CCSAR PROTECTION ACT OF 2026

Act No. NFM-2026-CCSAR-003

NATIONAL FEDERATION OF MENDOCINO — OFFICE OF THE HEAD CHIEF

Comprising: (1) the Act as amended; and (2) the Public Notice of Enactment.

PART ONE — THE ACT

AN ACT OF THE NATIONAL FEDERATION OF MENDOCINO

To establish the Confirmed Child Sexual Abuse Report (CCSAR) Protocol; to provide for immediate protective applications and child-location procedures in cases involving children under twelve years of age; to establish Guardian Notice and the authority of the Correct NFM Party; to protect the final authority of a qualified Legal Guardian over the wellbeing of the child; to disqualify an agency or interim-protection authority from participation where that authority is itself the subject of the report; and to establish procedures for child safety, medical protection, confidentiality, documentation, and safe reunification.

ACT NO. NFM-2026-CCSAR-003

Enacted by the Office of the Head Chief, National Federation of Mendocino, on this 18th day of November, 2026.

PREAMBLE

WHEREAS the National Federation of Mendocino, acting through the Office of the Head Chief and under the authority asserted in the Constitution of the Mendocino California Tribal Nations

of the Mendocino Indian Reservation, seeks to establish a consistent framework for the protection of children affiliated with the Mendocino Indian Reservation and the Devin Mallonee Foundation;

WHEREAS the protection of children requires prompt reporting, responsible verification, accurate documentation, independent handling of conflicts of interest, and immediate attention to credible threats of abuse;

WHEREAS the Indian Child Welfare Act of 1978, 25 U.S.C. §§ 1901 et seq., establishes federal standards and recognizes tribal jurisdiction in qualifying Indian child-custody proceedings;

WHEREAS a Suspected Child Sexual Abuse Report (SCSAR), when verified under the procedures established by this Act and converted into a Confirmed Child Sexual Abuse Report (CCSAR), requires prompt activation of the protective procedures applicable to the child's circumstances;

WHEREAS children under twelve years of age may require heightened urgency, specialized care, and additional safeguards against intimidation, further abuse, unnecessary interviews, and improper removal;

WHEREAS the Legal Guardian of a child, when not the subject of the CCSAR and when the CCSAR is conducted by the Correct NFM Party, shall have final authority under this Act over the child's wellbeing;

WHEREAS an agency or interim-protection authority that is itself the subject of a report concerning sexual abuse or other abuse shall not control, investigate, adjudicate, or determine the outcome of that matter on behalf of the authority whose conduct is under report;

WHEREAS, in such a conflict, Tribal Nations retains control of the protective matter, and the qualified Tribal Nations Guardian or other qualified Guardian designated under this Act shall exercise the applicable guardianship authority;

WHEREAS the protection of a child must include appropriate medical care, preservation of relevant evidence, protection of confidential information, timely notice to the qualified Guardian, and safe reunification where appropriate;

NOW, THEREFORE, the National Federation of Mendocino enacts this CCSAR Protection Act of 2026 as follows.

ARTICLE 1 — TITLE, PURPOSE, CONSTRUCTION, AND FINAL RULE

§ 1.01 — Short Title

This Act may be cited as the **"CCSAR Protection Act of 2026"** and bears Act No. **NFM-2026-CCSAR-003**.

§ 1.02 — Purpose

The purposes of this Act are to:

(a) establish a uniform procedure for receiving, verifying, recording, and converting an SCSAR into a CCSAR;

(b) require the Correct NFM Party to conduct the CCSAR;

(c) require Guardian Notice to the qualified Legal Guardian;

(d) establish the FINAL RULE governing the Guardian's authority over the child's wellbeing;

(e) provide for prompt applications for restraining orders and Locate Orders when a child under twelve is the subject of a CCSAR;

(f) prevent an agency or interim-protection authority that is itself the subject of the report from controlling or participating in the determination of that matter;

(g) establish procedures for emergency safety, medical attention, evidence preservation, and safe placement;

(h) establish confidentiality and recordkeeping requirements; and

(i) support the safe return and reunification of a child with the qualified Legal Guardian when return is safe and legally permissible.

§ 1.03 — Construction

This Act shall be construed to give effect to § 1.06, the FINAL RULE, and to the defined authority of the Correct NFM Party.

Where a provision is capable of more than one reasonable construction, the construction that protects the child, preserves the authority of a qualified Legal Guardian, and prevents a conflicted agency from controlling the matter shall be preferred.

Headings are for convenience only. The singular includes the plural, and references to a person include an authorized office or legal entity where the context permits.

§ 1.04 — Non-Derogation and Applicable Law

Nothing in this Act shall be construed to diminish a tribal nation's authority under its applicable law or to displace a jurisdictional requirement imposed by applicable federal or state law.

