

Assembly Bill 2085- Child Welfare Intervention Reform

Assemblymember Chris R. Holden

SUMMARY

Assembly Bill 2085 will address the over surveillance and overrepresentation of families of color in the child welfare system by reforming mandatory reporting requirements.

BACKGROUND

Children of color are significantly more likely to be reported for allegations of abuse and neglect, despite the vast majority of those allegations being unfounded or unsubstantiated. A recent study showed that half of Black children, as well as half of Native American children, experienced an investigation at some point during their childhood, compared to nearly a quarter of white children.ⁱ

The majority of the calls that come in to the Child Protection Hotline are for the catch all category of neglect, including cases of poverty, lack of resources and domestic violence. 80% of the neglect calls are not substantiated. Not only does this result in over surveillance of families that should be served outside of the Child Welfare System, it also burdens an already overwhelmed system.

Consequently, the over surveillance of families of color also results in undo trauma to parents and children, often leading to negative health outcomes. These health outcomes are significantly worse for mothers and babies who are separated by the Child Welfare System for issues largely related to economic insecurity.ⁱⁱ

ⁱ <https://www.motherjones.com/crime-justice/2021/04/child-protective-services-investigates-half-of-all-black-children-in-california/>

EXISTING LAW

Penal Code 11164-11174.3: Child Abuse and Neglect Act

THE SOLUTION

While no one can restrict any call from being made to the Child Protection Hotline, this bill would address the over-reporting of families of color by:

- Amending the Child Abuse and Neglect Reporting Act to remove general neglect requirements that, as defined, would be more appropriately addressed outside of the Child Welfare System, and requiring mandatory reporters to report instances of child abuse and severe neglect; and
- Revising the standard for when a mandated reporter is required to make a report of child abuse or severe neglect.

In doing so, mandatory reporters will have clearer guidelines for reporting cases legitimately in need of Child Welfare intervention, while reducing trauma for families of color and strain on the Child Welfare System.

SUPPORT

Children's Law Center of California (Co-Sponsor)
Public Counsel (Co-Sponsor)

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ⁱⁱ [Our Systems Meant to Help Are Hurting Black Families \(nichq.org\)](http://OurSystemsMeanttoHelpAreHurtingBlackFamilies.nichq.org)