

CALIFORNIA DEPARTMENT OF JUSTICE

TITLE 11. LAW DIVISION 1. ATTORNEY GENERAL CHAPTER 9. REPORT OF CHILD ABUSE

TEXT OF PROPOSED REGULATIONS

The original text published in the California Code of Regulations has no underline. The initial proposal (noticed on January 24, 2025) is illustrated by single blue underline for proposed additions and ~~single red strikethrough~~ for proposed deletions. Changes made after the 45-day comment period are illustrated by **bold double underline** for proposed additions and ~~**bold double strikethrough**~~ for proposed deletions.

Article 1. Administration of the Child Abuse Central Index

~~§ 900. Scope.~~

~~The regulations in this article are enacted pursuant to Penal Code sections 11169 and 11170 and set forth the procedures used by the California Department of Justice (DOJ) to administer the Child Abuse Central Index (CACI). The CACI is created pursuant to the Child Abuse and Neglect Reporting Act (CANRA). (Penal Code section 11164 et seq.)~~

~~CANRA requires that instances of suspected child abuse or neglect be investigated by county welfare departments or local law enforcement agencies. When an agency conducting an abuse or neglect investigation determines that the allegations of abuse or severe neglect are not unfounded as defined by CANRA, the agency must submit a report in writing to the DOJ indicating whether the agency's finding is inconclusive or substantiated as these terms are defined by CANRA (Penal Code section 11169(a)). The DOJ is required to prepare a form to be used by the investigating agency to report its finding to the DOJ that allegations of child abuse or severe neglect are not unfounded. The CACI contains the information submitted to the DOJ by the investigating agencies on the Child Abuse or Severe Neglect Indexing Form (BCIA 8583).~~

~~The submitting investigating agencies are solely responsible for the accuracy and completeness of the information required on the BCIA 8583. The DOJ is responsible for ensuring that the CACI accurately reflects the information the DOJ receives on the reporting form from the~~

~~submitting agency. The information in CACI is confidential and shall only be provided to entities authorized to receive it pursuant to Penal Code sections 11167.5, 11170 and 11170.5 or any other provision of law.~~

~~These regulations broadly describe how CACI information is collected and disseminated, and include the BCIA 8583 that the investigating county welfare departments and local law enforcement agencies must use to report its finding of substantiated or inconclusive child abuse or severe neglect.~~

~~NOTE: Authority cited: Section 11170(a)(1), Penal Code. Reference: Section 11170(a)(1), Penal Code.~~

§ 901. Form Required for Submitting Report of Known or Suspected Child Abuse or Severe Neglect.

- ~~(a) When an agency that is required to report instances of known or suspected child conducting an abuse or severe neglect in accordance with Penal Code section 11169 conducts an active investigation and determines that the allegation(s) of child abuse or severe neglect areis substantiated, as thatthose terms isare defined by the CANRA Penal Code sections 11165.1, 11165.2, subdivision (a), 11165.3, 11165.4, 11165.5, and 11165.12, the agency must submit a report in writing of the substantiated child abuse or severe neglect to the California Department of Justice (DOJ) on the Child Abuse or Severe Neglect Indexing Form, BCIA 8583 (Rev. 046/2024), incorporated by reference herein.~~

~~Agencies required to report instances of known or suspected child abuse or severe neglect for inclusion in CACI pursuant to Penal Code section 11169 shall make their report of known or suspected abuse or severe neglect on the BCIA 8583. All information on the BCIA 8583 must be fully and accurately completed by the submitting agency.~~

- ~~(b) The following BCIA 8583 shall be used for submitting reports of child abuse or severe neglect to the DOJ:~~

~~**DEPARTMENT OF JUSTICE (DOJ)**~~

~~CHILD ABUSE OR SEVERE NEGLECT INDEXING FORM (BCIA 8583)~~
~~GUIDELINES FOR USE AND COMPLETION~~

~~(For specific legal requirements regarding reporting abuse or severe neglect, refer to California Penal Code sections 11164 through 11174.3.)~~