This Act establishes the internal NFM protocol and the duties of persons and offices acting under NFM authority. Recognition and enforcement by an outside court or agency remain subject to the jurisdiction and law applicable to that forum.

Nothing in this section authorizes an agency to disregard a valid protective order or a lawful duty to protect a child.

§ 1.05 — Priority of Immediate Physical Safety

Where a child faces an imminent threat of physical harm, immediate good-faith protective action may be taken to prevent that harm.

Any action under this section shall:

(a) be limited to what is reasonably necessary to address the immediate danger;

(b) be reported as soon as practicable to the qualified Guardian, the Tribal Court, and the appropriate law-enforcement authority;

(c) be documented with the reason for the action, the person taking it, the time it began, and the steps taken;

(d) be reviewed promptly by the appropriate authority under this Act;

(e) end when the immediate danger has passed or when a lawful protective arrangement replaces it; and

(f) not be used as a pretext for continuing control over the child or excluding a qualified Guardian from decisions concerning the child's wellbeing.

An emergency action does not by itself establish that a Guardian committed wrongdoing or that an agency has continuing authority over the child's placement.

§ 1.06 — FINAL RULE: Final Authority of the Qualified Legal Guardian

(a) Controlling Rule. Where the Legal Guardian is not the person whose conduct is the subject of the CCSAR, and the CCSAR is received, verified, and conducted by the Correct NFM Party, the Legal Guardian shall have final authority under this Act over the wellbeing of the child.

(b) Scope of Authority. The Guardian's authority includes decisions concerning:

1. the child's safe placement and care;
2. the child's return to the Guardian's care;

3. medical treatment and appropriate examinations;
4. education and school arrangements;
5. counseling and emotional support;
6. contact and communication arrangements;
7. protection of the child's identity and personal information; and
8. other decisions directly concerning the child's welfare and wellbeing.

(c) No Agency Override. An agency, foundation, interim-protection authority, officer, employee, contractor, or other participating person shall not override, replace, or disregard the qualified Guardian's determination merely because that person disagrees with the Guardian.

(d) No Administrative Approval Requirement. The Guardian's authority under this section shall not depend upon approval by the Head Chief, an agency, an administrative officer, or a foundation liaison.

(e) Tribal Court Function. The Tribal Court shall exercise the jurisdiction and powers lawfully vested in it. Under this Act, it shall give effect to the determination of a qualified Guardian to the extent permitted by applicable law and shall consider and process properly submitted protective applications without unnecessary delay. Nothing in this subsection purports to eliminate a court's jurisdictional or procedural duties.

(f) Correct NFM Party Requirement. The FINAL RULE applies when the CCSAR is conducted by the Correct NFM Party designated under § 2.13. The Correct NFM Party shall be identified in the CCSAR Case File.

(g) Guardian as Subject of Report. The FINAL RULE does not grant the reported Guardian authority to determine the outcome of a CCSAR in which that Guardian is the person whose conduct is the subject of the report. The limited procedure in § 5.04 shall apply.

(h) Agency Conflict. Where an agency or interim-protection authority is itself the subject of the report, § 2.14 and § 5.05 shall apply. The conflicted authority shall have no decision-making control over that matter. Tribal Nations retains control through its qualified, non-conflicted authorities.

(i) Finality Under This Act. Subject to applicable law and valid orders of a court with jurisdiction, the qualified Guardian's determination of the child's wellbeing shall not be administratively overridden by the Head Chief, the Correct NFM Party, a foundation, or an agency.

ARTICLE 2 — DEFINITIONS

§ 2.01 — SCSAR

"SCSAR" means a **Suspected Child Sexual Abuse Report**, being a report that identifies a suspicion of child sexual abuse or other abuse requiring protective assessment and verification.

A report may concern sexual abuse, physical abuse, emotional abuse, severe neglect, exploitation, grooming, or another form of conduct that may place a child at risk.

An SCSAR is a report requiring assessment. Its receipt does not by itself establish that abuse occurred.

§ 2.02 — CCSAR

"CCSAR" means a **Confirmed Child Sexual Abuse Report**, being an SCSAR that has been reviewed by the Correct NFM Party and elevated to confirmed status based on documented information establishing that:

(a) abuse has occurred; or

(b) the available information establishes a credible and documented risk of imminent harm requiring protective action.

The CCSAR record shall identify which basis supports the conversion.

A CCSAR is a protective and administrative classification under this Act. It is not, by itself, a criminal conviction or a final judicial finding of guilt.

§ 2.03 — Perpetrator, Reported Person, and Suspect Listed in the Restraining Order

"Reported Person" means the person whose conduct is identified in an SCSAR or CCSAR.

