

COUNTY OF HUMBOLDT
DEPARTMENT OF HEALTH AND HUMAN SERVICES
CHILD WELFARE SERVICES

POLICY & PROCEDURE

POLICY NUMBER: CWS 18-02	POLICY TITLE: Cross-Reporting	EFFECTIVE DATE: 11/09/2018
PROGRAM(S): All Programs	REVISION DATES: 09/20/2022, 02/22/2024	REFERENCES: See page 11 for list of references

OVERVIEW

California’s Child Abuse and Neglect Reporting Act, Penal Code section 11164 et seq. (CANRA), is the state’s “mandatory reporting” law that functions as the gateway to identifying potential victims of child abuse and neglect. The purpose of CANRA is to protect children by mandating the reporting of child abuse and neglect and ensuring the investigation of every report through increased communication and information sharing among child protective agencies.

Child protective agencies including local child welfare and law enforcement agencies are required to accept all such reports and ensure that every single one (regardless whether the reporter is “mandated” or not) is screened, cross-reported, coordinated and investigated in a timely manner.

Child Welfare Services (CWS) also cross-reports to the responsible licensing agency of the care provider (Community Care Licensing (CCL), Resource Family Approval Unit (RFA), and Foster Family Agency (FFA) all reports of physical, sexual, or emotional abuse, severe neglect and general neglect of children in out of home care.

The Indian Child Protection and Family Violence Prevention Act (25 U.S.C. Sec 3201 et seq.) mandates (1) greater coordination between law enforcement and child protection agencies serving Native children on tribal lands; and (2) improved reporting standards before and during investigations of alleged child abuse and neglect involving Native children on tribal lands. Section 3203 of the Act provides reporting procedures to ensure the cross-reporting of reports of the abuse and neglect of Native children on Tribal lands.

Pursuant to its responsibilities as defined by the Indian Child Welfare Act (ICWA) (25 U.S.C. Sec 1901 et seq), and by the Indian Child Protection and Family Violence Act (25 U.S.C. Sec 3201 et seq.); CWS makes a fundamental commitment to (1) increase access for American Indian/Alaska Native (AI/AN) families to tribal and Indian organization culturally based services; and (2) to ensure tribal participation in agency case planning, and court proceedings. (See 25 U.S.C. Sec 3203.) In addition to cross-reporting to agencies listed pursuant to CANRA, CWS makes continuous inquiry into Tribal ancestry and cross-reports allegations of child abuse immediately to the appropriate Tribe(s) when ancestry is discovered.

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The (CWS) policy regarding cross-reporting follows from California’s Child Abuse and Neglect Reporting Act (CANRA), the California Welfare and Institutions Code, Division 31 regulations, the Memorandum of Understanding (MOU) between the Humboldt County Sheriff and the Humboldt County Department of Health and Human Services, as well as the Indian Child Welfare Act (25 U.S.C. Sec 1901 et seq.), the Indian Child Protection and Family Violence Act (25 U.S.C. Sec 3201 et seq.) and any applicable government-to-government protocols. It is as follows:

It is the policy of Humboldt County CWS that screeners and investigating social workers cross-report all allegations of child abuse and neglect to the appropriate agencies to ensure timely response and intervention by the agency with jurisdiction, as soon as practically possible (not to exceed 24 hours). This policy covers cross-reporting responsibilities to local law enforcement, the District Attorney’s office, reports outside of Humboldt County’s jurisdiction, all Tribe(s) the child is enrolled or eligible for enrollment in and the responsible licensing agency of care providers (including: Community Care Licensing (CCL), Resource Family Approval Unit (RFA), Foster Family Agency (FFA), and Tribes that approved a Tribally Approved Home (TAH) when indicated).

It is the policy of Humboldt County CWS that all cross-reports received from law enforcement and other agencies are assessed for the appropriate response. CWS follows up on all cross-reports as necessary and implements procedures to review and track compliance with this policy, including procedures requiring supervisors to review responses, and procedures ensuring screening social workers create new referrals and import cross-reports into existing referrals as appropriate.