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~~REPORTING CHILD ABUSE OR SEVERE NEGLECT TO DOJ~~

~~An agency subject to the requirements of Penal Code sections 11165.9 and 11169(a) must report to the DOJ every incident of suspected child abuse or severe neglect for which it conducts an investigation and for which it determines that the allegations of child abuse or severe neglect are not unfounded. The agency must report on the Child Abuse or Severe Neglect Indexing Form (BCIA 8583) indicating the agency's finding of possible child abuse or severe neglect.~~

~~Submit the completed BCIA 8583 to the DOJ as soon as possible after completion of the investigation because the information may contribute to the success of another investigation. It is essential that the information on the form be complete, accurate and timely to provide the maximum benefit in protecting children and identifying instances of suspected abuse or severe neglect.~~

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~~WHAT INCIDENTS MUST BE REPORTED~~

~~Abuse of a minor child, i.e., a person under the age of 18 years, involving any one of the below abuse types:~~

~~(Refer to Penal Code sections 11165.1 through 11165.6 for definitions.)~~

- ~~• Physical injury~~
- ~~• Mental/emotional suffering~~
- ~~• Sexual (abuse, assault and exploitation)~~
- ~~• Severe neglect~~
- ~~• Willful harming/endangerment~~
- ~~• Unlawful corporal punishment/injury~~
- ~~• Death~~

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~~GENERAL INSTRUCTIONS~~

- ~~Indicate whether you are submitting an INITIAL REPORT or an AMENDED REPORT by checking the appropriate box at the top of the form.~~
- ~~All information blocks contained on the BCIA 8583 should be completed by the submitting child protective agency. If information is not available, indicate “UNK” in the applicable field.~~
- ~~Section B, block 2. The finding that allegations of child abuse or severe neglect are not unfounded is:~~

~~SUBSTANTIATED—Defined by Penal Code section 11165.12(b) to mean circumstances where the evidence makes it more likely than not that child abuse or neglect, as defined, occurred.~~

~~INCONCLUSIVE—Defined by Penal Code section 11165.12(c) to mean circumstances where child abuse or neglect are determined not to be unfounded, as defined, but the findings are inconclusive and there is insufficient evidence to determine whether child abuse or neglect, as defined, has occurred.~~

- ~~Section C, AMENDED REPORT INFORMATION—Only use this section to update information previously submitted on BCIA 8583. Attach a copy of the original BCIA 8583 and complete Sections A, C, and all other applicable fields.~~

~~CHANGED TO INCONCLUSIVE—A previously submitted BCIA 8583 indicated as SUBSTANTIATED is being reclassified to INCONCLUSIVE.~~

~~CHANGED TO SUBSTANTIATED—A previously submitted BCIA 8583 indicated as INCONCLUSIVE is being reclassified to SUBSTANTIATED.~~

~~NOW UNFOUNDED—A previously submitted BCIA 8583 indicated as SUBSTANTIATED or INCONCLUSIVE is being reclassified to UNFOUNDED.~~

~~ADDED ADDITIONAL INFORMATION—Supplementary information is being provided for a previously submitted BCIA 8583. (Cases in which subsequent child death has resulted must be reported.)~~

~~CORRECTED REPORT INFORMATION—Check this box to indicate that information submitted on an initial BCIA 8583 is being corrected.~~

~~UNDERLYING INVESTIGATIVE FILE NO LONGER AVAILABLE—Check this area if your agency no longer retains the underlying investigative file that supports a previously submitted BCIA 8583.~~

~~COMMENT—Use this area only if you are reporting amended information that relates to one victim or suspect there is a need to clarify which victim or suspect the amended information applies to when the initial report contained multiple victims and/or suspects.~~

~~WHERE TO SEND THE FORM (For DOJ Reporting Only)~~

~~Department of Justice~~

~~Bureau of Criminal Information and Analysis~~

~~P.O. Box 903387~~

~~Sacramento, CA 94203-3870~~

~~ATTENTION: Child Protection Program~~

~~Telephone: (916) 227-3285~~

~~DEPARTMENT OF JUSTICE (DOJ)
CHILD ABUSE OR SEVERE NEGLECT INDEXING FORM (BCIA 8583)
GUIDELINES FOR USE AND COMPLETION
(For specific legal requirements regarding reporting abuse or severe neglect, refer to California Penal Code sections 11164 through 11174.3.)~~

