

May 29, 2025

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 25-38

The purpose of this All County Letter is to provide guidance to county Child Welfare Services agencies on the passage of [Assembly Bill 391](#) which amends [Penal Code Section 11167](#). The amendments made by this bill require agencies to ask non-mandated reporters to provide specific information when making a suspected child abuse report, including their name, telephone number, and information that led to the suspicion of child abuse or neglect.



JENNIFER TROIA
DIRECTOR

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

May 29, 2025

ALL COUNTY LETTER NO. 25-38

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL COUNTY BOARDS OF SUPERVISORS
ALL EMERGENCY RESPONSE PROGRAM STAFF
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS

SUBJECT: ASSEMBLY BILL 391: NON-MANDATED REPORTERS

REFERENCE: [ASSEMBLY BILL 391 \(CHAPTER 434, STATUTES OF 2023\);](#)
[CALIFORNIA PENAL CODE \(PC\) SECTION 11167;](#)
[PC SECTION 11165.9; PC SECTION 11166](#)

The purpose of this All County Letter (ACL) is to provide guidance to county Child Welfare Service Agencies and Juvenile Probation Departments regarding the amendments to the California [Penal Code \(PC\) Section 11167](#) enacted by [Assembly Bill \(AB\) 391](#) which modifies agency requirements as it relates to non-mandated reporters. [PC Section 11167](#) already requires a mandated reporter to provide, specific information when making a suspected child abuse report, including the reporter's name, telephone number, and information that led to the suspicion of child abuse or neglect. [PC Section 11167](#) now requires an agency receiving a report of known or suspected child abuse or neglect to ask a non-mandated reporter for their name, telephone number, the information that led to the suspicion of child abuse or neglect, and the source or sources of that information. If the non-mandated reporter is unwilling to provide this information, the agency shall make efforts to determine the reasons why the reporter prefers to remain anonymous and advise the reporter that the information will remain confidential. Asking for contact information from a non-mandated reporter may reduce the likelihood of persons making false reports and helps to ensure that follow up contact can be made to the non-mandated reporter if additional information is needed.

BACKGROUND

[PC Section 11167](#), which is part of [California's Child Abuse and Neglect Reporting Act](#), establishes some of the procedures for the reporting and investigation of suspected child abuse or neglect. [PC Section 11166](#) requires specified professionals, known as mandated reporters, to report known or reasonably suspected child abuse or neglect. These reports are required to be made to any police department or sheriff's department, county welfare agency, or probation department if designated by the county to receive mandated reports. ([PC Section 11165.9](#))

[PC Section 11167](#) does not require a non-mandated reporter to provide any identifying information to a local law enforcement agency, county welfare agency, or probation department when making a report about suspected child abuse or neglect. As a non-mandated reporter may remain anonymous, there is potential for receiving inaccurate or false reports, as the hotline worker is unable to identify who is reporting the suspected abuse or neglect or determine the reason for the referral. If false allegations of abuse and/or neglect occur, this can negatively impact families and cause undue emotional distress. False reporting may also result in a burden on the investigating child welfare agency and be a misuse of county resources.

REPORTS OF CHILD ABUSE OR NEGLECT BY NON-MANDATED REPORTERS

Law enforcement and child welfare agencies are required to investigate reports of suspected child abuse and/or neglect. Prior to [AB 391](#), agencies that receive reports of suspected child abuse or neglect could accept a report of suspected child abuse or neglect from a non-mandated reporter without asking the reporter to provide identifying information. [AB 391](#) amended the requirements in [PC Section 11167](#) for agencies receiving suspected child abuse reports to ask non-mandated reporters to provide identifying information, inquire about reasons they are unwilling to provide such information (if applicable), and advise that the reporter's identity will remain confidential. If they are still unwilling to provide contact information after they are assured the information will remain confidential, then the report is still taken, and documented in the screening narrative in Child Welfare Services/Case Management System. In these situations, it is important to attempt to gain as much information about the alleged abuse as possible as there is no further opportunity to contact the reporter.

It is important to establish community relationships and collaborate with non-mandated reporters, including providing assurances that their contact information is confidential. [AB 391](#) may increase agency partnership with non-mandated reporters to ensure that the safety of children is a priority and provide investigators with the means to gather additional information and confirm understanding of report information with reporters. Questions that assist hotline workers to gain additional context around why the report is being made may help to reduce bias in the reporting process and disproportionality in child welfare abuse and neglect reporting. Additional questions may uncover situations where a member of the public is attempting to utilize the child abuse hotline in an inappropriate manner, such as retaliation for personal matters unrelated to the safety of

children, biases and other confusion over the scope of the purpose of the hotline or the appropriate information to be reported. Such reports are often determined to be unfounded or inconclusive by the investigating agency and impact the resources that should be directed toward investigating legitimate reports of child abuse and/or neglect.

If you have any questions or need additional guidance regarding the information in this letter, contact the Safety and Early Intervention Bureau at (916) 651-6160 or at childprotection@dss.ca.gov.

Sincerely,

Original Document Signed By

ANGIE SCHWARTZ
Deputy Director
Children and Family Services Division

cc All Federally Recognized Tribes