When appropriate, it is the policy of Humboldt County CWS that cross-reports received from LE and other agencies are further cross-reported by CWS to the appropriate agency or agencies (eg; CCL/RFA/FFA/Tribe).

CWS has a CANRA coordinator (Emergency Response Program Manager) who is responsible for overseeing cross-reporting and communicating about cross-reports with Tribes, District Attorney’s office, Humboldt County Sherriff’s Office (HCSO), other Law Enforcement agencies, and the responsible licensing agency of care providers (including: Community Care Licensing (CCL), Resource Family Approval Unit (RFA), Foster Family Agency (FFA), and Tribes that approved a Tribally Approved Home (TAH) when indicated).

PROCEDURE

1. General Cross-Reporting

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- 1.1. The California’s Child Abuse and Neglect Reporting Act (CANRA) coordinator (CWS Emergency Response Program Manager) and their designated supervisors are responsible for overseeing cross-reporting.
 - 1.1.1. The CANRA coordinator communicates with Tribes, District Attorney’s office, Humboldt County Sherriff’s Office (HCSO), other Law Enforcement (LE) agencies, and the responsible licensing agency of care providers (including: Community Care Licensing (CCL), Resource Family Approval Unit (RFA), Foster Family Agency (FFA), or Tribes that approved a Tribally Approved Home (TAH) to ensure cross-reporting is occurring).
 - 1.1.2. The CANRA coordinator reviews weekly reports that provide a summary of successful cross-reports and cross-reports requiring follow-up.
- 1.2. During the course of an investigation, Child Welfare Services (CWS) documents the status of LE’s investigation in “Child Welfare Services/Case Management System (CWS/CMS) Contacts”. All efforts made by the assigned social worker to obtain the status of LE’s investigation will be documented in CWS/CMS.
- 1.3. CWS cross-reports allegations of abuse and neglect involving Humboldt County Tribal children (and Humboldt County CWS Tribal children placed out of county) and documents all cross-reports to any Tribe(s) documented in the Screener Narrative. If no Tribes are identified at the time of the Screener Narrative, but a Tribe(s) are identified later, CWS cross-reports and documents the cross-reports to any Tribe(s) identified thereafter. The cross-report should be done within 24 hours.
- 1.4. For allegations of abuse and/or neglect of children in out of home care CWS cross-reports to the responsible licensing agency within 24 hours.

2. Procedure for cross-reporting referrals to Tribes

- 2.1. When CWS takes a report regarding a child that is or may be enrolled in a federally recognized Tribe located in Humboldt County:
- 2.2. CWS cross-reports as soon as practicably possible using the Tribes’ preferred method(s) of cross-reporting not to exceed one business day.
 - 2.2.1. If it is discovered that the report involves a caregiver of an approved Tribally Approved Home (TAH) that does not involve a dependent placement, CWS cross-reports as soon as practicably possible using the Tribes’ preferred method(s) of cross-reporting not to exceed one business day.
 - 2.2.2. After verification of enrollment (see Tribal Collaboration Policy # 18-11) the screening social worker will utilize the Tribal Cross-Reporting Application to send all referral documents to the specified Tribal email address (select the box of the Tribe you are cross-reporting to in the Tribe

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section of Tribal Cross-Reporting application). (Of note; there are 2 separate selections for the “Yurok Tribe” in the Tribe section of the Tribal Cross-Reporting Application; the selections are differentiated by type of document you are sending. Make sure to select the correct Yurok Tribe box. Follow the Tribal Cross-Reports user guide and Humboldt County Tribal Collaboration Contact Sheet).

