRA).

Each year, child abuse investigations are reported to the CACI. These reports pertain to investigations that substantiated physical abuse, sexual abuse, mental/emotional abuse, and/or severe neglect of a child. The reports are submitted by **county child welfare services and probation departments.**

The information in the CACI is available to aid law enforcement investigations, prosecutions, and to provide notification of new child abuse investigation reports involving the same suspects and/or victims. Information is also provided to designated social welfare agencies to help screen applicants for licensing or employment in child care facilities and foster homes, and to aid in background checks for other possible child placements, and adoptions. Dissemination of CACI information is restricted and controlled by statute.

Information on file in the Child Abuse Central Index includes:

- Names and personal descriptors of the suspects and victims listed on reports;
- Reporting agency that investigated the incident;
- The name and/or number assigned to the case by the investigating agency; and
- Type(s) of abuse investigated.

Policy:

Effective January 1, 2012, Chapter 468, Statutes of 2011, amends PC sections 11165.12, 11169, and 11170 of the Child Abuse and Neglect Reporting Act. The new law directs the Department of Justice (DOJ) to receive and enter into the Child Abuse Central Index **only substantiated reports of child abuse or severe neglect submitted by a child welfare agency or a county probation department. Police and sheriff departments are no longer required to submit reports of known or suspected child abuse or severe neglect to the DOJ via the Child Abuse or Severe Neglect Indexing Form (BCIA 8583).** The new law also directs the DOJ to remove all inconclusive reports from the CACI and all names of suspects 100 years of age or older.

Pursuant to 11169 (d) of the California PC, subject to subdivision (e), any person who is listed on the CACI has the **right to a hearing** before the agency that requested his or her inclusion in the CACI to challenge his or her listing on the CACI. The hearing shall satisfy due process requirements. It is the intent of the Legislature that the hearing provided for by this subdivision shall not be construed to be inconsistent with hearing

proceedings available to persons who have been listed on the CACI prior to the enactment of the act that added this subdivision.

PC 11169, subdivision (e) states, a hearing requested pursuant to subdivision (d) shall be denied when a court of competent jurisdiction has determined that suspected child abuse or neglect has occurred, or when the allegation of child abuse or neglect resulting in the referral to the CACI is pending before the court. A person who is listed on the CACI and has been denied a hearing pursuant to this subdivision has a right to a hearing pursuant to subdivision (d) only if the court's jurisdiction has terminated, the court has not made a finding concerning whether the suspected child abuse or neglect was substantiated, and a hearing has not previously been provided to the listed person pursuant to subdivision (d).

Review Process:

Person(s) who have been suspected of child abuse and whose names have been placed into CACI, have a
o a hearing to remove their names. When an individual makes a request to have their name removed from the
, the following shall occur:

- The Special Victims Bureau (SVB) Operations Lieutenant shall conduct a complete and thorough review of all materials of the case within **45 days** following receipt of the written request.

- The SVB Operations Lieutenant shall submit the file with his/her findings and recommendations to the Unit Commander for approval. After a complete and thorough review of the file and if the Unit Commander concurs with the findings and recommendations of the Operations Lieutenant, he/she will approve the case file. A letter as to the findings will be sent to the concerned individual. The letter shall be issued to the individual no later than **five (5)** days following the review by the Unit Commander.

The final conclusion letter will state that all reports, documents, and/or evidence have been reviewed (including documents submitted by the individual) and will include the result and reason(s) for the decision. The reason for the decision rendered must support the Unit Commander’s evaluation of the facts and evidence contained in the documentation.

The letter informs the concerned individual of the decision based on the materials and/or documents
wed. SVB will notify the CA DOJ of any changes in classification in the amended (BCIA 8583) report.

