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AB-970 Child abuse and neglect reporting. (2025-2026)

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AMENDED IN ASSEMBLY APRIL 22, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 970

Introduced by Assembly Member McKinnor

February 20, 2025

An act to add and repeal Section 11166.03 of the Penal Code, relating to child abuse.

LEGISLATIVE COUNSEL'S DIGEST

AB 970, as amended, McKinnor. Child abuse and neglect reporting.

Existing law, the Child Abuse and Neglect Reporting Act, establishes procedures for the reporting and investigation of suspected child abuse or neglect. The act requires certain professionals, including specified health practitioners and social workers, known as “mandated reporters,” to report by telephone known or reasonably suspected child abuse or neglect to a local law enforcement agency or a county welfare or probation department, as specified.

Existing law authorizes a county welfare agency to develop a program for internet-based reporting of child abuse and neglect, as specified. Existing law authorizes a mandated reporter in a county where the program is active to use the internet-based reporting tool in lieu of the required initial telephone report.

This bill would authorize the County of Los Angeles to establish a **2-year** pilot program ~~beginning January 1, 2026, through October 31, 2028,~~ to test a new model for the mandatory reporting of child abuse or neglect. The bill would require the pilot program to include a comprehensive County of Los Angeles mandated reporter training that may be made available to all mandated reporters in the county. The bill would require the pilot program to also include ~~an internet-based, or other type of, decision-support tool~~ **the development and deployment of an internet-based decision-support tool, developed through a collaborative process with, among others, the State Department of Social Services,** for mandated reporters who have completed that training. The bill would require the ~~decision-support~~ **decision-support** tool to, among other things, make a recommendation on whether or not to ~~report~~ **report and would prohibit the decision-support tool from using predictive analysis.** The bill would, during the time the pilot program is in effect, deem a mandated reporter to have satisfied their reporting duties if the reporter completed the training, used the ~~decision-support~~ **decision-support** tool, and complied with the recommended action. The bill would shield a mandated reporter who satisfied their reporting duties pursuant to these provisions from civil liability or criminal penalty, and from penalties impacting their professional licenses, credentials, and certifications, for failing to report known or suspected child abuse

or neglect, as well as the reporter's supervisor, employer, superior, or principal, as specified. The bill would repeal its provisions on January 1, 2030.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Los Angeles.

Vote: majority Appropriation: no Fiscal Committee: ~~no~~yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) It is the intent of the Legislature to ensure that mandated reporters, as defined in Section 11165.7 of the Penal Code, are adequately trained, equipped, and supported to make accurate, consistent, and equitable reporting decisions about known or suspected child abuse or neglect to ensure child safety and well-being.

(b) The Legislature finds and declares all of the following:

- (1) Mandated reporters would benefit from ~~enhanced~~ *consistent* training and support for making this consequential decision.
- (2) Reporting decisions made by mandated reporters are often influenced by factors that are distinct from concerns regarding child abuse or neglect, such as fear of personal or organizational liability or both, bias based on race or socioeconomic status or both, and desire to connect a family in need with supportive resources.
- (3) Mandated reporters are not currently provided adequate training and tools to guide their decisions on when to report known or suspected abuse and neglect or how to connect children and families to services if a report is not necessary but the family needs direct supports and services.
- (4) These factors ~~can~~ contribute to the ~~disparate~~ *disproportionate* representation of ~~minority~~ *certain racial and ethnic* populations ~~in within~~ the child welfare system, the overreporting of families who may be experiencing stressors that do not meet the statutory requirement for a report to the child protection hotline, and an underreporting of children who may be experiencing child abuse or neglect.

SEC. 2. Section 11166.03 is added to the Penal Code, to read:

11166.03. (a) Notwithstanding Section 11166.02 of this code and Section 10612.5 of the Welfare and Institutions Code, the County of Los Angeles may establish a *two-year* pilot program ~~beginning January 1, 2026, to October 31, 2028, inclusive,~~ to test and evaluate a new model for the mandatory reporting of child abuse or neglect. The goal of the pilot program is to better equip mandated reporters to make more accurate, consistent, and equitable reporting decisions about child abuse or neglect through improved training and decision support. The pilot program also aims to improve mandated reporter capacity to identify community-based supportive resources for families who are in need, but do not require an intervention by the Los Angeles County Department of Children and Family Services to prevent future child abuse or neglect and promote family well-being.

(b) (1) (A) The pilot program authorized by this section shall implement and evaluate a new model for mandatory reporting of child abuse or neglect with one or more organizations that represent entities who employ a mandated reporter as defined in Section 11165.7.

(B) *(i)* An organization that employs a mandated reporter may elect to participate in a pilot program established pursuant to this section.

(ii) An employee of an organization that elects to participate in a pilot program established pursuant to this section may elect to participate in the pilot program. An organization shall not penalize or retaliate against an employee who does not participate in the pilot program.

(2) The pilot program shall include all of the following:

(A) The development and dissemination of a comprehensive County of Los Angeles mandated reporter training to participating organizations. The training may be made available to all mandated reporters in the County of Los Angeles and ~~may~~ *shall* include, but not be limited to, all of the following:

- (i) Information about child abuse or neglect consistent with statutes and appellate legal interpretations of the legal standards.
- (ii) Information about the duty to report known or reasonably suspected child abuse or neglect, including civil liability and criminal penalties for failing to report.
- (iii) Information about the role of cognitive biases in reporting decisions and racial disproportionality in the child welfare system.

(iv) Training on using the ~~decision-support~~ *decision-support* tool described in subparagraph (B).

