



Within the Los Angeles County Department of Children and Family Services, there is a little-known unit responsible for advancing transparency and keeping the public informed.

Named after Senate Bill (SB) 39 – a law that allows for the release of certain information when there is a reasonable suspicion or confirmation that a child fatality was the result of abuse and/or neglect – the unit maintains statistical data on child fatalities, manages the department’s child fatality webpage and responds to SB 39 requests.

“While we don’t work directly with children and youth, our work provides critical information that can lead to changes and improvements that impact the lives of children in Los Angeles County,” said Francisco Torres, a 27-year DCFS veteran pictured to the left with part of his six-person unit.

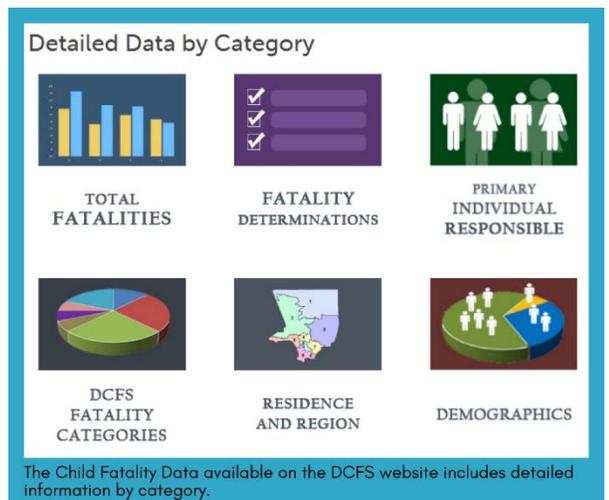
Although state law protects the confidentiality of children, siblings and their families, and prohibits the department from confirming or commenting on whether a child or family has been involved with DCFS, under SB 39 DCFS may release specific redacted records upon request when the fatality has been deemed the result of abuse or neglect, a determination that can be made by the department, law enforcement, or the Los Angeles County Coroner.

The law, which was modified in 2017 to include near fatalities as well as deaths, expedites what used to be an extended court process for the release of limited information.

“This work can certainly weigh on you,” Francisco said. “It takes a certain type of person to do this day in and day out and stay emotionally grounded. It is always heartbreaking when a child dies. However, we focus on the fact that the information we provide can identify trends or issues early on and this supports our ability to learn as an organization and improve outcomes in the future.”

The SB 39 unit, which is under the Risk Management Division, works diligently to respond to requests quickly while simultaneously ensuring that the department maintains the confidentiality of client information. Last calendar year, the unit processed more than 275 SB 39 requests for case records, most of which were requested by news media.

Prior to releasing any records, the unit consults with Los Angeles County Office of County Counsel and the District Attorney’s Office to redact any information that could jeopardize a criminal investigation or legal proceeding. SB 39 staff also must provide notice to counsel for any child who is directly or indirectly connected to the case file, so that they may have the opportunity to file an objection or seek relief from the court.



The team is required to respond to SB 39 requests within 10 business days of a request being received or from the date the determination was made (whichever is later) that the fatality was the result of abuse and/or neglect. However, this time frame can be delayed depending on the volume of the request or the time necessary to meet the criteria for release. If a case does not meet SB 39 criteria, the department is legally prohibited from providing any information. In such instances, members of the public and news media may ask the Juvenile Court for access to the records by filing a petition.

In addition to responding to SB 39 requests, the unit also compiles and publishes statistical data about child fatalities on the department's website, including information on total fatalities, fatality determinations, and child fatality demographics, among other data. Information is updated every six months and is accessible at <https://dcfs.lacounty.gov/resources/child-fatality-data/>. The most recent update spans January through May 2020.

Recognizing the unit's critical function, Director Bobby D. Cagle said, "We have an obligation not only to be as thorough and complete as possible in our investigations of a child death but also to advance the truth. The work of the SB 39 unit is absolutely necessary to keep children safe, and to learn from a tragedy."

Report Suspected Child Abuse or Neglect to 800-540-4000

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