~~**REPORTING CHILD ABUSE OR SEVERE NEGLECT TO DOJ**
An agency subject to the requirements of Penal Code sections 11165.9 and 11169(a) must report to the DOJ every incident of suspected child abuse or severe neglect for which it conducts an investigation and for which it determines that the allegations of child abuse or severe neglect are not unfounded. The agency must report on the Child Abuse or Severe Neglect Indexing Form (BCIA 8583) indicating the agency's finding of possible child abuse or severe neglect.
Submit the completed BCIA 8583 to the DOJ as soon as possible after completion of the investigation because this information may contribute to the success of another investigation. It is essential that the information on the form be complete, accurate and timely to provide the maximum benefit in protecting children and identifying instances of suspected abuse or severe neglect.~~

~~**WHAT INCIDENTS MUST BE REPORTED**
Abuse of a minor child, i.e., a person under the age of 18 years, involving any one of the below abuse types:
(Refer to Penal Code sections 11165.1 through 11165.6 for definitions.)~~

• Physical injury • Mental/emotional suffering • Sexual (abuse, assault and exploitation) • Severe neglect	• Willful harming/endangerment • Unlawful corporal punishment/injury • Death
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~~**GENERAL INSTRUCTIONS**
• Indicate whether you are submitting an INITIAL REPORT or an AMENDED REPORT by checking the appropriate box at the top of the form.
• All information blocks contained on the BCIA 8583 should be completed by the submitting child protective agency. If information is not available, indicate "UNK" in the applicable field.
• Section B, block 2. The finding that allegations of child abuse or severe neglect are not unfounded is:
SUBSTANTIATED — Defined by Penal Code section 11165.12(a) to mean circumstances where the evidence makes it more likely than not that child abuse or neglect, as defined, occurred.
INCONCLUSIVE — Defined by Penal Code section 11165.12(b) to mean circumstances where child abuse or neglect are determined not to be unfounded, as defined, but the findings are inconclusive and there is insufficient evidence to determine whether child abuse or neglect, as defined, has occurred.
• Section C. AMENDED REPORT INFORMATION — Only use this section to update information previously submitted on BCIA 8583. Attach a copy of the original BCIA 8583 and complete Sections A, C, and all other applicable fields.
CHANGED TO INCONCLUSIVE — A previously submitted BCIA 8583 indicated as SUBSTANTIATED is being reclassified to INCONCLUSIVE.
CHANGED TO SUBSTANTIATED — A previously submitted BCIA 8583 indicated as INCONCLUSIVE is being reclassified to SUBSTANTIATED.
NOW UNFOUNDED — A previously submitted BCIA 8583 indicated as SUBSTANTIATED or INCONCLUSIVE is being reclassified to UNFOUNDED.
ADDED ADDITIONAL INFORMATION — Supplementary information is being provided for a previously submitted BCIA 8583. (Cases in which subsequent child death has resulted must be reported.)
CORRECTED REPORT INFORMATION — Check this box to indicate that information submitted on an initial BCIA 8583 is being corrected.
UNDERLYING INVESTIGATIVE FILE NO LONGER AVAILABLE — Check this area if your agency no longer retains the underlying investigative file that supports a previously submitted BCIA 8583.
COMMENT — Use this area only if you are reporting amended information that relates to one victim or suspect there is a need to clarify which victim or suspect the amended information applies to when the initial report contained multiple victims and/or suspects.~~

~~**WHERE TO SEND THE FORM (For DOJ Reporting Only)**
Department of Justice
Bureau of Criminal Information and Analysis
P.O. Box 903387
Sacramento, CA 94203-3870
ATTENTION: Child Protection Program
Telephone: (916) 227-3285~~

Child Abuse or Severe Neglect Indexing Form
BCIA 8583 (Rev. 3/05)

Department of Justice
FOR DOJ/CA USE ONLY

CHILD ABUSE OR SEVERE NEGLECT INDEXING FORM
Entire Form To be Completed by Submitting Child Protective Agency
Pursuant to Penal Code section 11169

