
THIRD READING

Bill No: SB 1143
Author: Caballero (D), et al.
Amended: 4/14/26
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 3/24/26
AYES: Arreguín, Seyarto, Caballero, Cortese, Pérez, Wiener

SUBJECT: Children’s advocacy centers: recordings

SOURCE: County Welfare Directors Association

DIGEST: This bill clarifies that children’s advocacy centers must release recordings of forensic interviews taken in the course of an investigation to child welfare agencies authorized to investigate child abuse and neglect.

Senate Floor Amendments of 4/14/26 permit, rather than require, a children’s advocacy center or other identified multidisciplinary team member to share recordings of forensic interviews with child welfare agencies.

ANALYSIS:

Existing law:

- 1) Defines “child abuse or neglect” to include physical injury or death inflicted by other than accidental means upon a child by another person, sexual abuse, neglect, the willful harming or injuring of a child, or the endangering of the person or health of a child, and unlawful corporal punishment or injury against a child. (Penal (Pen.) Code, §11165.6.)
- 2) Allows that each county may use a children’s advocacy center to implement a coordinated multidisciplinary response to investigate reports involving child physical or sexual abuse, exploitation, or maltreatment and sets forth standards that a children’s advocacy center must meet. (Pen. Code, § 11166.4.)

- 3) Requires that the multidisciplinary team at a children's advocacy center include one representative from each of the following disciplines: law enforcement, child protective services, district attorney's offices, medical providers, mental health providers, victim advocates, and in the case of an Indian child, a representative from the child's tribe. (Pen. Code, § 11166.4, subd. (b)(1).)
- 4) Provides that the files, reports, records, communications, and working papers used or developed in providing services through a children's advocacy center are confidential and not public records. (Pen. Code, § 11166.4, subd. (d).)
- 5) Authorizes the members of a multidisciplinary team associated with a children's advocacy center, including agency representatives, child forensic interviewers, and other providers at the children's advocacy center, to share with other multidisciplinary team members any information or records concerning the child and family for the sole purpose of facilitating a forensic interview or case discussion or providing services to the child or family. (Pen. Code, § 11166.4, subd. (e).)
- 6) Requires that the children's advocacy center verify that interviews conducted in the course of investigations are conducted in a forensically sound manner and occur in a child-focused setting designed to provide a safe, comfortable, and dedicated place for children and families. (Pen. Code, § 11166.4, subd. (b)(8).)
- 7) Requires that a children's advocacy center or other identified multidisciplinary team member custodian ensure that all recordings of child forensic interviews be released only in response to a court order with a protective order governing the use of the recording. (Pen. Code, § 11166.4, subd. (b)(9)(A)(i)-(vi).)
- 8) Provides that notwithstanding the above, the children's advocacy center or other identified multidisciplinary team member custodian shall release or consent to the release or use of any recording, upon request, to any of the following:
 - a) Law enforcement agencies authorized to investigate child abuse, or agencies authorized to prosecute juvenile or criminal conduct described in the forensic interview.
 - b) County counsel evaluating an allegation of child abuse. (Pen. Code, § 11166.4, subd. (b)(9)(B)(i)-(ii).)
- 9) Recognizes the inherent privacy interest that a child has with respect to the child's recorded voice and image when describing highly sensitive details of abuse or neglect and provides that all recordings of child forensic interviews are

not subject to a Public Records Act Request and are exempt from any such request. (Pen. Code, § 11166.4, subd. (b)(9)(E)(i).)

- 10) Provides that the recording shall not become a public record in any legal proceeding. (Pen. Code, § 11166.4, subd. (b)(9)(E)(ii).)
- 11) Requires a court to order the recording be sealed and preserved at the conclusion of a criminal proceeding. (Pen. Code, § 11166.4, subd. (b)(9)(E)(iii).)
- 12) Provides that as used in this bill “recording” includes audio, video, digital, or any other manner in which the child’s voice or likeness is memorialized. (Pen. Code, § 11166.4, subd. (g).)

This bill requires that a children’s advocacy center or other identified multidisciplinary team member custodian release or consent to the release or use of any recording of a forensic interview, upon request, to child welfare agencies authorized to investigate child abuse and neglect, in addition to the above agencies.

Background

Existing law allows each county to use children’s advocacy centers to coordinate a multidisciplinary response to investigate reports involving child physical or sexual abuse, exploitation, or maltreatment. (Pen. Code, § 11166.4.) The multidisciplinary team at a children’s advocacy center must include one representative from each of the following disciplines: law enforcement, child protective services, district attorney’s offices, medical providers, mental health providers, victim advocates, and in the case of an Indian child, a representative from the child’s tribe. (Pen. Code, § 11166.4, subd. (b)(1).)

Children’s advocacy center teams may conduct forensic interviews in the course of their investigations. (Pen. Code, § 11166.4 (b)(8).) These interviews can be recorded for investigative purposes so they can be referenced later. Because interviews are recorded, the child victim generally only needs to be interviewed once about their abuse, which is intended to limit the risk of re-traumatization from repeated questioning.

