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Evolving from Mandated Reporter to Mandated Supporter

The Los Angeles County Department of Children and Family Services (DCFS) receives an average of 16,000 reports of alleged child abuse and neglect each month. These reports are received by the DCFS Child Protection Hotline (Hotline) where trained social workers determine whether the report should be “screened out” or warrants opening an investigation. The largest category of reports made to the Hotline are made by professionals, such as educators, law enforcement, medical staff, and others, who are required, by law, to report suspected abuse or neglect to the Hotline—also known as Mandated Reporters. Although Mandated Reporters make up the largest category of reporters, only a mere fraction of their reports are determined to be substantiated occurrences of maltreatment.

In 2022, 82.5% of all reports of suspected child abuse and neglect made to the Hotline were made by Mandated Reporters, but only 16% were determined to be

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substantiated following an investigation by DCFS¹. General neglect, which is the broadest and most subjective maltreatment allegation, was alleged in 39% of all reports². Although a large volume of reports from Mandated Reporters are screened in by the Hotline, the variance between the high percentage of allegations made and relatively low percentage of allegations substantiated is notable. Understanding and addressing this issue requires exploration of the contributing factors and consideration of how more families can be safely referred to community-based services and support at the Hotline level. This will involve building on the tremendous strides that have already been made in recent years to connect families in need to services through the DCFS Community Prevention Linkages/Hotline to Helpline program.

While mandated reporting is intended to protect children from abuse and neglect, the current state of practice results in the child welfare system's oversurveillance and harm of marginalized communities of color. This has the potential to increase child and family vulnerability, the opposite of the intended consequence. Mandated reporting can overburden the system with families who do not require an intervention from the child welfare system but may benefit from community-based services and supports to meet their needs. Interactions and involvement with the child welfare system can be, and are for many, a source of active harm, even when no child maltreatment is found. Child welfare system oversurveillance unnecessarily subjects families to invasive, often traumatic investigations that effectively serve to compound any stressors they may already be experiencing. Further, unnecessary DCFS investigations chip away at the critical protective factors that help to ensure child safety by disrupting trusting

¹ Available at California Child Welfare Indicators Project: <https://ccwip.berkeley.edu/>

² Ibid.

relationships, which can cause a family to isolate and avoid seeking help or support in times of need.

Mandatory reporting is also a key driver of racial disproportionality into the child welfare system. Despite only comprising 7.7% of Los Angeles County's child population, Black children are the subject of 19% of all reports made to the Hotline³. Black children are the focus of 19% of all investigations conducted by DCFS, and the racial disproportionality continues to deepen along the child welfare services continuum. Black children comprise 27% of the Los Angeles County foster care population on any given day and are roughly 38% of all youth who age out of the foster care system without achieving permanency⁴. Black youth who age out of the foster care system go on to be disproportionately represented in homelessness, the criminal justice system, and as parents with child welfare system involvement.

The Commission for Children and Families, in partnership with a growing coalition of stakeholders, has been leading local efforts to transform LA County from a system of mandated reporting to mandated **supporting**. This has involved engagement with local mandated reporters, review of an array of mandated reporter training curricula, and deep immersion in related literature and best practices. These efforts have revealed that there are a myriad of factors that contribute to the wide gap between the high percentage of reports of suspected abuse and neglect made by Mandated Reporters and the low rates of allegations that are determined to be substantiated. A Mandated Reporter's fear of personal and organizational liability that is reinforced by policy, training, and legislation, is a driving factor in the decision to report suspected maltreatment. Surprisingly, there is

³ Ibid.

⁴ Ibid.

no standardized mandated reporter training in LA County and as a result, the content and quality of existing training varies significantly. Existing mandated reporter training fails to adequately educate reporters on child abuse and neglect and does not provide the concrete guidance needed to make sound reporting decisions, including how to distinguish poverty from neglect. The decision to report suspected maltreatment is influenced by personal biases-both implicit and explicit, based on race and socioeconomic status. Finally, the decision to report a family to the Hotline is often due to Mandated Reporters having insufficient access to alternative, community-based supportive options for families who are in need, but do not require an intervention by DCFS.