Reviewed and approved by:

_____

Richard Ruiz, Captain

Special Victims Bureau

• 0023 - CHILD ABUSE INDEX PROCESS ATTACHMENTS



_____STATE OF CALIFORNill' BCIA8583 •

(o g.6/DS:rev 3108)

DEPARTMENT OF JUSTICE

CHILD ABUSE OR SEVERE NEGLECT INDEXING FORM

r INITIAI.REPORT

To be completed bY SubmlltlnChild Protective Agency pursuant to PenalCode section11169

I

r AMENDED REPORT (attach copy of originalBCIA 8583. Complete sections A,c,and all other applicable fields)

i I I

(!I SUBMITIING AGENCY (Enter collljllole """" and check lypo) r
POLICE r WELFARE AGENCY REPORT NUMBER/CASE.NAME
z r SHERIFF r PROBATION

I

AGENCY ADDRESS Street
CIIY Stale Zip Code

Ill (!I

;)< NAME OF SUBMITIING PARTY TITLE

Y TELEPHONE

.(

ilDATE OF REPORT The finding that allegations of child abuse or severe neglect are not unfounded
ls: (Check *onlv* one box)

AGENC

r SUBSTANTIATED (Penll Ccda ..c an 111S5.12(b)) r INCONCLUSIVE (PonoiCocluocllcn 11165.10:Z(o))

0 DATE OF INCIDENT TYPE OF ABUSE r PHYSICAL INJURY r MENTAL/EMOTIONAL SUFFERING r SEXUAL ABUSE, ASSAULT,EXPLOITATION

m•ua.;.

(Cheak ana or mote)

r SEVERE NEGLECT r 'MLLFUL HARMING/ENDANGERMENT r.UNLA'M'UL CORPORAL PUNISHMENT OR INJURY

li:

OoglnalAgency Report Numbar/Case Nama: Dale of Incident: Type of Abuse:

r CHANGED TO INCONCLUSIVE r ADDEO ADDITIONAL INFORMATION

ll

r CHANGED TO SUBSTANTIATED r CORRECTED REPORT INFORMATION

r NOWUNFOUNOEO r UNDERLYING INVESTIGATIVE FILE NO LONGER AVAILABLE

wu..

<::EZ-

u Comment

NAME: Lest Firat Middle
AKA DOB ApproK. r MALE RACE'

AGE r FEMALE

DID VICTIM'S INJURIES RESULT IN DEATH? IS VICTIM DEVELOPMENTALLY·DISABLED (4512(a) W&I)7

rYES r NO r UNKNOWN rYES r
NO r UNKNOWN

§: NAME: Last · First Middle
AKA COB **Approx.** r MALE RACE'

AGE r

b OID VICTIM'S INJURIES RESULT IDEATH? lS VICTIM
DEVELOPMENTALLY DISABLED (4512(a) W&I)7

5 rYES r NO r UNKNOWN rYES r
NO r UNKNOWN

FEMALE

AGE

NAME: Last .First Middle
AKA COB 1\JJprOl(. r MALE RACE'

DID VICTIM'S INJURIES RESULT IN DEATH? lS VICTIM
DEVELOPMENTALLY DISABLED (4512(8) W&I)7

rYES r NO r UNKNOWN rYES r
NO r UNKNOWN

r FEMALE

NAME: Last First Middle
AKA COB ApPfOll. r MALE RACE'

i I I I I I I

AGE r FEMALE
ADDRESS Street City rtate J2lpCode HGT WGT
EYES HAIR SOCIAL SECURITY NUMBER DRIVER'S LICENSE NUMBER

a

a!!;!I RELATIONSHIP TO VICTIM: r PARENT/STEPPARENT r SIBLING r OTHR
RELATIVE r FRIENOIACQUAINTANCE r STRANGER

. AGE

r FEMALE·

I

Q. NAME: Last First Middle
AI<A 008 **Appro :.** r MALE RACE'

d

ADDRESS Street Oily

IStale IZip Coda HGT I WGT IEYES I HAIR ISOCIAL SECURITY NUMBER
IDRIVER'S LICENSE NUMBER

RELATIONSHIP TO VICTIM: r PARENTfSTEPPARENT r SIBLING r OTHER
RELATIVE j FRIEND/ACQUAINTANCE r STRANGER

AGE

NAME: Last Firat
Middle DOB **Approx.** r MALE RACE'
r FEMALE

NAME: LasI First
Middle COB **Apptot.** r MALE RACE'