Existing law provides that such recordings are generally confidential and may only be shared pursuant to a court order. (Pen. Code, § 11166.4, subd. (b)(9)(A).) However, existing law further states that the children’s advocacy center or its members may share any information or records concerning the child and family

with members of the center's multidisciplinary team, but only for the purposes of facilitating a forensic interview, case discussion, or providing services to the child or family. (Pen. Code, § 11166.4, subd. (e).) Existing law also provides that children's advocacy centers or their team member custodian of the recording must release or consent to the release or use of any recording, upon request, to law enforcement agencies authorized to investigate child abuse, agencies authorized to prosecute juvenile or criminal conduct described in the forensic interview, or county counsel evaluating an allegation of child abuse. (Pen. Code, § 11166.4, subd. (b)(9)(B)(i)-(ii).)

Existing law is ambiguous as to whether recordings of forensic interviews may be shared with child welfare agencies, for two reasons. First, it is not clear whether "county counsel evaluating an allegation of child abuse" encompasses child welfare agencies. (Pen. Code, § 11166.4, subd. (b)(9)(B)(ii).) "County counsel" might include counsel employed at a child welfare agency. Second, it is not clear whether the recordings qualify as "information or records" as described in Penal Code section 11166.4, subdivision (e), which may be shared with all members of the multidisciplinary team.

Proponents of this bill assert that some counties interpret existing law to mean the recordings cannot be shared with anyone other than those specifically enumerated in Penal Code section 11166.4, subdivision (b)(9)(B), namely, law enforcement and county counsel. This interpretation precludes sharing the recordings with county welfare agency staff such as social workers, even though they are members of a center's multidisciplinary team. As a result, social workers at child welfare agencies may sometimes be limited to relying on written notes and reports, rather than actual video, when investigating claims of abuse and neglect.

This bill attempts to remedy this ambiguity by clarifying that children's advocacy centers must release such interview recordings to child welfare agencies authorized to investigate child abuse and neglect, upon request.

Notably, there is no specified limitation on the uses of these recordings for those agencies specifically enumerated in Penal Code section 11166.4, subdivision (b)(9)(B). By contrast, under the current scheme, children's advocacy centers may share "any information or records" with any member of the multidisciplinary team, but only for the purpose of conducting a forensic interview, staff discussion, or providing services to the child and their family. This bill would allow child welfare agency staff, in addition to law enforcement and county counsel, to use the interview recordings for other purposes. Such purposes may include, for example,

conducting dependency investigations and making recommendations regarding visitation.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 4/14/26)

County Welfare Directors Association (source)

OPPOSITION: (Verified 4/14/26)

California District Attorneys Association

ARGUMENT IN SUPPORT: According to County Welfare Directors Association:

California established the framework for coordinated child abuse investigations through AB 2741 (2020), which authorized counties to utilize children’s advocacy centers (CACs) to coordinate multidisciplinary responses to cases involving child abuse, exploitation, or maltreatment. These centers bring together professionals from law enforcement, child protective services, prosecutors, medical providers, mental health professionals, and victim advocates to ensure investigations are conducted in a trauma-informed, child-focused environment. Subsequent legislation, SB 603 (2023), further strengthened the role of CACs and established detailed protocols governing the release and protection of forensic interview recordings.

Unfortunately, child welfare agencies were not explicitly listed among the entities authorized to receive recordings of child forensic interviews although the child welfare social worker is a member of the multi-disciplinary team. While social workers are typically at the forensic interview conducted by the CAC, there are times when they may need to be absent for emergency calls or court hearings. In practice, this means that county social workers responsible for investigating allegations of abuse or neglect may have access only to written summaries or notes rather than the recordings themselves. When reviewing only a transcript of the interview, the social worker may miss or misunderstand tone of voice or other non-verbal cues, leading to the need for a child to be reinterviewed by the social worker if they cannot view the video recording.

By clarifying that child welfare agencies can access these recordings, SB 1143 advances the collaborative, multidisciplinary approach California has built to respond to child abuse. This bill ensures that all appropriate investigative partners have the tools necessary to fully evaluate allegations while maintaining strong privacy protections for child victims. This change will support more informed investigations, improve coordination among agencies, and reduce the likelihood that children must repeat traumatic experiences during the investigative process.

ARGUMENT IN OPPOSITION: The California District Attorneys Association writes:

MDIC interviews are a critical part of investigating and prosecuting child abuse cases. Criminal investigation and prosecution of such serious crimes involving some of our most vulnerable victims often requires a significant amount of confidentiality, case building, and interagency cooperation. Often the suspects and defendants are the caregivers or guardians of the children, which can create tension between a welfare agency's goals of reunification and continuity of care and law enforcement's concern for the child's and public's safety.

An alternative approach would be to give the MDIC custodian the discretion to release MDIC recordings to child welfare agencies if it would not impact an ongoing criminal investigation or case or endanger the safety of the child. This would appropriately expand the scope of existing 11166.4, subdivision (e) which currently allows for discretionary disclosure only between MDIC team members.

Prepared by: Marshal Lawler / PUB. S. /
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