☐ INITIAL REPORT
☐ AMENDED REPORT (attach copy of original 8583 and complete Sections A, C and all other applicable fields)

A. SUBMITTING AGENCY

1. SUBMITTING AGENCY (Enter complete name and agency type, i.e. Police, Sheriff, Welfare, Probation) 2. AGENCY REPORT NO./CASE NAME

3. AGENCY ADDRESS Street City Zip Code 4. NAME OF INVESTIGATING PARTY 5. AGENCY TELEPHONE

B. INCIDENT INFORMATION

1. DATE OF REPORT 2. TYPE OF ABUSE (Check one or more) 3. DATE OF INCIDENT 4. TYPE OF ABUSE (Check one or more)

☐ SUBSTANTIATED (Penal Code section 11165.12(b)) ☐ UNSUBSTANTIATED (Penal Code section 11165.12(c))
☐ PHYSICAL ABUSE ☐ SEXUAL ABUSE ☐ MENTAL/EMOTIONAL SUFFERING ☐ SEXUAL ABUSE, ASSAULT, EXPLOITATION
☐ SEVERE NEGLECT ☐ WILFUL HARMING/ENDANGERMENT ☐ UNLAWFUL CORPORAL PUNISHMENT OR INJURY

C. AMENDED REPORT INFORMATION

Original Agency Report No./Case Name Date of Incident Type of Abuse

☐ CHANGED TO INCONCLUSIVE ☐ ADDED ADDITIONAL INFORMATION
☐ CHANGED TO SUBSTANTIATED ☐ CORRECTED REPORT INFORMATION
☐ NOW UNFOUNDED ☐ UNDERLYING INVESTIGATIVE FILE NO LONGER AVAILABLE

Comments:

D. PARTIES

VICTIMS

1. NAME Last First Middle AKA APPROX AGE SEX ☐ MALE ☐ FEMALE
2. DID VICTIM'S INJURIES RESULT IN DEATH? YES ☐ NO ☐ UNKNOWN IS VICTIM DEVELOPMENTALLY DISABLED (4512(a) W&I)? YES ☐ NO ☐ UNKNOWN
3. NAME Last First Middle AKA APPROX AGE SEX ☐ MALE ☐ FEMALE
4. DID VICTIM'S INJURIES RESULT IN DEATH? YES ☐ NO ☐ UNKNOWN IS VICTIM DEVELOPMENTALLY DISABLED (4512(a) W&I)? YES ☐ NO ☐ UNKNOWN
5. NAME Last First Middle AKA APPROX AGE SEX ☐ MALE ☐ FEMALE
6. DID VICTIM'S INJURIES RESULT IN DEATH? YES ☐ NO ☐ UNKNOWN IS VICTIM DEVELOPMENTALLY DISABLED (4512(a) W&I)? YES ☐ NO ☐ UNKNOWN

SUSPECTS

1. NAME Last First Middle AKA APPROX AGE SEX ☐ MALE ☐ FEMALE
2. RELATIONSHIP TO VICTIM ☐ PARENT/STEPARENT ☐ SIBLING ☐ OTHER RELATIVE ☐ FRIEND/ACQUAINTANCE ☐ STRANGER
3. ADDRESS Street City Zip Code HOT WGT EYES HAIR SOCIAL SECURITY NUMBER DRIVER'S LICENSE NUMBER
4. RELATIONSHIP TO VICTIM ☐ PARENT/STEPARENT ☐ SIBLING ☐ OTHER RELATIVE ☐ FRIEND/ACQUAINTANCE ☐ STRANGER
5. NAME Last First Middle AKA APPROX AGE SEX ☐ MALE ☐ FEMALE
6. RELATIONSHIP TO VICTIM ☐ PARENT/STEPARENT ☐ SIBLING ☐ OTHER RELATIVE ☐ FRIEND/ACQUAINTANCE ☐ STRANGER
7. NAME Last First Middle AKA APPROX AGE SEX ☐ MALE ☐ FEMALE
8. RELATIONSHIP TO VICTIM ☐ PARENT/STEPARENT ☐ SIBLING ☐ OTHER RELATIVE ☐ FRIEND/ACQUAINTANCE ☐ STRANGER
9. NAME Last First Middle AKA APPROX AGE SEX ☐ MALE ☐ FEMALE
10. RELATIONSHIP TO VICTIM ☐ PARENT/STEPARENT ☐ SIBLING ☐ OTHER RELATIVE ☐ FRIEND/ACQUAINTANCE ☐ STRANGER