I

AGE
r FEMALE

NAME: Lest Firat
Mlddla DOS Apptox, r MALE RACE'

AGE

r

r FEMALE
NAME: Last Flr&t
Middle COB AppiOl. MALE RACE'

AGE

r FEMALE

• RACE
CODES:
FOR DOJ USE ONLY

W•Whlta D • Cambodian

c

B·Biack G

•Guamanian
R
H·Hiapanla U·Hawallan

I·Amartcan Indian K·Korean

F ·filipino
L·LaoUan
N

P.Paclnc lalandar S·Samoan

J • Japanaao D·Other

C·Chlnaae V
• Vlatnamaao
A
A·Othor Aalan K·Unknown r CHECK HERE IF ADDITIONAI.SHEET(S) ATTACHED G

z • Allan
Indian
y

ATTACHMENT #1

Date URN No: Report Date:

Name

Address

City, State Zip code

Dear .....:

The Los Angeles County Sheriff's Department (LASD), Special Victims Bureau, recently completed an investigation of suspected child abuse in which you were named as a suspect in the case. Pursuant to California Penal Code (PC) section 11169(b), you are hereby notified that this information has been reported to the California Department of Justice (CA DOC), and your name is being placed on the Child Abuse Central Index (CACI).

The CACI contains information from investigative reports of suspected child abuse submitted by child protective agencies. This information is accessed only by authorized personnel of a law enforcement agency, probation department, county welfare agency, and district attorney's office when conducting investigations of suspected child abuse. Court investigators and licensing agency personnel also access the CACI when screening individuals for child placement, licensing, or employment positions having care or custody of children.

The records in CACI are not subject to Public Records Act and therefore are not released to any other person or entity. The LASD is responsible for the accuracy, completeness, and retention of this report pursuant to California law.

If you believe that the classification should be "Unfounded" as defined in PC section 11165.12(a): "a *report which is determined by the investigator who conducted the investigation to be false, to be inherently improbable, to involve an accidental injury, or not to constitute child abuse or neglect, as defined in section 11165.6",* and desire a review of the case, a copy of all connected reports (which are redacted to maintain confidentiality as required by law) will be provided to you. Please provide the operations lieutenant with any materials and/or documents that you feel are needed and should be included for our review of your case.

Please address your request to Lieutenant John Adams, CACI Review, LASD, SVB, 11515 S. Colima Road, D106, Whittier, California 90604-2800. Lieutenant Adams may be reached at (562) 946-8232.

Sincerely,

ROBERT G. LUNA, SHERIFF

Richard Ruiz, Captain

Special Victims Bureau

ATTACHMENT #2

Date URN No: Report Date:

To the Parents or legal guardian of XXXXXXXXX Address

City, State Zip code

Dear Parents:

The Los Angeles County Sheriff's Department (LASD), Special Victims Bureau, recently completed an

investigation of suspected child abuse in which your son/daughter, [full name], was named as a subject in the case. Pursuant to California Penal Code section 11169(b), your son/daughter must be notified that this information has been reported to the California Department of Justice (CA DOC), and that his/her name is being placed on the Child Abuse Central Index (CACI).

California law requires law enforcement agencies to notify the individual, regardless of age, of their name being placed on the CACI. Although law enforcement agencies have this legal requirement, under these circumstances however, I feel that it is best that you, as the parent, make this notification to your son/daughter. As difficult as this task may be, he/she has a legal right to know that his/her name is being placed on the CACI. Therefore, please inform your son/daughter of the contents of this letter.