"Suspect Named in the Restraining Order Application" means the person identified as the proposed respondent in an application for a restraining order.

"Suspect Listed in the Restraining Order" means the person named as respondent in a restraining order after the order has been issued.

"Perpetrator" may be used in an internal record to describe the person alleged to have committed the conduct, but shall not be used as a declaration of criminal guilt unless guilt has been established by the appropriate court.

§ 2.04 — Child Under 12

"Child Under 12" means a minor who has not attained the age of twelve years.

§ 2.05 — Restraining Order

"Restraining Order" means an order issued by a court with jurisdiction that prohibits or restricts specified conduct, including contact with, approaching, threatening, harming, or removing a child, as authorized by applicable law.

§ 2.06 — Welfare Principle

"Welfare Principle" means the principle that the welfare and best interests of the child are central considerations in decisions concerning the child's custody, care, upbringing, guardianship, and protection.

This Act assigns the qualified Guardian the final decision-making authority described in § 1.06, subject to the limited procedures for disqualification and interim protection established by this Act and applicable law.

"Welfare" and "wellbeing" may be used interchangeably in this Act.

§ 2.07 — Locate Order

"Locate Order" means an order issued by a court with jurisdiction directing appropriate law-enforcement authorities to take lawful and reasonable steps to locate a child and confirm the child's safety.

§ 2.08 — Tribal Court

"Tribal Court" means a court duly established under the applicable constitution, laws, or governing authority of the relevant tribal nation and possessing jurisdiction over the particular matter.

§ 2.09 — Court of Competent Jurisdiction

"Court of Competent Jurisdiction" means a court possessing lawful authority over the particular child, person, proceeding, or requested relief.

The applicability of tribal, state, and federal jurisdiction shall be determined under the governing law and facts of the particular proceeding.

§ 2.10 — Legal Guardian

"Legal Guardian" means a person whose guardianship authority is established by a valid guardianship order, recognized tribal law or custom, applicable state law, or another legally effective guardianship instrument.

For NFM administrative purposes, a guardianship declaration may be recorded in the official Guardianship Index. Recording in the Index is evidence of the declaration for NFM processing but does not, by itself, create legal guardianship where no legally effective appointment exists.

The Legal Guardian shall be identified in the CCSAR Case File and shall receive Guardian Notice unless disqualified under this Act.

§ 2.11 — Alternate Guardian

"Alternate Guardian" means the person designated in a valid guardianship declaration or appointed by a court with jurisdiction to act when the Legal Guardian is unavailable or disqualified.

The Alternate Guardian must not be the subject of the same CCSAR and must not otherwise have a disqualifying conflict in that matter.

§ 2.12 — Guardian Notice

"Guardian Notice" means the formal notice issued by the Correct NFM Party to the Legal Guardian when an SCSAR is received, when the report is verified, when it is converted into a CCSAR, or when a material protective action is taken.

Guardian Notice shall include, to the extent disclosure is permitted and safe:

(a) the report or case reference number;

(b) the date and time the report was received and, if applicable, converted into a CCSAR;

(c) the identity and contact information of the Correct NFM Party;

(d) the child's identity or sufficient information to identify the child securely;

(e) the general nature of the concern and the protective action being considered;

(f) whether the Guardian has been identified as the person whose conduct is the subject of the report;

(g) the procedure for providing guardianship documentation or correcting the guardianship record;

(h) the Guardian's authority under the FINAL RULE in § 1.06, where applicable;

(i) any immediate safety restrictions or court orders affecting the child;

(j) the means of contacting the Correct NFM Party; and

(k) the procedure for requesting an urgent review of an incorrect identity, guardianship record, or conflict designation.

Guardian Notice shall be delivered by the fastest reasonably available secure method. The method, time, recipient, delivery result, and any unsuccessful delivery attempt shall be recorded in the CCSAR Case File.

A Guardian Notice shall not disclose information to a person who is the subject of the report or otherwise create a safety risk to the child.

§ 2.13 — Correct NFM Party

"Correct NFM Party" means the NFM office, officer, investigator, child-protection unit, or designated task force authorized in writing to receive, verify, conduct, and record the particular SCSAR or CCSAR.

The Correct NFM Party shall:

(a) have a documented designation of authority;

(b) be identified by name, office, and responsible officer in the CCSAR Case File;

(c) have no disqualifying personal, financial, or institutional conflict concerning the report;

(d) verify the report using documented information and appropriate procedures;

(e) issue Guardian Notice as required by this Act;

(f) maintain the CCSAR Case File;

(g) initiate the protective procedures required by Articles 3 and 4; and

(h) refer any matter involving a conflict of interest to a qualified, independent NFM authority.