OTHER

1. NAME Last First Middle AKA APPROX AGE SEX ☐ MALE ☐ FEMALE
2. NAME Last First Middle AKA APPROX AGE SEX ☐ MALE ☐ FEMALE
3. NAME Last First Middle AKA APPROX AGE SEX ☐ MALE ☐ FEMALE
4. NAME Last First Middle AKA APPROX AGE SEX ☐ MALE ☐ FEMALE

ETHNIC CODES: W-White, B-Black, H-Hispanic, I-American Indian, P-Pacific Islander, G-German, J-Japanese, A-Other Asian, Z-Asian Indian, O-Other/Unknown
G-German, J-Japanese, A-Other Asian, Z-Asian Indian, O-Other/Unknown

USE ADDITIONAL SHEET(S) IF NECESSARY ☐ CHECK HERE IF ADDITIONAL SHEET(S) IS ATTACHED

NOTE: Authority cited: Sections 11169 and 11170(a)(1), Penal Code. Reference: Sections 11169(a) and 11170(a)(1), Penal Code.

§ 902. Responsibilities of Agencies Submitting Reporting Form.

(a) When completing and submitting a BCIA 8583, agencies can review the Instructions for Completing the Child Abuse or Severe Neglect Indexing Form (BCIA 8583) (rev. 03/2025), incorporated herein by reference, for assistance with completing the form in accordance with this section. ~~In order to fully meet its obligations under CANRA, a~~ An agency required to report instances of known or suspected child abuse or severe neglect must submit a complete ~~all of the information on the~~ BCIA 8583. A fully completed BCIA 8583 must have all of the required information in subdivision (a)(1). Only information from a fully completed BCIA 8583 will be entered into the Child Abuse Central Index (CACI). In accordance with subdivision (b),

~~I~~ incomplete forms, which are forms that do not have all of the required information listed in subdivision (a)(1), will be returned to the submitting agency and. The agency must then resubmit a fully completed form to fulfill its reporting responsibilities under **the Child Abuse and Neglect Reporting Act (CANRA)** and Penal Code section 11169, **subdivision** (a). Under Penal Code section 11170, **subdivision** (a)(2), ~~provides that~~ the submitting agency is solely responsible for the accuracy and completeness of the report required by CANRA and ~~states that~~ ~~the~~ DOJ is only responsible for ensuring that the CACI accurately reflects the report it receives from the submitting agency. Accordingly, ~~the~~ DOJ presumes that the information ~~provided~~ reported by the submitting agency on the BCIA 8583 is accurate. ~~The~~ DOJ does not conduct an investigation to verify the accuracy of the ~~information~~ report submitted nor does it investigate the quality or accuracy of the **child** abuse or severe neglect investigation conducted by the submitting agency.

(1) Required information for a BCIA 8583 to be considered fully complete:

(i) Submitting agency information

A. Submitting agency, information such as, address, city, state, ZIP code, name of submitting party, title, telephone number

B. Welfare or probation box must be checked (only one of the two)

C. Initial report or amended report box must be checked

1. If the agency indicates an amended report is being submitted, it must ~~attach a copy of the original report and~~ provide the original agency report number/case name, **initial report submission date**, date of incident, type of abuse, and indicate how the original report is being amended, either unfounded or inconclusive, new information, corrected report, or the agency no longer retained the investigative file.

D. Submitting agency report number or case name (must have at least one of the two)

E. Date of report

F. Date of incident

G. The finding that allegations of child abuse or severe neglect is substantiated box must be checked

H. Type of abuse must be checked (as many as apply)

(ii) Victim(s) information

A. Last name, first name

B. Date of birth~~and approximate age~~

C. Gender

(iii) Suspect Information

A. Last name, first name

B. Date of birth~~and approximate age~~

C. Whether the suspect is 17 years or younger

D. Gender

E. Relationship to victim (only one box may be checked)

(2) Information that is not required for a BCIA 8583 to be considered fully complete **and may be left blank**:

(i) Other interested party.