- 2.2.3. For cross-reporting after business hours, the social worker will follow the Tribe’s preferred after-hours method for inquiry and verification of enrollment. After verification of enrollment, the social worker will cross-report utilizing the Tribal Cross-Reporting Application to send all referral documents to the specified Tribal email address (select the box of the tribe you are cross reporting to in the *Tribe Section* of Tribal cross-reporting app). The social worker will then send an email using the on-call script to ensure the Tribe knows the staff member to contact the following business day for continued collaboration.
- 2.2.4. The screening social worker provides the Tribe with information from the referral including;
 - 2.2.4.1. Family demographics
 - 2.2.4.2. Summary of information gathered
- 2.2.5. During the contact, the social worker gathers as much information as possible from the Tribe.
- 2.2.6. The screening social worker documents the conversation(s) in the Screener Narrative. Documentation shall include:
 - 2.2.6.1. Whether the contact was made.
 - 2.2.6.2. Confirmation that the social worker requested input from the Tribe.
 - 2.2.6.3. Complete description of the input provided by the Tribe.
 - 2.2.6.4. The date and time of such contact.

3. Procedure for cross-reporting referrals to Resource Family Approval (RFA):

- 3.1. When CWS receives a report regarding a child who is placed in out-of-home care in a Resource Family Approval (RFA) home, or regarding a Resource Parent as a perpetrator, the screening social worker immediately contacts the Humboldt CWS RFA unit and follows up within 36 hours by cross reporting via email to CWS-RFACrossReports@co.humboldt.ca.us and providing all required documentation.
 - 3.1.1. Documentation shall include:

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- 3.1.1.1. Suspected Child Abuse Report (SCAR)
 - 3.1.1.2. Screener Narrative
 - 3.1.1.3. Emergency Response Referral Document
 - 3.1.1.4. Information regarding Tribal affiliation cross reporting, and any other Tribal background information.
- 3.1.2. The screener completes a CWS/CMS search on the alleged perpetrator and lists all children and their dates of birth alleged to have been abused or neglected by him/her including dates and locations.
- 3.1.3. When a referral regarding a child in an RFA home is assigned for investigation, the ER investigating social worker collaborates with the assigned RFA social worker.
- 3.1.4. The investigating social worker takes immediate action as necessary to ensure the safety of the child and coordinates with the ongoing social worker, the Tribal social worker, and minor’s counsel as applicable.
- 3.1.5. See also: Structured Decision Making (SDM); Cross Reporting Referrals to Law Enforcement; Cross Reporting Referrals to Tribes; Emergency Placements.

4. Procedure for cross-reporting referrals to Community Care Licensing (CCL):

- 4.1. When CWS receives a report regarding a child who is placed in out-of-home care in a facility other than a Resource Family Approval (RFA) home or Tribally Approved Home (TAH), such as in a Foster Family Agency Home, or regarding the caregiver as a perpetrator, the screening social worker immediately cross reports to Community Care Licensing (CCL) and providing all required documentation.
- 4.1.1. Documentation shall include:
- 4.1.1.1. Suspected Child Abuse Report (SCAR)
 - 4.1.1.2. Screener Narrative
 - 4.1.1.3. Emergency Response Referral Document
 - 4.1.1.4. Information regarding Tribal affiliation cross reporting, and any other Tribal background information.

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- 4.1.2. The screener completes a CWS/CMS search on the alleged perpetrator and lists all children and their dates of birth alleged to have been abused or neglected by him/her including dates and locations.
- 4.1.3. The investigating social worker takes immediate action as necessary to ensure the safety of the child and coordinates with the ongoing social worker, the Tribal social worker, and minor’s counsel as applicable.
- 4.1.4. See also: Structured Decision Making (SDM); Cross Reporting Referrals to Law Enforcement; Cross Reporting Referrals to Tribes; Emergency Placements.

