



CHILD WELFARE SERVICES

Cross Reporting

Policy and Procedure: CWS 18-02 Cross Reporting
Effective Date: 11/9/18

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.

CWS also cross-reports to the responsible licensing agency of the care provider (Community Care Licensing (CCL), Resource Family Approval Unit (RFA) or Foster Family Agency (FFA)) all reports of physical, sexual, emotional, 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 immediately to the appropriate Tribe(s) when ancestry is discovered.

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POLICY

CWS policy regarding cross reporting follows from CANRA, the California Welfare and Institutions Code, Division 31 regulations, the 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 assure timely response and intervention by the agency with jurisdiction, as soon as practically possible not to exceed the same business day. This policy covers cross-reporting responsibilities to local law enforcement, 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) or Foster Family Agency (FFA) .

It is the policy of Humboldt 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 a track compliance with this policy, including procedures requiring supervisors reviewing to review responses, and procedures ensuring screening social workers create new referrals or imported cross reports into existing referrals as appropriate.

CWS has a CANRA coordinator who is responsible for overseeing cross-reporting and communicating about cross-reports with Tribes, District Attorney'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) or Foster Family Agency (FFA).

PROCEDURE

General cross-reporting:

1. The CANRA coordinator and his/her designated supervisors are responsible for overseeing cross reporting.
 - A. The CANRA coordinator communicates with Tribes, District Attorney'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) or Foster Family Agency (FFA) to ensure cross reporting is occurring.
 - B. The CANRA coordinator reviews weekly reports that provide a summary of successful cross-reports and cross-reports requiring follow-up.
2. CWS tracks cross-reports using an electronic database. This database collects the following information: case number, date and time cross-report was received and provided to LE, status of LE's investigation and CWS's investigation.
3. During the course of an investigation, CWS documents the status LE's investigation in "CWS/CMS contacts."
4. CWS cross reports allegations of abuse and neglect involving Humboldt County Tribal children and documents all cross-reports to any Tribe(s) in the Screener Narrative.
5. For allegations of abuse and/or neglect of children in out of home care CWS cross-reports to the responsible licensing agency immediately.

Procedure for cross-reporting referrals to Tribes:

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. CWS cross reports immediately or as soon as practicably possible using the Tribes' preferred method(s) of cross-reporting.
 - A. During business hours the social worker cross reports via telephone within one (1) hour of receiving a referral and follows up within 24 hours providing documentation via the Tribes' preferred method.
 - B. After business hours the social worker cross reports using the Tribes' preferred after-hours method and follows up with a telephone call within one (1) hour of the start of the next business day.

- C. The screening social worker provides the Tribe the following information from the referral:
 - ✓ Suspected Child Abuse Report (SCAR)
 - ✓ Screener Narrative
 - ✓ Emergency Response Referral Document
- D. During the contact the social worker gathers as much information as possible from the Tribe.
- E. The screening social worker documents the conversation(s) in the Screener Narrative. Documentation shall include:
 - ✓ Whether the contact was made.
 - ✓ Confirmation that the social worker requested input from the Tribe.
 - ✓ Complete description of the input provided by the Tribe.
 - ✓ The date and time of such contact.

Procedure for cross-reporting referrals to CCL and/or FFA:

1. When CWS takes a report regarding a child who is placed in out-of-home care in a CCL or FFA home the screening social worker immediately calls the licensing agency and follows up with a Suspected Child Abuse Report (SCAR) within 36 hours.
 - A. The screening social worker documents the cross report in the screener narrative and the Emergency Response Referral Document.
 - B. 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.
 - ✓ The screener clearly documents the above information in the screen narrative and the emergency response referral document.
2. When a referral regarding a child in a CCL or FFA home is assigned for investigation, the investigating social worker collaborates with the investigating licensing social worker.

Procedure for cross-reporting referrals to RFA:

1. When CWS takes a report regarding a child who is placed in out-of-home care in an RFA home, the screening social worker immediately contacts the Humboldt CWS RFA unit and follows up within 36 hours by cross reporting via email to the Humboldt CWS-RFA inbox and providing all required documentation.
 - A. Documentation shall include:
 - ✓ Suspected Child Abuse Report (SCAR)
 - ✓ Screener Narrative
 - ✓ Emergency Response Referral Document
 - ✓ Information regarding Tribal affiliation, cross reporting, and any other Tribal background information.
 - B. 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.
 - C. When a referral regarding a child in an RFA home is assigned for investigation the investigating social worker collaborates with the investigating RFA social worker.
 - D. 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.
- See Also: SDM; Cross reporting referrals to Law Enforcement; Cross reporting referrals to Tribes; Emergency placements.

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

1. When CWS takes a report regarding any allegations of physical, sexual, emotional abuse, severe neglect and 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.)
 - A. 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.
 - B. The screener clearly documents the above information in the screen narrative and the Emergency Response Referral Document.