(ii) Any of the below information that is provided for the victim or suspect:

A. Race

B. Height and weight

C. Hair and eye color

D. Social Security number

E. Driver's license number

F. Address

(iii) Whether the victim's injuries resulted in death box may be checked, either yes, no, ~~or unknown~~, **or left blank**.

(iv) Is victim developmentally disabled box may be checked, either yes, no, ~~or unknown~~, **or left blank**.

(v) If a BCIA 8583 is returned due to missing information and the agency cannot provide the required information, the agency should discontinue the submission rather than resubmit the incomplete form.

(b) If a submitting agency submits an incomplete BCIA 8583, DOJ will return the BCIA 8583 to the submitting agency, along with a letter listing the missing information and explaining why that BCIA 8583 has been rejected. **The rejection letter will be sent to the point of contact**

designated by the submitting agency and listed on the BCIA 8583. The submitting agency must promptly provide the missing information and resubmit the completed BCIA 8583 to DOJ for inclusion of that report in the CACI.

(c) Only one suspect can be listed per BCIA 8583. Each additional suspect will require a separate BCIA 8583. These are referred to as supplemental reports.

~~(b)~~ A submitting agency must immediately notify ~~the~~ DOJ of any changes to information previously ~~reported~~provided on ~~a~~the BCIA 8583 by submitting an amended BCIA 8583. Instances when an amended BCIA 8583 is required may includes, but is not limited to, a circumstance where the submitting agency, acting pursuant to a court order or otherwise, changes a prior finding of substantiated ~~or inconclusive~~child abuse or severe neglect to one of unfounded or inconclusive child abuse or severe neglect. ~~Conversely, if an original finding of an unfounded allegation of abuse or severe neglect is later reclassified as inconclusive or substantiated, the investigating agency must submit a BCIA 8583 to meet its reporting obligations under CANRA.~~

~~(e)~~ A primary purpose of the CACI is to permit authorized entities to locate prior reports detailing investigations of known or suspected child abuse or severe neglect. The submitting agency must permanently retain investigative reports for which ~~it~~the agency has submitted a BCIA 8583, or an earlier version ~~thereof~~of a reporting form, if the ~~investigative report substantiated allegations of abuse or severe neglect unless the agency, acting pursuant to court order or otherwise, determines that the allegations investigated are unfounded. If the investigative report was inconclusive about the existence of child abuse or severe neglect, the report must be retained for ten years unless there is an investigation of subsequent allegations of child abuse or severe neglect against the same child or by the same suspect(s) which determines the allegations are not unfounded. If the investigation of subsequent allegations is inconclusive, the original investigative report and the subsequent investigative report must be retained for ten years after filing the BCIA 8583 for the subsequent instance of abuse or severe neglect with DOJ. When the subsequent investigation determines that the subsequent allegations of abuse or severe neglect are substantiated, all prior remaining investigative reports involving the same victims or suspects must be retained permanently.~~investigation determined the allegation(s) of child abuse or severe neglect to be substantiated. The retention requirement applies to all agencies, including but not limited to, police departments and sheriff's departments, which have

previously submitted a report of substantiated **child** abuse or severe neglect to DOJ even if an agency is no longer required to make reports to the CACI. The reporting agency need not retain its investigative files when: (1) the suspect in the CACI reaches 100 years of age; (2) the suspect was a minor at the time of the incident, ten years have passed since the incident date, the suspect has no subsequent reports, and was listed only once in the CACI.

(d) If a submitting agency has lost, destroyed, or otherwise no longer retains, or pursuant to court order has sealed the investigatory report(s) for a prior reports that are indexed ~~on~~in the CACI, the submitting agency shall immediately notify ~~the~~ DOJ of the loss, destruction, sealing, or non-retention of the investigatory report by filing an amended BCIA 8583 indicating that the investigatory report is no longer retained. ~~The~~ DOJ will remove from the CACI the names of ~~individuals~~persons identified in the lost, destroyed, sealed, or no longer retained investigatory report(s) indexed in the CACI.