(B) The development and deployment of an ~~internet-based, or other type of, decision-support~~ *internet-based decision-support* tool that may be used by mandated reporters who have completed the training described in subparagraph (A) to support and guide their duty to report suspected child abuse or neglect. *The decision-support tool shall not use predictive analysis.* The tool shall meet all of the following requirements:

(i) Be developed through a collaborative process that includes, but is not limited to, *child* welfare personnel, mandated reporters, as defined in Section 11165.7, *the State Department of Social Services*, people with lived experience with the child welfare system, advocates, other subject matter experts, and people with expertise in the field of ~~decision-support~~ *decision-support* analysis.

(ii) Be designed in compliance with all relevant state and local laws and policies.

(iii) Recommend to mandated reporters one of the following:

(I) A report to the child protection hotline is required.

(II) Consultation with the child protection hotline ~~or another entity, as provided by the decision-support tool,~~ is required.

(III) No report to the child protection hotline is required, but a family may benefit from supportive ~~services.~~ *services from a community-based organization that meets the following requirements:*

(ia) A demonstrated capacity to provide relevant prevention services that are reasonable and meritorious.

(ib) A demonstrated success at avoiding out-of-home placements.

(ic) A willingness to collaborate with local county welfare agencies to coordinate eligibility and enrollment into relevant assistance programs.

(id) An ability to implement preventive measures to reduce the likelihood of child welfare involvement, which may include support with addressing housing instability or access to health care.

(ie) Is equipped to serve diverse populations and the community with broad language capabilities.

(if) Compliance with regulations and guidelines regarding confidentiality.

(ig) Knowledge and understanding of current practices that strengthen protective factors and promote child safety and family well-being.

(IV) No action is required.

(iv) Notify the user that a mandated reporter is not prohibited from making a report to the child protection hotline regardless of the recommended action.

(v) Provide documentation and confirmation of its use and the recommended action to the mandated reporter.

(vi) Maintain the confidentiality of the identity of the mandated reporter pursuant to Section 11167 regardless of the recommended action.

(vii) Ensure deidentified, aggregated data is collected regarding the individuals served by the decision-support tool.

(C) Provide mandated reporters with access to a method for identifying local supportive resources for families who are in need of assistance. This method may include, but not be limited to, an online information and referral system, a call center-based information and referral system, a services navigator, a service support center, or a combination of these.

(c) (1) Completion of the comprehensive mandated reporter training pursuant to this section shall satisfy all statutory requirements for mandated reporter training as required by Section 18975 of the Business and Professions Code, Sections 33195, 44252, and 44691 of the Education Code, Section 1596.8662 of the Health and Safety Code, and all other relevant code sections regarding training for mandatory reporting of suspected child abuse or neglect.

(2) The comprehensive mandated reporter training may be completed asynchronously via an electronic learning format, in an instructor-led format, or in an in-person format.

(d) During the time that the pilot program is in effect, mandated reporters participating in the pilot program in the County of Los Angeles shall have satisfied their reporting duties as a mandated reporter under subdivisions (a) and (b) of Section 11166 if they

have completed the training described in subparagraph (A) of paragraph (2) of subdivision (b), utilized the required elements of the ~~decision-support~~ *decision-support* tool described in subparagraph (B) of paragraph (2) of subdivision (b), and complied with the recommended action provided by that tool or otherwise specified by law.

(e) (1) A mandated reporter who has satisfied their reporting duties under subdivision (d) is not subject to civil liability or criminal penalty for failing to report known or suspected child abuse or neglect pursuant to subdivision (c) of Section 11166 or Section 11166.01 and is not subject to penalties impacting their professional licenses, credentials, certifications, or other standards qualifying work in a particular field.

(2) The mandated reporter's supervisor, employer, superior, or principal is not subject to civil liability or criminal penalty for the mandated reporter's utilization of the ~~decision-support~~ *decision-support* tool and compliance with the recommended action provided by that tool regarding the same incident.

(f) (1) (A) If the County of Los Angeles implements the pilot program pursuant to this section, the county shall conduct a comprehensive evaluation of the pilot program and report its findings to the Legislature on or before October 31, 2029.

(B) The ~~evaluation~~ *report* shall include, but not be limited to, all of the following:

~~(i) The overall effectiveness of the pilot program.~~

~~(ii) The impacts that the pilot program had on child safety, mandated reporter decisionmaking, and the utilization of community-based resources.~~

(i) The number of times the decision-support tool was used and the corresponding recommendation for each instance.

(ii) Data on each referral to supportive services and whether the need to make a report to the child protection hotline was subsequently required.

(iii) Data on the services needed if a child was found to require supportive services.

(iv) Data on the number of reports to the child protection hotline that were made in the County of Los Angeles at the commencement of the pilot program and at its conclusion.

(v) Data on frequency of usage of the decision-support tool for the same family.

~~(iii)~~

(vi) The implications for ~~other counties~~ *broader implementation* in the state.

(C) The County of Los Angeles may contract with an independent entity for the purpose of designing and conducting the evaluation, as well as preparing the report pursuant to this subdivision.

(D) The County of Los Angeles shall seek the input of the State Department of Social Services and stakeholders, including people with lived experience with the child welfare system and legal representatives, in the design and implementation of the evaluation.

(E) The evaluation shall be paid for by the County of Los Angeles.

(2) The report to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(g) As used in this section, "mandated reporter" has the same meaning as defined in Section 11165.7.

(h) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 3. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the need to address the myriad of issues relative to mandated reporting in the County of Los Angeles.