

Walnut Creek institutes 'mandated reporter' policy on suspected child abuse

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Contra Costa Times

POSTED: 11/15/2013 02:23:51 PM PST | UPDATED: 3 MONTHS AGO

WALNUT CREEK -- A new policy makes it clear which city employees are responsible for reporting suspected child abuse, nine months after such allegations rocked Walnut Creek's Leshner Center and City Hall.

City Manager Ken Nordhoff signed off on a mandated reporting policy Nov. 7. The policy explicitly lists employee job titles required under state law to report any suspicions of child abuse to the Walnut Creek Police Department. They include the director and assistant director for arts and recreation as well as the Leshner Center manager. Those who currently hold those positions were put on paid administrative leave this past spring during an internal investigation into the firing of Leshner Center employee Jason Pedroza.

Pedroza was fired a year ago for inappropriate behavior with teenage girls, which eventually led to an internal and criminal investigation into fellow employees' possible failure to report child sex abuse. The four employees put on leave were eventually cleared of wrongdoing.

Pedroza pleaded guilty in Contra Costa Superior Court in August to child sexual abuse charges.

Following Pedroza's arrest, it was revealed that some city employees were unaware they were required by law to report suspicions of abuse and that the city lacked a written policy for how city employees should follow state law. While city leaders say those who have contact with minors have always been trained, this policy takes it a step further, explicitly stating that contract and temporary workers, and those who oversee employees that have contact with kids, are considered mandated reporters.

"The great majority of what we have been doing, in terms of complying with the law and training the employees, has been going on for many years," said City Manager Ken Nordhoff. The Pedroza matter, he said, "brought it to light that we didn't have a formal policy, and it certainly made sense that we needed to clearly identify those who are mandated reporters and what the procedures and responsibilities are."

Child Abuse Prevention Council of Contra Costa County

Those considered "mandated reporters" range from the public services director and all members of the police department to open space rangers. Any such employee who suspects abuse must call the Walnut Creek Police Department and make a follow-up written report to police 36 hours after the initial report, according to the policy. Failure to report can result in termination; under state law, violators can get up to six months in county jail and a fine of up to \$1,000.

The policy encourages employees to tell their supervisors, and clearly states that "an internal inquiry or report is not a substitute for a Mandated Reporter's required external reports to the Walnut Creek Police Department by telephone and in writing."

As the Leshner Center fallout unfolded, employees said not only did they not think there was something to report but they heard another police agency was already investigating Pedroza.

Nordhoff did not want to address whether this policy may have led to different outcomes in the Pedroza investigation. But he did say that city staff has tried to learn from the Pedroza incident when drafting the new policy, specifically including more people as mandated reporters than necessary. He also encourages all city employees to take training on the subject.

When the Pedroza news first broke, Nordhoff said he would make every city employee a mandated reporter. But after a legal review, he said, the city can't impose anything that goes beyond what state law requires.

Walnut Creek has done training for years, but not to the extent that the Child Abuse Prevention Council has been called in to do since the Pedroza matter broke, said Carol Carrillo, the council's executive director.

Such policies are popping up more and more, especially in school districts as problems with lack of reporting child abuse come to light, Carrillo said.

Because this is considered an administrative policy, it doesn't have to be approved by the City Council, though its members have seen it, Nordhoff said.

Mayor Cindy Silva believes the city has done an excellent job of ensuring children's safety but is pleased a mandated reporter policy is now in place.

"This just adds that one extra safeguard to insure clarity of responsibility," Silva said.