

West's Ann.Cal.Penal Code § 11165.9



Effective: July 31, 2001

West's Annotated California Codes [Currentness](#)

Penal Code [\(Refs & Annos\)](#)

Part 4. Prevention of Crimes and Apprehension of Criminals [\(Refs & Annos\)](#)

Title 1. Investigation and Control of Crimes and Criminals [\(Refs & Annos\)](#)

[Chapter 2.](#) Control of Crimes and Criminals [\(Refs & Annos\)](#)

[Article 2.5.](#) **Child Abuse** and Neglect **Reporting Act** [\(Refs & Annos\)](#)

→§ 11165.9. Reports of suspected child abuse or neglect

Reports of suspected child abuse or neglect shall be made by mandated reporters to any police department or sheriff's department, not including a school district police or security department, county probation department, if designated by the county to receive mandated reports, or the county welfare department. Any of those agencies shall accept a report of suspected child abuse or neglect whether offered by a mandated reporter or another person, or referred by another agency, even if the agency to whom the report is being made lacks subject matter or geographical jurisdiction to investigate the reported case, unless the agency can immediately electronically transfer the call to an agency with proper jurisdiction. When an agency takes a report about a case of suspected child abuse or neglect in which that agency lacks jurisdiction, the agency shall immediately refer the case by telephone, fax, or electronic transmission to an agency with proper jurisdiction.

CREDIT(S)

(Added by [Stats.2000, c. 916 \(A.B.1241\), § 8.](#) Amended by [Stats.2001, c. 133 \(A.B.102\), § 4, eff. July 31, 2001.](#))

HISTORICAL AND STATUTORY NOTES

2005 Electronic Update

2000 Legislation

Section 34 of Stats.2000, c. 916 (A.B.1241), provides:

"This act is not intended to abrogate the case of [Alejo v. City of Alhambra \(1999\) 75 Cal.App.4th 1180.](#)"

Former § 11165.9 was repealed by Stats.2000, c. 916 (A.B.1241), § 7.

2001 Legislation

Stats.2001, c. 133 (A.B.102), in the first sentence, inserted "or" preceding "sheriff's department", inserted "not including a school district police or security department"; deleted the former second sentence which read, "It does not include a school district police or security department."; and in the new second sentence, substituted "referred" for "referral", and made a nonsubstantive change.

2000 Main Volume

Derivation: Former § 11165, added by Stats.1980, c. 1071, § 4, amended by Stats.1981, c. 29, § 1; Stats.1981, c. 435, § 1; Stats.1982, c. 905, § 1; Stats.1984, c. 1170, § 1; Stats.1984, c. 1391, § 23; Stats.1984, c. 1613, § 2, 2.6; Stats.1985, c. 189, § 1; Stats.1985, c. 1528, § 2.5.

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CROSS REFERENCES

Mandated reporters, knowledge of mental suffering upon child, see [Penal Code § 11166.05](#).

LAW REVIEW AND JOURNAL COMMENTARIES

Protecting children from exposure to domestic violence: The use and abuse of child maltreatment statutes. Lois A. Weithorn, J.D., PH.D., [53 Hastings L.J. 1 \(Nov. 2001\)](#).

RESEARCH REFERENCES

Encyclopedias

[Cal. Jur. 3d Criminal Law: Core Aspects § 52](#), Duty of Observer.

Treatises and Practice Aids

[Rutter, Cal. Practice Guide: Personal Injury Ch. 2-E](#), E. Developing Theories of Recovery.

[2 Witkin Cal. Crim. L. 3d Crimes Against Peace Welf § 317](#), (S 317) Reporting Requirements.

[2 Witkin Cal. Crim. L. 3d Sex Offenses & Crimes § 156](#), (S 156) in General.

[10 Witkin Cal. Summ. 9th Parent and Child § 3](#), In General.

[10 Witkin Cal. Summ. 9th Parent and Child § 502](#), Confidentiality and Disclosure.

[5 Witkin Cal. Summ. 9th Torts § 284](#), General Provisions.

[5 Witkin Cal. Summ. 9th Torts § 285](#), Duty of Observer.

[5 Witkin Cal. Summ. 9th Torts § 286](#), Duties of Public Agencies.

NOTES OF DECISIONS

Inspection of juvenile case files 1

1. Inspection of juvenile case files

The children's services inspector general of a county, an officer within the department of auditor-controller created by the board of supervisors to identify county program improvements to prevent the recurrence of child deaths due to neglect or abuse, is not permitted to inspect the juvenile case file of a deceased child without issuance of a prior court order. Op.Atty.Gen. No. 04-201 (June 2, 2004).

West's Ann. Cal. Penal Code § 11165.9, CA PENAL § 11165.9

Current through Ch. 117 of 2005 Reg.Sess. urgency legislation (except Chs. 75)
& Governor's Reorganization Plans No. 1 & 2 of 2005

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