



# Board Agenda Item 23

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DATE: December 14, 2021

TO: Board of Supervisors

SUBMITTED BY: Lisa A. Smittcamp, District Attorney  
Margaret Mims, Sheriff-Coroner-Public Administrator  
Maria I. Aguirre, Interim Director, Department of Social Services

SUBJECT: Electronic Suspected Child Abuse Report System Memorandum of Understanding and Operational Agreement

RECOMMENDED ACTION(S):

**Approve and authorize the Chairman to execute the Electronic Suspected Child Abuse Report System (ESCARS) Memorandum of Understanding and Operational Agreement (MOU and OA) between the District Attorney's Office, Sheriff's Office, and the Department of Social Services, and with eighteen independent law enforcement agencies for the period December 14, 2021 to December 13, 2024.**

There is no increase in Net County Cost associated with the recommended action. The purpose of this MOU and OA between County Departments/Offices and independent city law enforcement agencies, is to establish defined policies and procedures for all agencies participating with ESCARS. The recommended action will allow for the final implementation of the ESCARS database in Fresno County. The participating law enforcement agencies are: Clovis Police Department ("PD"), Coalinga PD, Firebaugh PD, Fowler PD, Fresno PD, Huron PD, Kerman PD, Kingsburg PD, Mendota PD, Orange Cove PD, Parlier PD, Reedley PD, Sanger PD, Selma PD, California State University Fresno PD, State Center Community College PD, Fresno Yosemite International Airport PD, and California Highway Patrol. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the County will be out of compliance with Welfare and Institutions Code §§ 827 and 10850, as well as the California Department of Social Services Manual of Policies and Procedures Division 19.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The MOU and OA is required for data sharing between County partners and independent law enforcement agencies within Fresno County, with no associated cost.

DISCUSSION:

ESCARS is a web-based application that allows agencies to share Suspected Child Abuse Reports (SCARs), as well as review historical information about victims and suspects. ESCARS is an information sharing system with built-in accountability measures. Using ESCARS to cross-report every instance of child physical/sexual abuse, severe neglect, or child endangerment, and responding and investigating every

appropriate allegation brought to the departments' attention through E-SCARS will enhance the County and its law enforcement partners' efforts to protect children.

The purpose of this MOU and OA between County Departments/Offices and eighteen independent city law enforcement agencies is to establish defined policies and procedures for all agencies participating with ESCARS.

The independent city law enforcement agencies have received the MOU and OAs for review and signature. The OAs are currently not signed by the independent city law enforcement agencies, but will be signed and collected over the following weeks. However, ESCARS presentations and discussions on the MOU and OA with the independent city law enforcement agencies resulted in minimal questions and comments.

The recommended MOU and OA requires that each party to the MOU indemnify all other parties to the MOU for that party's negligent acts, omissions, or willful misconduct. However, the participating County departments believe that any risks of entering into the MOU and OA are outweighed by the benefits provided by the MOU and OA.

REFERENCE MATERIAL:

BAI #46, December 15, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - ESCARS MOU & OA

CAO ANALYST:

Yussel Zalapa