



## **FAQ – How to File Complaints, Tips, or Referrals for Possible Investigation by the Bureau of Children’s Justice**

### **1. What is the Bureau of Children’s Justice (BCJ)?**

In early 2015, Attorney General Kamala D. Harris announced the formation of the Bureau of Children’s Justice (BCJ) at the California Department of Justice. BCJ’s mission is to protect the rights of children and focus the attention and resources of law enforcement and policymakers on the importance of safeguarding the rights of every child so that they can meet their full potential. Staffed with civil rights and criminal prosecutors, and working across all sectors of the Department of Justice, including Legislative Affairs, Native American Affairs, the Division of Law Enforcement and other sections, BCJ focuses its enforcement and policy reform efforts on several key areas, including:

- Systemic reform of foster care, adoption, and juvenile justice systems across California
- Discrimination and inequities in education
- California’s elementary school truancy crisis
- Human trafficking of vulnerable youth
- Childhood trauma and exposure to violence
- Consumer protection relating to services and products for children or families with children
- Housing and homelessness affecting children

### **2. What kinds of laws can BCJ enforce?**

BCJ has broad jurisdiction under state and federal law to investigate and enforce the legal rights of children, including in the following areas:

- Civil rights laws, including protections against discrimination based on race, national origin, sex, sexual orientation, disability, and other categories
- California Education Code
- California Welfare and Institutions Code
- Consumer protection laws
- State laws regulating nonprofit charities
- State laws protecting against invasion of privacy and identity theft
- Fraud and false claims laws
- State criminal laws relating to child abuse and human trafficking

### **3. What kinds of cases is BCJ empowered to pursue?**

BCJ was created to pursue cases with the potential for broad impact in the seven priority areas outlined in #1 above. The following is a non-exhaustive list of the types of cases BCJ is designed to address:

- Cases addressing systemic failures and/or severe, widespread harm against children served by a local public entity, private for-profit business, or nonprofit organization
- Cases targeting broad pattern or practice violations of law in education, child welfare, or juvenile justice systems
- Cases targeting policies or practices with a disproportionate effect on our most vulnerable children, including children in poverty, children of color, children in foster care, children in the juvenile justice system, children with disabilities, immigrant children, and LGBT children

- Cases that might be difficult for private or representative individuals to bring due to legal barriers, such as issues of standing and arbitration clauses, or practical barriers, such as the low likelihood of monetary relief
- Cases targeting conduct that is multi-jurisdictional or wide-reaching so as to impact children in various jurisdictions across the state
- Cases targeting the misuse or non-use of public funds designated to serve children

#### **4. What kinds of cases would not be handled by BCJ?**

- BCJ cannot represent individuals or provide legal advice
- BCJ cannot typically pursue cases addressing isolated, “one-off” violations of law
- BCJ cannot typically pursue cases against state-level public entities
- BCJ cannot typically pursue cases regarding out-of-state conduct

#### **5. How could BCJ be involved in a case?**

On a case-by-case basis, BCJ may be involved in the following ways:

- Civil investigations, including issuing investigative subpoenas under Government Code § 11180 et seq., and affirmative litigation (independently or, in some cases, jointly with another organization or agency)
- Criminal investigations and prosecutions
- Intervention in ongoing litigation
- Amicus participation
- Mediation (in limited circumstances)
- Policy reform efforts

#### **6. What is the typical process for how BCJ handles a case?**

The process begins with some type of lead. BCJ identifies leads based on analyses of a combination of sources: an individual complaint or tip, patterns of complaints or tips, academic research, news reports, public data, and data in the custody of the California Department of Justice. BCJ cannot follow up on every lead. However, it does carefully consider each lead to determine whether it fits the criteria outlined in Answer #3 above.

If a lead does fit those criteria, BCJ may initiate an investigation that can involve witness interviews, subpoenas, and consultation with experts. BCJ then makes a determination regarding the pursuit of civil or criminal penalties, and can also work with the subject of the investigation to resolve the concerns without any legal action. The timeline from lead to resolution will vary. In some cases, a matter may be resolved in weeks or months; in others, the investigation and litigation may take years. During this process, BCJ cannot provide information about the investigation to those not involved in the investigation.

#### **7. If I submit a tip or complaint, what will my interactions with BCJ be like?**

As explained in Answer #4 above, BCJ cannot represent individuals or provide legal advice. In other words, if you submit a tip or complaint, BCJ cannot serve as your attorney—BCJ serves as the attorney for the People of California as a whole.

BCJ may follow up to request further information. However, BCJ cannot provide ongoing updates about the status of the investigation or litigation.

#### **8. How can I notify BCJ of a potential case?**

In order to ensure that the potential case is given due consideration, we ask that you notify BCJ in two ways. First, contact BCJ at [BCJTips@doj.ca.gov](mailto:BCJTips@doj.ca.gov). Please describe the potentially unlawful activity, the identity of the entity that is engaged in this activity, and contact information for an attorney to follow up.

Second, file a Complaint with our Public Inquiry Unit:

- Against a business: <http://oag.ca.gov/contact/consumer-complaint-against-business-or-company>
- Against another entity: <http://oag.ca.gov/contact/general-comment-question-or-complaint-form>

Anyone can file a tip or complaint, and it does not need to include legal analysis. Instead, the tip or complaint should include as much detail as possible about the facts of the matter. All inquiries will be kept confidential.