NOTE: Authority cited: Sections 11169 and 11170~~(a)(1)~~, Penal Code. Reference: Sections 11169~~(a)~~, 11169~~(c)~~, 11170~~(a)(1)~~, 11170~~(a)(2)~~ and 11170~~(a)(3)~~, Penal Code.

§ 903. Entities Authorized to Access CACI Information May Not Make Determinations Based Solely on the CACI Listing.

A primary purpose of the CACI is to permit authorized entities to locate prior reports detailing investigations of known or suspected child abuse or severe neglect. An entity receiving information from the CACI is responsible for reviewing the underlying investigative report(s) from the agency ~~submitting~~that submitted the CACI report(s) and making an independent assessment regarding the merits of the investigating agency's finding of substantiated ~~or inconclusive~~ child abuse or severe neglect. ~~Penal Code section 11170(b)(9)(A) provides that an entity receiving CACI information is responsible for obtaining the original investigative report from the reporting agency, and for drawing independent conclusions regarding the quality of the evidence disclosed, and its sufficiency for making decisions regarding investigation, prosecution, employment, licensing, adoption or placement of a child.~~ An entity receiving the CACI information shall not act solely upon the CACI information or the fact that ~~an individual~~a person is listed ~~on~~in the CACI to grant or deny any benefit or right.

NOTE: Authority cited: Sections 11167.5, 11169, 11170(a)(1), 11170(b)(9)(A) and 11170(e)(2), Penal Code. Reference: Sections 11167.5, 11169, ~~11170(a), 11170(b)(9)(A), 11170(e)~~ and 11170(e)(2), Penal Code.

§ 904. DOJ Notification When a Submitting Agency Provides Names Identified in Existing CACI Entries.

(a) When ~~the~~ DOJ receives a completed BCIA 8583 identifying the name of a suspect or victim that results in a possible match with names contained in the CACI, ~~the~~ DOJ will notify the submitting agency in writing of the prior report in the CACI which has the same possible suspect or victim match. The notification will include the name of the prior submitting agency, the submitting agency's report number for the prior report, the date of the report, and the determination made by ~~that~~the agency ~~as to whether~~that the allegation of child abuse or severe neglect was ~~inconclusive or~~ substantiated. ~~The~~ DOJ will also provide notification and the above information to prosecutors who requested ed notification of subsequent CACI entries regarding victims or suspects identified in prior investigative reports entered in the CACI.

~~(b) If a new report contains a suspect match with a prior report of inconclusive abuse or severe neglect, the DOJ will notify in writing the agency submitting the prior report that it must retain its investigatory file(s) for the inconclusive finding of abuse or severe neglect for at least ten (10) years from the date the new report is entered into CACI.~~

~~(e)~~(b) The notifications set forth in subdivisions (a) ~~and (b)~~ will be made even if the agency submitting the new report is the same agency that submitted the prior report.

NOTE: Authority cited: Section 11170~~(a)(1)~~, Penal Code. Reference: Sections ~~11169(e), 11170(b)(1) (10), 11170(e), 11170(d) and 11170(e)~~, Penal Code.

§ 905. Releasing CACI Information in Response to Inquiries ~~f~~From Authorized Entities.

The information contained in the CACI is confidential and will only be disclosed to those ~~individuals~~persons or entities authorized by law to receive it, including but not limited to:

(a) An agency conducting an investigation of child abuse or ~~severe~~ neglect, or a district attorney making a request, will be provided CACI information pertaining to the specific ~~individual~~person(s) being investigated. An agency conducting an ongoing investigation of

known or suspected child abuse or severe neglect may request, and shall be provided, CACI information regarding prior investigations by the same or other agencies before completing its current ongoing investigation and submitting the BCIA 8583 required for its current ongoing investigation. Requests must be submitted on a ~~Faersimile Inquiry~~Request For Child Abuse Central Index (CACI) Search, BCIA 4084 (Rev. 016/2024), incorporated by reference herein.~~check BCIA 4084 (Rev.3/09) form.~~ Forms can be found on the ~~California Law Enforcement Website (CLEW) or upon request to the DOJ~~California Attorney General's website at www.oag.ca.gov/childabuse/forms.

