


<p>California Department of Justice DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES Nick L. Dedier, Director</p> 	<h1>INFORMATION BULLETIN</h1>	
<p><i>Subject:</i> Child Abuse Reporting New Definition of a Substantiated Report</p>	<p><i>No.</i> 05-02 BCIA</p> <hr/> <p><i>Date:</i> 1/11/05</p>	<p><i>Contact for information:</i> Olivia Carrera Child Protection Program (916) 227-5178</p>

To: All Child Protective Agencies

Prior to January 1, 2005, section 11165.12(b) of the Penal Code (PC) defined a “Substantiated Report” to mean a report which is determined by the investigator who conducted the investigation, *based upon some credible evidence*, to constitute child abuse or neglect as defined in Section 11165.6 PC. On January 1, 2005, this definition of “Substantiated Report” changed. The new definition of a “Substantiated Report” is a report which is determined by the investigator who conducted the investigation, *based upon evidence that makes it more likely than not that child abuse or neglect, as defined, occurred*. The definitions of “Inconclusive” and “Unfounded” were not changed.

The Child Abuse Investigation Report, form SS 8583 (Rev. 5/02), which is completed by the investigating child protective agency pursuant to section 11169 PC, retains outdated language defining “substantiated” as “Credible evidence of abuse” in Box #10 of the form and within the instruction guidelines. This form is part of Section 903 of the California Code of Regulations and will require the Department of Justice to request a regulatory change to modify the form SS 8583. Therefore, it is important that agencies completing the form SS 8583 after January 1, 2005, apply the new definition of “Substantiated” before checking this box. Reports not meeting the new definition should be reported as “Inconclusive”. When the form SS 8583 is revised, box #10 of the form will reflect the new definition of “Substantiated” and corrected forms will be available for distribution.

Sincerely,

DOUG SMITH, Deputy Director
Division of California Justice Information Services

For **BILL LOCKYER**
Attorney General