The CACI contains information from investigative reports of suspected child abuse submitted by child protective agencies. This information is accessed only by authorized personnel of a law enforcement agency, probation department, county welfare agency, and district attorney's office when conducting investigations of suspected child abuse. Court investigators and licensing agency personnel also access the CACI when screening individuals for child placement, licensing, or employment positions having care or custody of children. The records in CACI are not subject to Public Records Act and therefore are not released to any other person or entity. The LASD is responsible for the accuracy, completeness, and retention of this report pursuant to California law.

If you or your son/daughter believe that the classification should be "Unfounded" as defined in Penal Code section 11165.12(a): "a *report which is determined by the investigator who conducted the investigation to be false, to be inherently improbable, to involve an accidental injury, or not to constitute child abuse or neglect, as defined in section 11165.6'* and desire a review of the case, a copy of all connected reports (which are redacted to maintain confidentiality as required by law) will be provided to you or your son/daughter. Please provide the operations lieutenant with any materials and/or documents that you or your son/daughter feels are needed and should be included for our review of the case.

Please address your request to Lieutenant John Adams, CACI Review, LASD, SVB, 11515 S. Colima Road, D106, Whittier, California 90604-2800. Lieutenant Adams may be reached at (562) 946-8232

Sincerely,

ROBERT G. LUNA, SHERIFF

Richard Ruiz, Captain

Special Victims Bureau

ATTACHMENT #3

Date: Report Number:

Name: Address:

City, State, zip code

Dear

The Los Angeles County Sheriff's Department (LASD), Special Victims Bureau (SVB), received your [your client's] request for our agency to review your [your client's] case for the purpose of removing your [your client's] name from the California Department of Justice (CA DOJ); Child Abuse Central Index (CACI).

California Penal Code section 11165.12, defines three classifications, as listed below. Law enforcement agencies must determine which classification best represents the facts of a case of an individual who was investigated for being suspected of or has committed an act of child abuse or severe neglect. The decision to place an individual on the CACI is guided by the parameters established by the CA DOJ. That decision is separate and independent of any charges filed against an individual, or the case being rejected. Also, the

outcome of a court trial is not a factor in that decision.

Lieutenant John Adams has reviewed the case file and any documentation {reports, evidence, and/or material) that you [your client] may have submitted to our agency for consideration. He has submitted his findings and recommendations to me. I have reviewed your (your client's} case and concluded that the below marked classification best represents the findings of the case.

0 Unfounded: "means a report that is determined by the investigator who conducted the Investigation to be false, to be inherently improbable, to involve an accidental injury, or not to constitute child abuse or neglect, as defined in Section 11165.6."

0 Substantiated: "means a report that is determined by the investigator

who conducted the investigation to constitute child abuse or neglect, as

defined in Section 11165.6, based upon evidence that makes it more likely than not that child abuse or neglect, as defined, occurred."

0 Inconclusive: "means a report that is determined by the investigator who conducted the investigation not.to be unfounded, but the findings are inconclusive and there is insufficient evidence to determine whether child abuse or neglect, as defined in Section 11165:6, has occurred."

The decision to keep your [you client's] name on the CACI with the classification of "substantiated/inconclusive" was based on the victim's statements, investigative findings of this case, and any additional evidence that you [your client] may have provided for this review.

If your [your client] would like to discuss the case further, please [have your client] contact Lieutenant John Adams at (562) 946-8232, to schedule a hearing. He will provide you [your client] with the details as to its format.

Sincerely,

ROBERT G. LUNA, SHERIFF

Richard Ruiz, Captain

Special Victims Bureau

ATTACHMENT #4

FOR ATTORNEY

Date: Report Number:

Name: Address:

City, State, zip code

Dear·

The Los Angeles County Sheriff's Department (LASD), Special Victims Bureau (SVB), received your (your client's] request for our agency to review your (your client's] case for the purpose of removing your [his/her] name from the California Department of Justice (CA DOJ), Child Abuse Central Index (CACI).