Mandatory reporting reform is gathering momentum throughout the state. In its [2021 annual report](#), the California Citizen's Review Panel recommended that mandated reporting in the state be "redesigned". In 2022, the California Department of Social Services Office of Child Abuse Prevention commissioned and funded the report, [*Creating a Child & Family Well-Being System: A Paradigm Shift from Mandated Reporting to Community Supporting*](#) to inform counties and community stakeholders about strategies to move to a new paradigm with regard to mandatory reporting. On January 1, 2023, AB 2085, which limits reportable general neglect to only include circumstances where the child is at substantial risk of suffering serious physical harm or illness and provides that general neglect does not include a parent's economic disadvantage, went into effect. In March 2023, the California Child Welfare Council established the *Mandated Reporting to Community Supporting Task Force*, to provide guidance and actionable recommendations to reform the mandated reporting system statewide. These efforts, including the shift of calling Mandated Reporters Mandated Supporters, are reforming

how we think about the mandated reporting system. These reforms are focused on building a system that supports children and families, providing community-based services and supports where possible while still prioritizing the health and safety of children.

As Los Angeles County continues the work to further develop and bolster its prevention and promotion infrastructure, as well as nascent efforts to become a child and family well-being system, mandatory reporting reform must be an unequivocal priority. Given the existing work the County's Commission for Children and Families and partners have led in this area, the County should look to this body to lead and expand this work.

WE, THEREFORE, MOVE that the Board of Supervisors direct the Executive Director of the Commission for Children and Families to work in partnership with the Department of Children and Family Services (DCFS) and the Office of Child Protection (OCP) to build on its existing Mandated Supporting Initiative to engage local stakeholders and bring on national subject matter experts to provide a progress report in 180-days to:

1. Provide quantitative and qualitative data trends on who is calling the DCFS' Child Protection Hotline (Hotline), the reasons why, and any other relevant information that will help understand why Mandated Reporters are calling the Hotline, including demographic breakdown;
2. Develop decision-making processes to help improve Mandated Reporters' capacity to make more accurate, consistent, and equitable decisions about whether or not to report to the Hotline, or to connect the family to community-based resources;
3. Expedite the development of guidance and policies to operationalize AB 2085

Crimes: mandated reporters at the Hotline and with reporting organizations;

4. Establish and build community pathways and supports to connect families who are in need, but do not require Department of Children and Family Services (DCFS) intervention in alignment with other community pathway work underway in the County:
 - a. This should include exploration of piloting promising and innovative approaches involving law enforcement, healthcare providers, and educators, and enhancing through capacity-building new or existing community supports;
 - b. Explore sustainable funding opportunities for this ongoing work;
5. Create a standardized County Mandated Supporter training and training guidelines;
6. Develop recommendations for further redesign of the front end of the County's child welfare system that align with the vision for mandated reporting reform and the broader effort to safely meet the needs of families through the provision of community-based services and supports and reduce overreliance on the child welfare system.
7. Draft policy ideas and recommendations informed by nationwide and statewide best practices, including efforts of the California Child Welfare Council's task force on mandatory reporting, for long-term sustainable statewide and local reform efforts related to Mandated Supporters;
8. Include recommendations for the ongoing Mandated Supporter work to continue, as well as its long-term placement and funding within the County's infrastructure.
9. Ensure that adequate workforce support and funding is made available to the

Commission for Children and Families to carry out the Board's directives.

WE, FURTHER, MOVE:

The Executive Director of the Commission for Children and Families to work in close collaboration with a broad array of stakeholders to achieve the above-described goals and directives, including:

- a) Relevant County departments, initiatives, and quasi-governmental agencies, including but not limited to, the Department of Children and Family Services, Office of Child Protection, Department of Youth Development, Los Angeles County Sheriff's Department, Los Angeles County Office of Education, Department of Health Services, Department of Public Health, Department of Mental Health, Department of Public Social Services, Interagency Council on Child Abuse and Neglect, Domestic Violence Council, Women and Girls Initiative, the Poverty Alleviation Initiative, Center for Strategic Partnerships, Chief Information Office, Chief Executive Office, First 5 LA, Prevention Services Task Force, The Office of County Counsel, Family First Prevention Services Act Community Pathways Planning Team, and Pre-Petition Legal Advocacy Planning Team;
- b) Non-County organizations, including school districts, law enforcement agencies, medical providers, community-based organizations, labor partners, philanthropy; advocates and stakeholders with lived experience and expertise;
- c) The California Child Welfare Council's task force on mandatory reporting.