

Assembly California Legislature



BRIAN MAIENSCHIN **ASSEMBLYMAN, SEVENTY-SEVENTH DISTRICT** **AB 1001 – Fact Sheet**

Background

Thousands of reports are made across the state annually citing reasonable suspicion or knowledge of child abuse. In Orange County, the Orange County Social Services Agency reported receiving over 46,000 reports of suspected child abuse in 2014 alone, with over 18,000 of those reports listed as first incidents, and 87 percent of reports initiated by mandated reporters.

Mandated reporters are required to report reasonable suspicion or knowledge of any of the following child abuse or neglect offenses, perpetrated by any person (including another child) as defined by the California Penal Code: non-accidental physical injury; sexual abuse, assault, and exploitation; willful harm, injury, endangerment; cruel or inhuman corporal punishment resulting in a traumatic condition; neglect of a child.

California law makes mandated reporting an individual duty. Mandated reporters are required to report any suspected case of child abuse or neglect with reasonable suspicion or knowledge, even if the mandated reporter's supervisor disagrees. Further, the supervisor is prohibited from interfering with or inhibiting the mandated report, punishing or firing the employee.

Mandated reporting of child abuse and neglect is a critical system designed to protect our state's most vulnerable children. However, social workers who work for private, non-profit foster family agencies ("FFAs") and one teacher have confidentially reported to the Children's Advocacy Institute at the University of San Diego School of Law that supervisors at FFAs will override mandated reporting.

This Bill

AB 1001 will amend Penal Code section 11166, clarifying the code to impose consequences on these violators who imperil the lives of children by interfering with mandated reporting principles.

AB 1001 creates a misdemeanor for any person who interferes with or impedes a report from being made, punishable by up to six months in county jail and/or a fine of one thousand dollars (\$1,000).

Mandated reporters should have a clear path to reporting and eliminating child abuse and neglect without interference. AB 1001 will allow for punishment of those who make this impossible, improving our chance at identifying and eliminating child abuse within our state.

Contacts

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