California Penal Code (PC) section 11165.12, defines three classifications, as listed below: Law enforcement agencies must determine which classification best represents the facts of a case of an individual who was investigated for being suspected of, or has committed an act of child abuse or severe neglect. The decision to place an individual on the CACI is guided by the parameters established by the CA DOJ. That decision is separate and independent of any charges filed against an individual or the case being rejected. Also, the outcome of a court trial is not a factor in that decision.

Lieutenant John Adams has reviewed the case file and any documentation (reports, evidence, and/or material) that you [your client] may have submitted to our agency for consideration. He has submitted his

findings and recommendations to me. I have reviewed your [your client's] case and concluded that the below marked classification best represents the findings of your [your client's] case.

0 Unfounded: “means a report that is determined by the investigator who conducted the investigation to be false, to be inherently improbable, to involve an accidental injury, or not to constitute child abuse or neglect, as defined in Section 11165.6."

0 Substantiated: "means a report that is determined by the investigator

who conducted the investigation to constitute child abuse or neglect, as

defined In Section 11165.6, based upon evidence that makes It more likely than not that child abuse or neglect, as defined, occurred."

0 Inconclusive: "means a report that is determined by the investigator who conducted the investigation not to be unfounded, but the findings are inconclusive and there is insufficient evidence to determine whether child abuse or neglect, as defined in Section 11165.6, has occurred."

The classification of "substantiated" has been changed to "inconclusive/ unfounded." This decision was based on the victim's statement, Investigative findings of this case, and any additional evidence that you [your client] may have provided for this review. As a result of this change of classification, your name [your client's name] will remain [will be removed from the CACI forthwith.] on the CACI for ten years instead of permanently.

If you [your client] would like to discuss your case further, please [have your client] contact Lieutenant John Adams at (562) 946-8232 to schedule a hearing. He will provide you [your client] with the details as to its format.

Should you have any questions, please contact Lieutenant John Adams at

(562) 946-8232.

Sincerely,

ROBERT G. LUNA, SHERIFF

Richard Ruiz, Captain

Special Victims Bureau

ATTACHMENT #5

• 0023 - CHILD ABUSE INDEX PROCESS ATTACHMENTS

STATE OF CALIFORNill' BCIA8583 •

(o g.6/DS:rev 3108)

DEPARTMENT OF JUSTICE

CHILD ABUSE OR SEVERE NEGLECT INDEXING FORM

r INITIAI.REPORT

To be completed bY SubmlltlnChild Protective Agency pursuant to PenalCode section11169

I

r AMENDED REPORT (attach copy of originalBCIA 8583. Complete sections A,c,and all other applicable fields)

i I I

(!I SUBMITIING AGENCY (Enter collljllole """" and check lypo) r
POLICE r WELFARE AGENCY REPORT NUMBER/CASE.NAME
z r SHERIFF r PROBATION

I

AGENCY ADDRESS Street
CIIY Stale Zip Code

Ill (!I

;)< NAME OF SUBMITIING PARTY TITLE

Y TELEPHONE

.(

ilDATE OF REPORT The finding that allegations of child abuse or severe neglect are not unfounded Is: (Check *onlv* one box)

AGENC

r SUBSTANTIATED (Penll Ccda ..c an 111S5.12(b)) r INCONCLUSIVE (PonoiCocluocllcn 11165.10:Z(o))

0 DATE OF INCIDENT TYPE OF ABUSE r PHYSICAL INJURY r MENTAL/EMOTIONAL SUFFERING r SEXUAL ABUSE, ASSAULT,EXPLOITATION

m•ua.;.

(Cheak ana or mote)

r SEVERE NEGLECT r 'MLLFUL HARMING/ENDANGERMENT r.UNLA'M'UL CORPORAL PUNISHMENT OR INJURY

li:

OoglnalAgency Report Numbar/Case Nama: Dale of Incident: Type of Abuse:

r CHANGED TO INCONCLUSIVE r ADDEO ADDITIONAL INFORMATION

ll

r CHANGED TO SUBSTANTIATED r CORRECTED REPORT INFORMATION

r NOWUNFOUNOEO r UNDERLYING INVESTIGATIVE FILE NO LONGER AVAILABLE

wu..

