

RESPONSE TO GRAND JURY REPORT

Report Title: THE HUMBOLDT COUNTY CHILD ABUSE SERVICES TEAM

Report Date: June 29, 2023

Response by: HUMBOLDT COUNTY DISTRICT ATTORNEY

FINDINGS

1. The county agrees with the findings numbered F4, F5, and F9.
2. The county partially agrees with the findings numbered F6 and F8.

RECOMMENDATIONS

1. Recommendations numbered R1 will be implemented.
2. Recommendation numbered _R2, R6, R7_ will not be implemented (as stated). Please see below.

Date:

8/28/2023

Signed:



Stacey Eads, District Attorney

Number of pages attached: 4



COUNTY OF HUMBOLDT

DISTRICT ATTORNEY

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INTEROFFICE MEMORANDUM

TO: BOARD OF SUPERVISORS
FROM: STACEY EADS, DISTRICT ATTORNEY
SUBJECT: RESPONSE TO 2023 GRAND JURY REPORT "THE HUMBOLDT COUNTY CHILD ABUSE SERVICES TEAM"
DATE: AUGUST 27, 2023

In the Grand Jury Report, "*The Humboldt County Child Abuse Services Team*," the Grand Jury has requested that the Board of Supervisors respond to Findings 4 through 6 and 8 through 9, and Recommendations 1 through 2 and 6 through 7. I am proposing the following response as detailed below.

FINDINGS

Finding 4:

Most if not all of the government agencies that participate in the Child Abuse Services Team are understaffed. This can result in delayed or incomplete responses and delivery of services in critical child abuse situations.

Response: Agree

Finding 5:

Law enforcement personnel are typically the first to respond to allegations of child abuse. Some members of law enforcement do not possess the most current training in effective ways to respond to such calls, which can result in missed opportunities for prosecutions and subject children to further unneeded trauma.

Response: Agree

Finding 6:

Some law enforcement agencies do not regularly request the services of Child Welfare Services Social Workers for all investigations of suspected child abuse, instead requesting these services for only the most acute situations. Traumatized children in all abuse situations benefit from having these services provided as soon as possible.

Response: Partially Agree

Additional information and/or clarification regarding “Finding 6” is needed to affirmatively agree or disagree with the proposition that “*some law enforcement agencies do not regularly request the services of Child Welfare Services Social Workers for all investigations of suspected child abuse, instead requesting these services for only the most acute situations.*” Nonetheless, it is evident all traumatized children in abuse situations should be afforded services that protect them from further trauma and allow their healing. Law enforcement responses to child abuse investigations should be consistent, including requests for services of Child Welfare Services Social Workers for investigations of suspected child abuse.

The Child Abuse and Neglect Reporting Act (“CANRA”), found at Penal Code sections 11164 et. seq., outlines the duties and obligations of certain persons and entities, including those of law enforcement, in response to suspected child abuse reports. The goal of CAST resonates well with the legislative intent of the CANRA to “protect children from abuse and neglect” and calls upon “all persons participating in the investigation of the case” to “consider the needs of the child victim and shall do whatever is necessary to prevent psychological harm to the child victim.” The emotional and physical well-being of the child guides those involved in child abuse investigations. Information sharing is a key component. Pursuant to CANRA every law enforcement agency must report “immediately, or as soon as practicably possible” to Child Welfare Services and the district attorney’s office “every known or reasonably suspected instance of child abuse or neglect reported to it.” The one exception is acts or omissions considered “general neglect”, which are to be reported to the county welfare or probation department under the law. This documented information sharing is commonly referred to as a cross-report. In 2022 alone, over 600 cross-reports were received by the Humboldt County District Attorney’s Office from agencies across the county. Law enforcement agencies and Child Welfare Services should and frequently do work together in response to suspected child abuse reports to ensure the protection of the child in accordance with the law.

Finding 8:

A Memorandum of Understanding between the agencies participating in CAST either does not exist or is not publicly available. This results in a lack of clarity about the relationships and responsibilities of the participating agencies.

Partially Agree

During the summer months of 2015, a memorandum of understanding titled “Humboldt County Child Abuse Services Team (C.A.S.T.): Guidelines for a Multidisciplinary Team Response to Child Abuse” was executed. Multiple agencies and tribal governments participated. Therefore, a memorandum of understanding amongst most participating agencies does exist.

Since adoption of the 2015 memorandum of understanding, need for modification and updating arose and numerous working meetings amongst participating agencies and tribal governments occurred to develop a

finalized updated memorandum of understanding. The remaining step for finalization and adoption, signature by all member participants, is scheduled for a date in November 2023.

Finding 9:

We could find no evidence that regular annual reports to the Humboldt County Board of Supervisors about the activities of the Child Abuse Services Team exist, nor that they are required. Having such reports would give the Board of Supervisors and the public information on the depth, breadth, and response to child abuse in our community.

Response (choose one): Agree

RECOMMENDATIONS

Recommendation 1:

The District Attorney, in collaboration with all local law enforcement agencies, Child Welfare Services, and local Tribal governments, lead the development of training in culturally appropriate best practices for first responders to situations of alleged child abuse. This training program is to be created no later than April 1, 2024. (F3, F5, F6)

Response (Choose one): This recommendation will be implemented.

Recommendation 2:

All Humboldt County law enforcement agencies receive the training described in R1 no later than December 31, 2024. (F3, F5, F6)

Response (Choose one): This recommendation will not be implemented (as stated).

Humboldt County cannot represent that all law enforcement agencies will receive the training. However, the following will be implemented: All Humboldt County law enforcement agencies will be provided the opportunity and strongly encouraged to receive the training described in R1 no later than December 31, 2024. (F3, F5, F6)

Recommendation 6:

The District Attorney lead in the creation of a detailed Memorandum of Understanding between all agencies involved in the Child Abuse Services Team, to be completed no later than January 1, 2024 and to be made available via the public websites of all involved agencies. (F8)

Response (Choose one): This recommendation will not be implemented (as stated).

The District Attorney will lead in the creation of a detailed Memorandum of Understanding between all agencies involved in the Child Abuse Services Team, to be completed no later than January 1, 2024 and to be made available via the Humboldt County District Attorney public website.

Recommendation 7:

The Memorandum of Understanding described in R6 mandates that, as CAST Coordinator, the District Attorney create an annual report to the Humboldt County Board of Supervisors on the accomplishments of and challenges to the Child Abuse Services Team. (F9)

*o Funding recommendation: The Humboldt County Civil Grand Jury recommends that the Department of Health and Human Services/ Child Welfare Services, the Humboldt County Sheriff's Office, and the Office of the District Attorney provide funding for **R1** and **R2**, with appropriations for the current fiscal year. If current appropriations are not sufficient, the Humboldt County Civil Grand Jury recommends that the above-named agencies at their earliest convenience pursue additional funding from the Humboldt County Board of Supervisors to fund the above recommendation.*

Response (Choose one): This recommendation will not be implemented (as stated).

The District Attorney, with invitation by the Humboldt County Board of Supervisors, will present an annual report to the Humboldt County Board of Supervisors on the accomplishments of and challenges of the Child Abuse Services Team. The MOU referenced under Finding 8 is finalized and agreed upon, simply awaiting the final step of signature by remaining participants. Additional language will needlessly delay the adoption of the MOU.
