

DSS Policy and Procedure Guide

Division 3: Child Welfare

Chapter 2: General Administration

Item 6: Responding to Requests for Information Related to DOJ/CACI Reports

Suggested changes send to: [DSS PSOA Mailbox](#)

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References: [ACL 10-52](#)

Revisions in Red

Replaces Issue: August 1, 2011

Preamble

Child Welfare Policy and Procedure Guides are meant to be used as tools to relay best practice and staff expectations. It is understood that specific case scenarios may not always align themselves with the stated practices and that at all times what is of paramount importance is the Safety and Well-being of the children we are charged to protect.

Policy

Department of Social Services (DSS) staff will respond to inquiries and requests related to the Department of Justice/Child abuse Central Index (DOJ/CACI) reporting in a timely manner, following state regulations and DSS policies and procedures.

Purpose

To provide staff with a process for responses to state and local agency requests for information related to DOJ/CACI reporting as well as inquiries from individuals about DOJ/CACI reports made on their behalf.

Procedure

DSS staff will use the following departmental guidelines to determine the staff or unit that will be assigned the following types of requests for information:

Requests from the Department of Justice (DOJ)

Form BCIA 4086- Notification of Child Abuse Investigation Report

Form BCIA 4086 (4086) is sent out to notify counties when there is a subsequent listing regarding an individual. Counties may then compare the information to their records.

- When form 4086 is received by DSS it is to be submitted to the Emergency Response (ER) Supervising Office Assistant (SOA). The ER SOA will assign the form to an ER Office Assistant (OA) to review the information on form 4086 to determine if all information is accurate, per case records in CMS.
- If a discrepancy is noted or a corresponding referral cannot be located in CMS the 4086 is routed to **Continuous Quality Improvement (CQI) Support** to search for the case file and respond to the DOJ.

OA Responsibilities

- The assigned OA staff shall review CWS/CMS using the 19-digit referral number or the names on the 4086 to determine if the suspect and victim names, the allegations and the conclusion are the same as entered on the 4086.
- If all information on the 4086 matches the information in CWS/CMS no response is required to DOJ. The assigned OA will return the 4086 to the SOA.
- The SOA will scan the 4086 and save it to the H-Drive in the ER folder named “DOJ Investigation Reports”.
- No response to DOJ is required by clerical staff.
- If a discrepancy is noted or the corresponding referral cannot be located the SOA will route the 4086 to the **CQI Support Unit** to continue the search and respond to the DOJ.

CQI Support Responsibilities

- When case information reported on the 4086 has not been located in CMS, **CQI Support** staff will continue the search to determine if the hard copy of the case can be located.
- When the hard copy of the case is located, **CQI Support staff** will review the case and contact the DOJ to rectify any discrepancies reported on the 4086. **CQI Support** staff will note any changes on the form, scan, and email to the OA for electronic filing.
- If the hard copy is not located **CQI Support** staff shall request that the DOJ remove the listing from the DOJ **CACI**.

Form SS 8583

The Child Abuse or Severe Neglect Indexing Form [BCIA 8583](#) (8583) is completed and submitted to DOJ by child welfare staff upon completion of the investigation of reports of child abuse and neglect. Occasionally, errors are made by staff and the form is returned to the reporting agency requiring that corrections be made to the form.

- When form 8583 is returned DSS for correction the 8583 shall be assigned to the ER Program Manager (PM).
- The ER PM shall assign the **Social Work Supervisor (SWS)** of the **Social Worker (SW)** who originally completed the 8583 to ensure that the corrections are made within 10 working days.
- If the original SW and his/her SWS are no longer assigned to the ER division, the ER PM shall assign another ER SWS to ensure the required corrections are completed within 10 working days.
- When the correction to the 8583 has been made, the 8583 is returned to the ER PM.

- The ER PM or designee shall scan the 8583 and save it to the H-Drive in the ER folder named “Corrected 8583s”.
- The ER PM shall then fax the corrected 8583 to the DOJ and contact DOJ staff person **Mindy Fines** (mindy.fines@doj.ca.gov) via email. The response to DOJ is required within 30 days.

Inquires from the DOJ Regarding Reported Allegation Conclusions

The DOJ conducts inquiries of counties to confirm that the disposition of the allegations noted on form BCIA 8583 meets today’s standards for the definitions of Substantiated and Inconclusive allegation dispositions per [Penal Code 11165.12](#).

- These inquiries are assigned to the **CQI Support** unit to review the case file and respond to the DOJ within 10 working days. **CQI Support** staff will respond via email to Mindy Fines at DOJ, and fax documentation if required. Inquires of this nature will be maintained in the **CQI Support** database.

Requests from the California Department of Social Services (CDSS)

The CDSS Caregiver Background Check unit sends inquires to DSS regarding persons who have applied for a license as a day care provider and DOJ records indicate that they have been reported to the DOJ Child Abuse Central Index.

- These inquires are to be assigned to the **CQI Support** unit. **CQI Support** shall provide documentation of the person’s CPS history from CMS or the hard case file via fax or mail, depending on the size of the documents. Inquires of this nature will be maintained in the **CQI Support** database.

Requests From Law Enforcement Agencies

Pursuant to **WIC § 827**, Law Enforcement agencies conducting a background investigation for an applicant seeking employment as a peace officer, **must submit an 827 petition in order to** obtain the original investigative report which resulted **in** the applicant **being** listed on the Child Abuse Central Index. Inquires of this nature should be directed to **CQI Support**.

- **CQI Support** staff will advise the Law Enforcement Agency to file an 827 petition in Juvenile Dependency Court, listing the specific records the agency is requesting on the petition. Inquiries of this nature will be maintained in the **CQI Support** database.

Inquiries From Individuals Regarding Their Own Listings on the Child Abuse Central Index

- When an person contacts DSS because he/she is listed on the DOJ CACI and they question the listing the person is to be referred to the **Consumer Liaison** Hotline (600-9450).

CQI Support staff will verify the person’s identity verbally by obtaining the person’s full name, date of birth and social security number.

- **CQI Support** staff will locate the case information and provide the individual with preliminary information over the telephone. Any person wishing to obtain copies of the underlying records will be directed to come to the **CQI Support** office, and provide photo identification. Requests will be processed as outlined in [PPG 3-1-8](#).
- If the individual wishes to dispute the listing, **CQI Support** staff will explain the CACI Grievance process and provide the individual with the SOC832, SOC 833, and SOC 834 Forms.