<::EZ-

u Comment

NAME: Lest Firat Middle
AKA DOB ApproK. r MALE RACE'

AGE r FEMALE

DID VICTIM'S INJURIES RESULT IN DEATH? IS VICTIM

DEVELOPMENTALLY·DISABLED (4512(a) W&I)7

rYES r NO r UNKNOWN rYES r NO r UNKNOWN

§: NAME: Last · First Middle
AKA COB **Approx.** r MALE RACE'

AGE r

b OID VICTIM'S INJURIES RESULT IDEATH? IS VICTIM DEVELOPMENTALLY DISABLED (4512(a) W&I)7

5 rYES r NO r UNKNOWN rYES r NO r UNKNOWN

FEMALE

AGE

NAME: Last .First Middle
AKA COB 1\JJprOl(. r MALE RACE'

DID VICTIM'S INJURIES RESULT IN DEATH? IS VICTIM DEVELOPMENTALLY DISABLED (4512(8) W&I)7

rYES r NO r UNKNOWN rYES r NO r UNKNOWN

r FEMALE

NAME: Last First Middle
AKA COB ApPfOll. r MALE RACE'

i I I I I I I

AGE r FEMALE
ADDRESS Street City rtate J2lpCode HGT WGT
EYES HAIR SOCIAL SECURITY NUMBER DRIVER'S LICENSE NUMBER

a

a!!;!I RELATIONSHIP TO VICTIM: r PARENT/STEPPARENT r SIBLING r OTHR
RELATIVE r FRIENOIACQUAINTANCE r STRANGER

. AGE

r FEMALE·

I

Q. NAME: Last First Middle
AI<A 008 **Appro :.** r MALE RACE'

d

ADDRESS Street Oily

IStale IZip Coda HGT I WGT IEYES I HAIR ISOCIAL SECURITY NUMBER
IDRIVER'S LICENSE NUMBER

RELATIONSHIP TO VICTIM: r PARENTfSTEPPARENT r SIBLING r OTHER
RELATIVE j FRIEND/ACQUAINTANCE r STRANGER

AGE

NAME: Last Firat
Middle DOB **Approx.** r MALE RACE'
r FEMALE

NAME: LasI First
Middle COB **Apptot.** r MALE RACE'

I

AGE
r FEMALE

NAME: Lest Firat
Mlddla DOS Apptox, r MALE RACE'

AGE

r

r FEMALE
NAME: Last Flr&t
Middle COB AppiOl. MALE RACE'

AGE

r FEMALE

• RACE
CODES:
FOR DOJ USE ONLY

W•Whlta D • Cambodian

c

B·Biack G
•Guamanian
R
H·Hiapanla U·Hawallan

I·Amartcan lndian K·Korean

F ·filipino
L·LaoUan
N

P.Paclnc lalandar S·Samoan

J • Japanaao D·Other

C·Chlnaae V
• Vlatnamaao
A
A·Othor Aalan K·Unknown r CHECK HERE lF ADDITIONAl.SHEET(S) ATTACHED G

z • Allan
lndian
y

ATTACHMENT #1

Date URN No: Report Date:

Name

Address

City, State Zip code

Dear .....:

The Los Angeles County Sheriff's Department (LASD), Special Victims Bureau, recently completed an investigation of suspected child abuse in which you were named as a suspect in the case. Pursuant to California Penal Code (PC) section 11169(b), you are hereby notified that this information has been reported to the California Department of Justice (CA DOC), and your name is being placed on the Child Abuse Central Index (CACI).

The CACI contains information from investigative reports of suspected child abuse submitted by child protective agencies. This information is accessed only by authorized personnel of a law enforcement agency, probation department, county welfare agency, and district attorney's office when conducting investigations of suspected child abuse. Court investigators and licensing agency personnel also access the CACI when screening individuals for child placement, licensing, or employment positions having care or custody of children.