5. Procedure for cross-reporting referrals to Law Enforcement (LE)

- 5.1. When CWS takes a report regarding any allegations of physical, sexual, or emotional abuse, or severe neglect and/or exploitation the screening social worker immediately cross-reports to LE using the Electronic Cross-reporting system. (Allegations of general neglect are not cross-reported to LE. However, LE support may be utilized when there are identified safety concerns).
 - 5.1.1. The screener completes a CWS/CMS search on the alleged perpetrator and lists all children and their dates of birth alleged to have been abused or neglected by him/her including dates and locations to identify which LE agency has jurisdiction to investigate.
 - 5.1.2. The screener clearly documents the above information in the Screener Narrative and the Emergency Response Referral Document.
 - 5.1.3. The screening social worker completes the following documents to attach to the cross-report and saves these documents into the CMS/CWS database:
 - 5.1.3.1. Suspected Child Abuse Report (SCAR) (Form BCIA 8572): The screener will save the document to their desktop then import into CWS/CMS. It is important to double check the SCAR once it is generated to ensure the information has been entered into CWS/CMS regarding when and where the incident took place. If it is not present, the screener needs to add that information to the SCAR, at the bottom of the form before cross reporting. If this information is not there, law enforcement may return the cross report for modification.
 - 5.1.3.2. Screener Narrative
 - 5.1.3.3. Emergency Response Referral Document
 - 5.1.3.4. Cross-Report to Law Enforcement (LE)

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- 5.1.4. The screener enters the cross-report information in the cross-reporting tab in the CWS/CMS system, including the date, time and LE jurisdiction that received the cross report.
- 5.1.4.1. The social worker completes the cross-report in CWS/CMS by selecting “Suspected Child Abuse Report” from the drop-down menu.
- 5.1.5. In the event that LE is the Reporting Party (RP), the social worker shall still cross-report to LE to ensure they receive all documentation on the referral.
- 5.1.6. In all cases, the screener checks the District Attorney (DA) box in the cross-reporting tab in CMS/CWS to send the report to the District Attorney (Cross-reporting application automatically sends reports to the DA office when a cross report is submitted to LE).
- 5.1.7. The supervisor reviewing the referral checks the cross-reporting tab to ensure the screener documented the cross-report.
- 5.1.8. When reviewing the Screener Narrative, the supervisor verifies that the screener completed a CWS/CMS search on the alleged perpetrator and lists all required information and documented findings in the Screener Narrative and the Emergency Response Referral Document.
- 5.1.9. If the referral is assigned for investigation, the investigating social worker follows up with the LE agency to identify the assigned LE officer and to collaborate.
- 5.1.10. When the social worker requires a joint response (for both immediate response and 10-day response) the social worker calls LE dispatch to coordinate a joint response.

6. Procedures for coordinating investigations with Law Enforcement:

6.1. Physical Abuse (PA)

- 6.1.1. If the reporter indicates that there is forensic/medical evidence (bruises, broken bones, lesions/lacerations, etc.) or the social worker receives additional information that forensic/medical evidence exists, the social worker must coordinate their response with LE prior to interviewing the child.
- 6.1.1.1. CWS defers to LE’s requests regarding timing of their investigation. LE may request CWS respond first or vice versa. If LE requests CWS delay their response, the social worker is still responsible for contacting the child face-to-face within the mandated timeframe and should communicate to the LE officer the latest date allowable for their interview.

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6.1.2. If there is no forensic/medical evidence involved, the social worker, in consultation with their supervisor and LE, may decide to continue with the investigation by interviewing the child(ren), caregiver(s) and collaterals.

6.1.2.1. The investigating social worker shall remain in contact with the assigned LE officer during the course of the investigation and at the conclusion of it. The Social Worker (SW) shall document all efforts made in CWS/CMS.

6.1.2.2. If at any point, it appears that physical abuse has or may have occurred, the social worker shall contact the assigned LE officer and inform the responding deputy or officer of the evidence and information gathered. SW shall document all efforts made in CWS/CMS.

6.2. Sexual Abuse (SA)

6.2.1. The investigating social worker contacts LE to coordinate a field response. LE takes the lead on all SA investigations.

6.2.1.1. The LE timeframe for responding shall not prevent the SW from meeting the Division 31 mandate (response time) for the first face-to-face contact in the investigation.

