



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE SACRAMENTO LEGISLATIVE OFFICE

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July 3, 2023

The Honorable Aisha Wahab
Senate Public Safety Committee, Chair
1020 N Street, Room 545
Sacramento, CA 95814

ASSEMBLY BILL 1544 (LACKEY) SUPPORT Senate Public Safety Committee

Dear Senator Wahab:

The Los Angeles County District Attorney's Office (LADA) is pleased to sponsor Assembly Bill 1544 (Lackey).

AB 1544 allows a police or sheriff's department receiving a report of known or suspected child abuse or severe neglect to forward any such reports that are investigated and determined to be substantiated to DOJ for inclusion in the Child Abuse Central Index (CACI).

Penal Code Section 11169 establishes the procedures for reporting known or suspected child abuse or severe neglect to the Department of Justice (DOJ) for inclusion in the Child Abuse Central Index (CACI). Previously, PC 11169 authorized law enforcement to submit such reports to the DOJ. However, in January of 2012, PC 11169 was amended to eliminate law enforcement's authority to forward reports of known or suspected child abuse or severe neglect to the DOJ.

CACI is a statewide database containing substantiated reports of known or suspected child abuse or severe neglect. The database is administered by the DOJ and is available to aid law enforcement investigations and prosecutions. The database also provides notification of new child abuse investigation reports involving the same suspects and/or victims. Social welfare agencies can also access the CACI to assist in screening applicants for licensing or employment in child care facilities and foster homes, and to aid in background checks for possible child placements and adoptions.

Under current law, Child Protective Service agencies (CPS), such as the Department of Children and Family Services (DCFS), have the authority to forward child abuse or severe neglect reports to the CACI. Because DCFS and CPS agencies only investigate child abuse or severe neglect cases involving family members, only known or suspected familial abusers are reported to the DOJ. These agencies do not report non-familial abusers to the CACI. The elimination of law enforcement's authority to make these reports has resulted in the omission of reports of non-familial abusers in the CACI. This has created a public safety concern because

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known or suspected non-familial abusers, such as teachers, day care workers, coaches and clergy, are not being reported to the CACI.

According to the Inter-Agency Council on Child Abuse and Neglect (ICAN), there has been a significant reduction in entries to the CACI since the 2012 amendment took away law enforcement's authority to forward reports to the DOJ. Prior to the 2012 amendment, there were approximately 18,000-19,000 annual entries. Today, the number of annual entries is closer to 6,000-7,000.

By removing law enforcement reports from the Index, a significant group of abusers who are outside the family are excluded from CACI. All cases where children are harmed in day care, in school settings, at playgrounds etc. will not be in the Index, thus eliminating important information should a clearance be requested on a person or provider who would be in a care giving role or on any subsequent allegations. The inability of law enforcement to submit reports to CACI has created a large gap in our ability to protect children from future harm.

There is no legal or policy reason why child abuse committed by family members is included in CACI but abuse committed by non-family members is not.

For these reasons I am pleased to support AB 1544 and respectfully request your **AYE** vote.

If you have any questions or need additional information, please feel free to contact Daniel Felizzatto in my Sacramento Legislative Office at (916) 442-0668.

Very truly yours,



GEORGE GASCÓN
District Attorney

cc: Assembly Member Lacky