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

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

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

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AGENCY ADDRESS Street
CIIY Stale Zip Code

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;)< NAME OF SUBMITIING PARTY TITLE

Y TELEPHONE

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

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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

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(Cheak ana or mote)

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

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

r CHANGED TO INCONCLUSIVE r ADDEO ADDITIONAL INFORMATION

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r CHANGED TO SUBSTANTIATED r CORRECTED REPORT INFORMATION

r NOWUNFOUNOEO r UNDERLYING INVESTIGATIVE FILE NO LONGER AVAILABLE

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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'

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

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FEMALE

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

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

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Q. NAME: Last First Middle
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ADDRESS Street Oily

lStale lZip Coda HGT I WGT IEYES I HAIR lSOCIAL 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
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NAME: Lest Firat
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FOR DOJ USE ONLY

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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 lndex (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