- C. The screening social worker completes the following documents to attach to the cross-report and saves these documents into the CMS/CWS database:
- ✓ Suspected Child Abuse Report (SCAR)
 - ✓ Screener Narrative
 - ✓ Emergency Response Referral Document
- D. 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.
- ✓ The social worker completes the cross-report in CWS/CMS by selecting “Suspected Child Abuse Report” from the drop-down menu.
 - ✓ If the social worker does not complete this step, a reminder in CWS/CMS appears.
- E. In the event that LE is the Reporting Party (RP), the social worker shall cross-report to LE to ensure they receive all documentation on the referral.
- F. In all cases, the screener checks the District Attorney box in the cross-reporting tab in CMS/CWS to send the report to the District Attorney.
- G. The supervisor reviewing the referral checks the cross-reporting tab to ensure the screener documented the cross-report.
- H. 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.
- I. 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.
- J. 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.

Procedures for coordinating investigations with Law Enforcement:

1. Physical Abuse (PA)

- A. 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.
 - ✓ 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 time frame and should communicate to the officer the latest date allowable for their interview.
- B. 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.
 - ✓ The investigating social worker should remain in contact with the assigned officer during the course of the investigation and at the conclusion of it.
 - ✓ If at any point, it appears that physical abuse has or may have occurred, the social worker should contact the assigned officer. Inform the responding deputy or officer of the evidence and information gathered.
- C. At the conclusion of the investigation the social worker uses the electronic cross-reporting system to send the closing referral cross-report to LE.

2. Sexual Abuse (SA)

- A. The investigating social worker contacts LE to coordinate a field response. LE takes the lead on all SA investigations.
 - ✓ The LE timeframe for responding shall not prevent the SW from meeting the Division 31 mandate (response time) for the first face-to-face contacts.
 - ✓ At the conclusion of the investigating the social worker uses the electronic cross-reporting system to send closing referral cross-report to LE.

3. **Emotional Abuse (EA)**

- A. The social worker shall collaborate with LE.
- ✓ 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.
 - ✓ If, at any point, it appears that emotional abuse has (or may have) occurred, the social worker immediately contacts LE.
 - i. The social worker informs the assigned deputy or officer of the evidence/information gathered.
 - ii. At the conclusion of the investigation the social worker uses the electronic cross-reporting system to send the closing referral cross-report to LE.

4. **Severe Neglect (SN)**

- A. SN requires an automatic immediate response and the social worker must collaborate with LE and any applicable Tribe.
- ✓ 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.).
 - ✓ The social worker follows the process for collaborative investigations with the applicable Tribe pursuant to CWS procedure and any applicable Tribal Protocols.
 - i. The social worker informs the assigned deputy or officer of the evidence/information gathered.
 - ii. At the conclusion of the investigation the social worker uses the electronic cross-reporting system to send closing referral cross-report to LE.
- B. If the allegations are substantiated, the social worker generates a Child Abuse Form and transmits the form must also be generated in the Cross-report section of CWS/CMS and sent to the Department of Justice (DOJ).

➤ See [Tribal Protocols](#)

Procedures for using the Electronic Cross-reporting system:

1. Prior to making the cross report, the social worker completes all necessary documents.
 - A. Initial cross report requires:
 - ✓ Emergency Response Referral Document
 - ✓ Suspected Child Abuse Report
 - ✓ Screener Narrative
 - ✓ Cross-report form
 - B. Closing cross-report requires:
 - ✓ Emergency Response Referral Document
 - ✓ Investigation Narrative
 - C. SCAR distribution requires a completed SCAR.
2. Social worker saves these documents into CWS/CMS and/or as a PDF file on their computer desktop.
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.
 - A. When documents are ready, the social worker opens the electronic cross-report icon on the desk top and selects the tab that matches which type of cross-report they would like to send.
 - ✓ Prior to an investigation, select the “Initial Report” tab.
 - ✓ At the conclusion of the investigation, select the “Closing Report” tab.
4. The social worker uses the drop-down menu to choose which LE agency should receive the cross-report.
 - A. 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.

5. All cross-reports that are sent through this system are automatically sent to the District Attorney's office.
6. Select "Send" to complete the cross report.
 - A. The system displays a page indicating whether the transmission was successful.
 - ✓ If the cross-report was transmitted successfully, the systems displays a confirmation page (the transmission). Copy the language from the transmission into the cross-reporting page in CMS/CWS.
 - ✓ 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. The CANRA coordinator and screening supervisor review all cross-reports on a weekly basis to ensure timely cross-reports have been completed.

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:

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
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.
 - A. Immediately call the County of jurisdiction to share the gathered information.
 - B. The screener documents the cross-report in the jurisdiction tab of the Call Tracking system.
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.

4. In the event the referral involves a Humboldt County Tribal child, the social worker follows the process for cross-reporting to Tribes in addition to forwarding referral to the County/Agency/Entity with jurisdiction.

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

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.
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.
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).
4. When the referral requires an immediate response, the screener immediately notifies the supervisor of the day so that an investigating social worker can contact LE to coordinate a response.
5. When the referral requires a non-emergent 10-day in-person response, once assigned, the social worker will coordinates with LE within 36 hours (if a joint response is necessary).
6. When the cross-report documents an existing CWS report made by the same LE agency, the screener forwards the email to clerical staff, who import the document into the related CWS/CMS referral record.
7. 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.