(b) Authorized persons or entities making inquiries for purposes such as employment, licensing, in-state or out-of-state adoption, or child placement will be provided CACI information pertaining to the suspect only. Information will include the name of the submitting agency, the submitting agency's report number, and the date of the report. Inquiries for employment, licensing, or in-state adoption requests must be submitted via live scan. Inquiries for child placement must be submitted on the BCIA 4084. Inquiries for out-of-state adoption must be submitted on the Child Abuse Central Index Inquiry (CACI) Request for Out-Of-State Foster Care & Adoption Agencies, BCIA 4057 (Rev. 016/2024), incorporated by reference herein. Forms can be found on the California Attorney General's website at www.oag.ca.gov/childabuse/forms. ~~Requests must be submitted via live scan or on a Faersimile Inquiry For Child Abuse Central Index (CACI) Check BCIA 4084 (Rev.3/09) form. The form is available from the DOJ website or upon request to the DOJ.~~

NOTE: Authority cited: Sections 11167, 11167.5, 11169, 11170(a)(1), and 11170.5, Penal Code. Reference: Sections 11167, 11167.5, 11169, ~~11170(b)(1)-(10), 11170(e), 11170(d), 11170(e),~~ and 11170.5, Penal Code.

§ 906. Disclosure of CACI Information ~~T~~to Members of the Public.

(a) When a notarized Child Abuse Central Index (CACI) Self Inquiry Request, BCIA 4056 (Rev. 09/09011/2024), incorporated by reference herein,~~form~~ satisfying Penal Code section 11170, subdivision (f)(1), ~~(available from the DOJ website or upon request from the DOJ)~~ is received from ~~a member of the public~~a person to determine if that ~~a member of the public~~person is listed in the CACI, and the inquiry results in a possible match to a suspect or victim listed in the CACI,

~~the~~ DOJ will notify the person in writing whether they are listed in the CACI as a suspect or victim and provide the name of the submitting agency and the date of the report. DOJ will automatically provide a copy of the personal information maintained in the CACI relating to the requesting party for their examination. The BCIA 4056 is available on the California Attorney General's website at www.oag.ca.gov/childabuse/forms.

~~(1) notify the person in writing that they are listed in CACI as a suspect or victim and provide the name of the submitting agency, the report number for the submitting agency's investigative file and the date of the report. The DOJ will also notify the person of disseminations of their CACI information conducted for both investigative and applicant purposes. The notification will include the date of the dissemination, the agency to which the record was disseminated, and the purpose of the dissemination. The DOJ will automatically provide a copy of the personal information maintained in the CACI relating to the requesting party for their examination.~~

(~~e~~b) A person may inspect, review, dispute, amend, and correct information contained in the CACI as specified in the Information Practices Act of 1977. However, the decision whether to list a person in the CACI rests solely with the submitting agency, and any challenges regarding placing a person ~~on~~ in the CACI must be filed with the submitting agency.

(~~b~~c) Notwithstanding subdivision (b), w~~When~~ a notarized written request is received by DOJ (see Penal Code section 11170, subdivision (g)) from a person listed in the CACI only as a victim of child abuse or severe neglect who wishes to be removed from the CACI, and that person is 18 years of age or older, ~~the~~ DOJ will ~~also~~ remove the person's name, address, Social Security number, and date of birth (and any other descriptive information about the person) from the CACI. DOJ will also notify the person in writing that their name and descriptor information have been removed from the CACI.

~~(1) remove the person's name, address, social security number and date of birth (and any other descriptive information about the person) from the CACI. The DOJ will also notify the person in writing that their name and descriptor information have been removed from the CACI.~~

NOTE: Authority cited: Section 11170~~(a)(1)~~, Penal Code. Reference: Sections 11170~~(f)~~, and ~~11170(g)~~, Penal Code; and Sections 1798.25, 1798.32, 1798.33, ~~1978.34~~1798.34; and ~~1978.35~~1798.35, Civil Code.