The records in CACI are not subject to Public Records Act and therefore are not released to any other person or entity. The LASD is responsible for the accuracy, completeness, and retention of this report pursuant to California law.

If you believe that the classification should be "Unfounded" as defined in PC section 11165.12(a): "a *report which is determined by the investigator who conducted the investigation to be false, to be inherently improbable, to involve an accidental injury, or not to constitute child abuse or neglect, as defined in section 11165.6",* and desire a review of the case, a copy of all connected reports (which are redacted to maintain confidentiality as required by law) will be provided to you. Please provide the operations lieutenant with any materials and/or documents that you feel are needed and should be included for our review of your case.

Please address your request to Lieutenant John Adams, CACI Review, LASD, SVB, 11515 S. Colima Road, D106, Whittier, California 90604-2800. Lieutenant Adams may be reached at (562) 946-8232.

Sincerely,

ROBERT G. LUNA, SHERIFF

Richard Ruiz, Captain

Special Victims Bureau

ATTACHMENT #2

Date URN No: Report Date:

To the Parents or legal guardian of XXXXXXXXX Address

City, State Zip code

Dear Parents:

The Los Angeles County Sheriff's Department (LASD), Special Victims Bureau, recently completed an investigation of suspected child abuse in which your son/daughter, [full name], was named as a subject in the case. Pursuant to California Penal Code section 11169(b), your son/daughter must be notified that this information has been reported to the California Department of Justice (CA DOC), and that his/her name is being placed on the Child Abuse Central Index (CACI).

California law requires law enforcement agencies to notify the individual, regardless of age, of their name being placed on the CACI. Although law enforcement agencies have this legal requirement, under these circumstances however, I feel that it is best that you, as the parent, make this notification to your son/daughter. As difficult as this task may be, he/she has a legal right to know that his/her name is being placed on the CACI. Therefore, please inform your son/daughter of the contents of this letter.

The CACI contains information from investigative reports of suspected child abuse submitted by child protective agencies. This information is accessed only by authorized personnel of a law enforcement agency, probation department, county welfare agency, and district attorney's office when conducting investigations of suspected child abuse. Court investigators and licensing agency personnel also access the CACI when screening individuals for child placement, licensing, or employment positions having care or custody of children. The records in CACI are not subject to Public Records Act and therefore are not released to any other person or entity. The LASD is responsible for the accuracy, completeness, and retention of this report pursuant to California law.

If you or your son/daughter believe that the classification should be "Unfounded" as defined in Penal Code section 11165.12(a): "a *report which is determined by the investigator who conducted the investigation to be false, to be inherently improbable, to involve an accidental injury, or not to constitute child abuse or neglect, as defined in section 11165.6'*and desire a review of the case, a copy of all connected reports (which are redacted to maintain confidentiality as required by law) will be provided to you or your son/daughter. Please provide the operations lieutenant with any materials and/or documents that you or your son/daughter feels are needed and should be included for our review of the case.

Please address your request to Lieutenant John Adams, CACI Review, LASD, SVB, 11515 S. Colima Road, D106, Whittier, California 90604-2800. Lieutenant Adams may be reached at (562) 946-8232

Sincerely,

ROBERT G. LUNA, SHERIFF

Richard Ruiz, Captain

Special Victims Bureau

ATTACHMENT #3

Date: Report Number:

Name: Address:

City, State, zip code

Dear

The Los Angeles County Sheriff's Department (LASD), Special Victims Bureau (SVB), received your [your client's] request for our agency to review your [your client's] case for the purpose of removing your [your client's] name from the California Department of Justice (CA DOJ); Child Abuse Central Index (CACI).

California Penal Code section 11165.12, defines three classifications, as listed below. Law enforcement

agencies must determine which classification best represents the facts of a case of an individual who was investigated for being suspected of or has committed an act of child abuse or severe neglect. The decision to place an individual on the CACI is guided by the parameters established by the CA DOJ. That decision is separate and independent of any charges filed against an individual, or the case being rejected. Also, the outcome of a court trial is not a factor in that decision.

