

ASSEMBLY THIRD READING  
AB 1566 (Jackson)  
As Introduced January 12, 2026  
Majority vote

## SUMMARY

Redefines severe neglect under the Child Abuse and Neglect Reporting Act (CANRA) to include any person who, having the care or custody of a child, willfully causes or permits serious illness or serious injury to the child, willfully causes or permits the death of the child, or causes the child to be placed at imminent risk of serious illness, serious injury, or death.

## Major Provisions

## COMMENTS

### According to the Author

"The current mandated reporting system has resulted in the over-surveillance of families, most of whose challenges don't rise to the level of true safety concerns and child protection system involvement, and who are disproportionately families of color. The current system compromises safety of the children and families in need of child protections intervention by overwhelming the agency with reports that don't involve child abuse or neglect. This bill came as a recommendation from the California's Mandated Reporting to Community Supporting Task Force. Based on significant data on the occurrence and harm of over-reporting using the general neglect category, the Task Force identified a legislative recommendation to detail and clarify 'severe neglect' so it aligns with the child welfare system's definition rather than becoming a default catch-all reporting category."

### Arguments in Support

According to *Public Counsel*, "We want to express our support for AB 1566 (Jackson), a bill that aims to address the over-reporting and over surveillance of Black/African American and Native American/Indigenous children and families in our Child Welfare System. We thank and applaud Assembly Member Jackson for his leadership in recognizing the critical need for reform of California's Mandated Reporting System and championing policy initiatives to address this need.

"Black/African American and Native American/Indigenous children are significantly more likely to be reported for allegations of abuse and neglect, despite the vast majority of those allegations being unfounded or unsubstantiated. A recent study showed that half of Black children, as well as half of Native American children, experienced an investigation at some point during their childhood, compared to nearly a quarter of white children. California is no exception, a recent report by the Legislative Analyst's Office explains that of children born in 1999 in California, approximately 50% of Black and Indigenous children will have some level of child welfare involvement by the age of 18, and children on Medi-Cal are more than twice as likely to experience child welfare involvement than children with private health insurance.

"In the current system, nearly 90 percent of all child abuse and neglect allegations are unsubstantiated. In 2023, of the 433,817 children and youth reported to Child Protective

Services, 49,463 were determined to need the services. Leaving 384,354 children and youth exposed to the trauma of a report, and possibly an investigation, with the likely result of no additional supports or services that strengthen families.

"Unnecessary reporting is harmful to children, families and communities. It breaks trust, produces feelings of shame and anger, and pushes families away from the help they need instead of inviting them to move toward a community that has support available for them.

"California's system of Mandatory Reporting -at its best, identifies children experiencing true safety concerns- however, at its worst, it begins a journey of systemic harm and intrusion that Black and Tribal Families disproportionately shoulder.

"We believe AB 1566 is a necessary step in transforming the system. AB 1566 amends the definition of Severe Neglect in the Child Abuse and Neglect Reporting Act (CANRA) and aligns it with the definition of Severe Neglect utilized in the California Structured Decision Making (SDM) Tool. As of 2016, all 58 counties in California use SDM to help assess risk and safety to vulnerable children. Under current law, Severe Neglect as defined in CANRA is loosely defined and does not match the more precise and accurate definition used in SDM. This discrepancy is resulting in overreporting of children and families. By aligning the definitions, AB 1566 will minimize the number of unnecessary reports made to the hotline, avoid trauma and stress to children and their families and provide relief to an overburdened Child Protection Hotline System."

### **Arguments in Opposition**

According to the Arcadia Police Officers' Association, "California's school police and other law enforcement organizations here are strongly opposed to AB 1566 which severely weakens child protection reporting laws by down-grading what currently constitutes "severe negligence."

"Protecting children from abuse and neglect must remain one of our highest priorities. However, effective child protection policy is not furthered by reducing it to allow more child endangerment to occur before reporting is required. Why would anyone want to allow the health and safety of children to be increasingly endangered and yet remain unreported?

Current law, Penal Code Section 11165.2 requires mandated reporting of a person who "*willfully causes or permits the person or health of the child to be placed in a situation such that their person or health is endangered as proscribed by Section 11165.3* ... This is an extremely reasonable child protection standard that should remain intact.

"If your child was subjected to a person who was willfully causing or allowing the health or safety of your child to be endangered, you would want to be notified, right?

"What AB 1566 says:

Mandated reporting required where the person in charge of the child's welfare either:

- 1) Willfully causes or permits serious illness or injury to the child;
- 2) Willfully causes or permits the death of the child; or
- 3) Causes imminent risk of serious illness, injury or death of child.

"AB 1566 does not seek to improve child protections against severe neglect. Instead, the bill changes the definition of what constitutes "severe neglect" thereby making it easier for the child abusers to go unreported.

"What AB 1566 does:

- 1) Removes reporting of "severe neglect" based on the actual or potential harm suffered by children;
- 2) Removes infliction of unjustifiable physical pain as basis of mandated reporting;
- 3) Removes infliction of unjustifiable mental suffering as basis for mandated reporting;
- 4) Willfully causing injury to child would no longer be a basis for mandated reporting;
- 5) Willfully causing illness to a child would no longer be a basis for mandated reporting;
- 6) "Intentional act" required now (willfully cause or permit child harm) before reporting to police;
- 7) Permitting injury to a child = no mandated reporting (unless serious - undefined)
- 8) No mandatory reporting for permitting "imminent risk of serious illness, injury or death of child;
- 9) Eliminates reference to Penal Code Section 11165.3 which defines the willful harming or injury of a child

"AB 1566 substantially weakens current child protection laws by amending Penal Code Section 11165.2 and *eliminating child "endangerment"* as the standard for severe negligence determination and replacing it with an *"imminent risk,"* thereby allowing the on-going abuse/endangerment to continue without mandated reporting.

"*Willfully permitting* the endangerment of a child no longer constitutes 'severe neglect' under AB 1566. If enacted, a person who "permits a child to be placed at imminent risk of serious illness, injury or death" would NOT be subjected to mandated reporting because "*permitting*" such an act is no longer included in the definition of 'severe neglect' as referenced in Section 11165.3.

"AB 1566 also eliminates the application and cross-referencing of Penal Code Section 11165.3 which defines the willful harming or injury of a child as, '*... a situation in which any person willfully causes or permits any child to suffer, or inflicts thereon, unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully causes or permits the person or health of the child to be placed in a situation in which his or her person or health is endangered.*'"

"This bill will allow for the injury and abuse of children to go unreported and continue.

"There have been numerous incidents of mandated reporters - including school principals - who have knowingly failed to protect our children (and comply with existing law) by deciding on their own that the evidence of child abuse presented to them warranted no reporting.

"AB 1566 would allow those incidences to grow exponentially by requiring mandated reporters to make a determination as to whether the child abuser's action were willful and or caused imminent danger to a child before they must report to authorities."

### **FISCAL COMMENTS**

Unknown. This bill is keyed non-fiscal by the Legislative Counsel.

### **VOTES**

**ASM PUBLIC SAFETY: 5-2-2**

**YES:** Schultz, Mark González, Haney, Harabedian, Wilson

**NO:** Alanis, Lackey

**ABS, ABST OR NV:** Nguyen, Ramos

### **UPDATED**

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