6.2.1.2. At the conclusion of the investigating the social worker uses the electronic cross-reporting system to send closing referral cross-report to LE.

6.3. Emotional Abuse (EA)

6.3.1. The social worker shall collaborate with LE.

6.3.1.1. Timing of collaboration is at the discretion of the social worker and supervisor depending on the allegations, exigency (such as an actively psychotic, suicidal, and/or homicidal child and/or parent, current domestic violence occurring) and information that is gathered during the investigation.

6.3.1.2. If, at any point, it appears that emotional abuse has (or may have) occurred, the social worker immediately contacts LE.

6.3.1.2.1. The social worker informs the assigned deputy or officer of the evidence/information gathered.

6.3.1.2.2. At the conclusion of the investigation, the social worker uses the electronic cross-reporting system to send the closing referral cross-report to LE.

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6.4. Severe Neglect (SN)

6.4.1. If SN requires an immediate response, the social worker must collaborate with LE and any applicable Tribe.

6.4.1.1. The timing of collaboration with LE is at the discretion of the social worker and supervisor depending on the allegations and condition of the child(ren) (such as child is currently being hospitalized for inorganic failure to thrive due to severe neglect, extreme malnutrition, untreated chronic or acute medical condition, etc.).

6.4.1.2. The social worker follows the process for collaborative investigations with the applicable Tribe pursuant to CWS procedure and any applicable Tribal Protocols.

6.4.1.2.1. The social worker informs the assigned deputy or officer of the evidence/information gathered.

6.4.1.2.2. At the conclusion of the investigation the social worker uses the electronic cross-reporting system to send closing referral cross-report to LE.

6.4.2. If the allegations are substantiated, the social worker generates a Child Abuse or Severe Neglect Indexing Form (Form BICA 8583) and transmits the form must also be generated in the Cross-report section of CWS/CMS and sent to the Department of Justice (DOJ).

6.4.2.1. See [Tribal Protocols](#)

6.4.2.2. [Procedures for closing cross reports to LE:](#)

6.4.2.3. At the conclusion of the investigation the social worker uses the electronic cross-reporting system to send the closing referral cross-report to LE. The investigating social worker completes the following documents to attach to the cross-report and saves these documents into the CMS/CWS database:

6.4.2.3.1. Investigative Narrative

6.4.2.3.2. Emergency Response Referral Document

7. Procedures for using the Electronic Cross-reporting system:

7.1. Prior to making the cross report, the social worker completes all necessary documents.

7.1.1. Initial cross-report requires:

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7.1.1.1. Emergency Response Referral Document

7.1.1.2. Suspected Child Abuse Report (SCAR) (screener generated)

7.1.1.3. Screener Narrative

7.1.1.4. Cross-report form

7.1.2. Closing cross-report requires:

7.1.2.1. Emergency Response Referral Document

7.1.2.2. Investigation Narrative

7.1.3. SCAR distribution requires a completed SCAR

7.2. Social worker saves these documents into CWS/CMS and/or as a PDF file.

7.3. The social worker uses the cross-reporting form to document all information that could assist LE in conducting their own investigation and indicates on the form whether CWS will be assigning for investigation or evaluating the referral out.

7.3.1. When documents are ready, the social worker opens the electronic cross-report icon on the desktop and selects the tab that matches which type of cross-report they would like to send.

7.3.1.1. Prior to an investigation, select the “Initial Report” tab.

7.3.1.2. At the conclusion of the investigation, select the “Closing Report” tab.

7.4. The social worker uses the check box to choose which LE agency should receive the cross-report.

7.4.1. Copy referral number into referral number line and import all PDF documents into the designated space. The documents must be in PDF format and all documents must be attached.