Lieutenant John Adams has reviewed the case file and any documentation {reports, evidence, and/or material) that you [your client] may have submitted to our agency for consideration. He has submitted his findings and recommendations to me. I have reviewed your (your client's} case and concluded that the below marked classification best represents the findings of the case.

0 Unfounded: "means a report that is determined by the investigator who conducted the Investigation to be false, to be inherently improbable, to involve an accidental injury, or not to constitute child abuse or neglect, as defined in Section 11165.6."

0 Substantiated: "means a report that is determined by the investigator

who conducted the investigation to constitute child abuse or neglect, as

defined in Section 11165.6, based upon evidence that makes it more likely than not that child abuse or neglect, as defined, occurred."

0 Inconclusive: "means a report that is determined by the investigator who conducted the investigation not.to be unfounded, but the findings are inconclusive and there is insufficient evidence to determine whether child abuse or neglect, as defined in Section 11165:6, has occurred."

The decision to keep your [you client's] name on the CACI with the classification of "substantiated/inconclusive" was based on the victim's statements, investigative findings of this case, and any additional evidence that you [your client] may have provided for this review.

If your [your client] would like to discuss the case further, please [have your client] contact Lieutenant John Adams at (562) 946-8232, to schedule a hearing. He will provide you [your client] with the details as to its format.

Sincerely,

ROBERT G. LUNA, SHERIFF

Richard Ruiz, Captain

Special Victims Bureau

ATTACHMENT #4

FOR ATTORNEY

Date: Report Number:

Name: Address:

City, State, zip code

Dear·

The Los Angeles County Sheriff's Department (LASD), Special Victims Bureau (SVB), received your (your client's] request for our agency to review your (your client's] case for the purpose of removing your [his/her] name from the California Department of Justice (CA DOJ), Child Abuse Central Index (CACI).

California Penal Code (PC) section 11165.12, defines three classifications, as listed below: Law enforcement agencies must determine which classification best represents the facts of a case of an individual who was investigated for being suspected of, or has committed an act of child abuse or severe neglect. The decision to place an individual on the CACI is guided by the parameters established by the CA DOJ. That decision is separate and independent of any charges filed against an individual or the case being rejected. Also, the outcome of a court trial is not a factor in that decision.

Lieutenant John Adams has reviewed the case file and any documentation (reports, evidence, and/or material) that you [your client] may have submitted to our agency for consideration. He has submitted his findings and recommendations to me. I have reviewed your [your client's] case and concluded that the below marked classification best represents the findings of your [your client's] case.

0 Unfounded: “means a report that is determined by the investigator who conducted the investigation to be false, to be inherently improbable, to involve an accidental injury, or not to constitute child abuse or neglect, as defined in Section 11165.6."

0 Substantiated: "means a report that is determined by the investigator

who conducted the investigation to constitute child abuse or neglect, as

defined In Section 11165.6, based upon evidence that makes It more likely than not that child abuse or neglect, as defined, occurred."

0 Inconclusive: "means a report that is determined by the investigator who conducted the investigation not to be unfounded, but the findings are inconclusive and there is insufficient evidence to determine whether child abuse or neglect, as defined in Section 11165.6, has occurred."

The classification of "substantiated" has been changed to "inconclusive/ unfounded." This decision was based on the victim's statement, Investigative findings of this case, and any additional evidence that you [your client] may have provided for this review. As a result of this change of classification, your name [your client's name] will remain [will be removed from the CACI forthwith.] on the CACI for ten years instead of permanently.

If you [your client] would like to discuss your case further, please [have your client] contact Lieutenant John Adams at (562) 946-8232 to schedule a hearing. He will provide you [your client] with the details as to its format.

Should you have any questions, please contact Lieutenant John Adams at

(562) 946-8232.

Sincerely,

ROBERT G. LUNA, SHERIFF

Richard Ruiz, Captain

Special Victims Bureau

ATTACHMENT #5