

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, California 95814



April 28, 2006

ALL COUNTY INFORMATION NOTICE NO. I-34-06

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CHILD WELFARE SERVICES  
PROGRAM MANAGERS  
CHIEF PROBATION OFFICERS

REASON FOR THIS TRANSMITTAL

- State Law Change  
 Federal Law or Regulation Change  
 Court Order  
 Clarification Requested by  
 One or More Counties  
 Initiated by CDSS

SUBJECT: PUBLIC DISCLOSURE OF CHILD FATALITIES AND NEAR  
FATALITIES

REFERENCE: CHILD ABUSE PREVENTION AND TREATMENT ACT (CAPTA)  
SECTION 5106(b)(2)(A)(vi), CAPTA SECTION 5106(b)(4) (A),  
CALIFORNIA PUBLIC RECORDS ACT, PENAL CODE SECTION  
11174.32-11174.35, WELFARE AND INSTITUTIONS CODE SECTION  
827, SENATE BILL 525 CHAPTER 1012 STATUTES OF 1999,  
ASSEMBLY BILL 1151 CHAPTER 847 STATUTES OF 2003

The purpose of this All County Information Notice (ACIN) is to inform counties of pending policy changes to public disclosure requirements in cases of child abuse or neglect that result in child fatality or near fatality.

The federal Child Abuse Prevention and Treatment Act (CAPTA), requires "confidentiality of all records to protect the rights of the child and the child's parents or guardians" but also requires that states have provisions "which allow for public disclosure of the findings or information about the case of child abuse or neglect which has resulted in a child fatality or near fatality." The federal Department of Health and Human Services, Administration for Children and Families has recently notified the California Department of Social Services (CDSS) that California is not in compliance with this CAPTA requirement because California currently requires court approval to release child fatality information.

This ACIN is provided to inform counties that CDSS has established the Child Death and Near Fatality Workgroup, comprised of representatives of the County Welfare Directors Association and other stakeholders, to assist in policy development regarding the release of information to the public on cases of abuse or neglect that result in child fatalities or near fatalities. The Child Death and Near Fatality Workgroup will complete

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a careful review of existing statutes and regulations governing confidentiality and public disclosure of information on child fatalities and near fatalities.

Upon completion of the workgroup's efforts, CDSS will provide information and any necessary instructions via a subsequent All County Letter (ACL) in order to ensure compliance with the federal CAPTA. The ACL will be released by June 30, 2006.

Should you have any questions regarding this ACIN, please feel free to contact me at (916) 657-2614 or Nancy Goodman, Manager, Child Welfare Policy and Support Unit at (916) 651-6160.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary L. Ault".

MARY L. AULT  
Deputy Director  
Children and Family Services Division