7.5. All cross-reports that are sent through this system are automatically sent to the District Attorney’s office.

7.6. Select “Send” to complete the cross-report.

7.6.1. The system displays a page indicating whether the transmission was successful.

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7.6.1.1. If the cross-report was transmitted successfully, the system displays a confirmation page (the transmission). Document that transmission was successful with date and time of transmission into the narrative box on the cross-reporting page in CMS/CWS.

7.6.1.2. If the cross-report was not successfully transmitted, the system displays a notice indicating the transmission failed. Return to step 1 of the cross reporting process to ensure all steps were completed correctly before resending.

7.6.1.3. The CANRA coordinator reviews the cross-reporting monthly to ensure cross-reporting compliance.

8. Procedures for cross-reporting referrals outside of County jurisdiction: In the event CWS receives a report that falls outside of the County’s geographic jurisdiction, the screener social worker shall:

8.1. Attempt to immediately transfer the call to the appropriate agency using the statewide directory online: https://www.hwcws.cahwnet.gov/countyinfo/county_contacts/hotline_numbers.asp

8.2. In the event that the County/Agency/Entity with jurisdiction is unknown or unavailable, the screener takes the full report gathering all relevant information to share with the County/Agencies/Entity with jurisdiction.

8.2.1. Immediately call the county of jurisdiction to share the gathered information.

8.2.2. The screener documents the cross-report in the jurisdiction tab of the Call Tracking system.

8.2.3. When the county of jurisdiction is unwilling or unable to accept the report, the screener will send the SCAR to that County and document attempted cross-report into the Screener Narrative.

8.2.4. When the county of jurisdiction is unknown the screener will attempt to identify the County of residence by searching all available resources and document those into the Screener Narrative.

8.3. If the screener has not already informed the reporting party which County/Agency/Entity has jurisdiction, the screener immediately calls back the reporting party and provides information that the referral is outside CWS’ jurisdiction and relays to which agency the referral was transferred.

8.4. After verification of eligibility in a Tribe, the screening social worker follows the process for cross-reporting to Tribes in addition to forwarding referral to the County/Agency/Entity with jurisdiction.

9. Procedures for cross-reports received from Law Enforcement and other agencies by CWS:

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- 9.1. LE cross-reports to CWS via email delivered to the cross-reporting inbox (cwscrossreporting@co.humboldt.ca.us), or via telephone (707-445-6180) with follow up written documentation sent via email to the cross-reporting inbox.
- 9.2. CWS clerical staff monitor the cross-reporting inbox continuously during business hours. When a cross-report is received, clerical staff provide the information to a screener for follow up.
- 9.3. The screener follows procedures for documenting the cross report as a referral and determines a response and a response priority as required (see CWS Intake Policy 18-03). If the cross report is new, the screener will call the reporting party to take a verbal report as well.
- 9.4. When the referral requires an immediate response, the screener immediately notifies the Emergency Response supervisor of the day so that an investigating social worker can contact LE to coordinate a response.
- 9.5. When the referral requires a non-emergent 10-day in-person response, once assigned, the social worker will coordinate with LE within 36 hours (if a joint response is necessary). See CWS Investigations Policy 18-12.

When additional documentation is received regarding an existing CWS report by the same LE agency, the screening SW will review the documentation for new information. The SW will update the existing referral and Structured Decision Making (SDM) tool as needed, then import the document into the related CWS/CMS referral record. When a cross-report received from LE or another agency involves a situation that falls outside of the CWS' geographic jurisdiction, the screener follows the procedure for cross-reporting referrals **Outside of County Jurisdiction**.

References: California's Child Abuse and Neglect Reporting Act, Penal Code section 11164 et seq.

The Indian Child Protection and Family Violence Prevention Act (25 U.S.C. Sec 3201 et seq.)

Indian Child Welfare Act (ICWA) (25 U.S.C. Sec 1901 et seq.)

Indian Child Protection and Family Violence Act (25 U.S.C. Sec 3201 et seq.)

Tribal Collaboration Policy # 18-11,

CWS Intake Policy 18-03

CWS Investigations Policy 18-12

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