An agency or authority that is itself the subject of the report shall not designate itself as the Correct NFM Party for that matter.

§ 2.14 — Agency or Interim-Protection Authority Disqualified as Subject of Report

An "Agency or Interim-Protection Authority Disqualified as Subject of Report" means an agency, department, foundation, office, institution, or interim-protection authority whose own conduct, acts, omissions, or personnel are identified as the subject of an SCSAR or CCSAR concerning sexual abuse or other abuse.

Where an authority is itself the subject of the report:

(a) it shall have no decision-making authority over the merits or outcome of that report under this Act;

(b) it shall not select or control the investigator responsible for determining the report;

(c) it shall not decide whether its own conduct is confirmed or unconfirmed;

(d) it shall not determine the child's placement or override the qualified Guardian's determination;

(e) it shall not obstruct Guardian Notice or access to the case record by the qualified, non-conflicted NFM authority;

(f) it shall preserve relevant records and evidence and comply with lawful preservation requests;

(g) it may provide factual records or information through a non-conflicted channel, subject to applicable law; and

(h) it shall not retaliate against the child, Guardian, reporting person, or witness.

The disqualification is limited to the particular matter in which the authority is the subject of the report.

Tribal Nations retains control of the matter. The qualified Tribal Nations Guardian or other qualified Guardian shall exercise the applicable guardianship authority under § 1.06 and Article 5.

Disqualification under this section is a conflict-of-interest protection. It is not, by itself, a finding that the agency or any individual committed abuse.

§ 2.15 — Tribal Nations Guardian

"Tribal Nations Guardian" means the person lawfully designated or appointed under the applicable tribal guardianship framework to exercise guardianship authority for a child when the ordinary Legal Guardian is disqualified, unavailable, or has not been established.

The Tribal Nations Guardian must be independent of the reported conduct and any agency or interim-protection authority disqualified under § 2.14.

The Tribal Nations Guardian shall exercise only the authority lawfully granted by the applicable tribal law, guardianship instrument, or court appointment.

§ 2.16 — CCSAR Case File

"CCSAR Case File" means the confidential record maintained by the Correct NFM Party for each SCSAR and CCSAR, including the report, verification record, conversion decision, Guardian Notice, guardianship information, conflict determinations, protective applications, orders, communications, evidence-preservation records, and closure documentation.

§ 2.17 — Interim Protection

"Interim Protection" means a temporary, documented protective measure taken to address an immediate risk to a child pending a determination by the qualified Guardian or a court with jurisdiction.

Interim Protection does not create permanent guardianship or continuing authority over the child's welfare.

ARTICLE 3 — REPORT RECEIPT, VERIFICATION, AND CCSAR CONVERSION

§ 3.01 — Receipt and Registration

Upon receipt of an SCSAR, the receiving NFM office or designated recipient shall:

(a) record the date and time of receipt;

(b) assign a unique report reference number;

(c) record the identity and contact information of the reporting person where available and legally appropriate;

(d) identify the child and the reported person, where known;

(e) preserve the original report and any accompanying material;

(f) refer the matter promptly to the Correct NFM Party; and

(g) identify any immediate safety concern requiring emergency action.

A report shall not be rejected solely because the reporting person does not possess every supporting document at the time of submission.

§ 3.02 — Verification

The Correct NFM Party shall conduct a timely, documented review of the report.

Verification may include:

(a) reviewing the original report and supporting records;

(b) assessing the source and reliability of available information;

(c) reviewing relevant medical, school, agency, or other records where lawfully available;

(d) obtaining information from appropriate witnesses;

(e) reviewing prior protective orders or relevant case records;

(f) considering the child's immediate safety and any risk of intimidation or interference; and

(g) documenting any material information that supports or contradicts the report.

The Correct NFM Party shall not require a child to undergo repeated or unnecessary interviews as a condition of protective action.

§ 3.03 — Conversion to CCSAR

Where the verification process establishes that abuse occurred or that a credible and documented risk of imminent harm exists, the Correct NFM Party shall convert the SCSAR into a CCSAR.

The conversion record shall state:

(a) the report reference number;

(b) the date and time of conversion;

(c) the identity and authority of the verifying officer;

(d) the factual basis for conversion;

(e) whether the conversion is based on verified abuse, credible imminent risk, or both;

(f) the identity of the Correct NFM Party;

(g) the identity of the Legal Guardian and any Alternate Guardian;

(h) whether the Guardian is the subject of the report;

(i) whether an agency or interim-protection authority is the subject of the report; and

(j) the protective actions initiated.

§ 3.04 — Independent Verification and Conflict Referral

A person shall not verify or make the final administrative conversion decision concerning a report where that person is the subject of the report or has a material conflict of interest.

Where the Correct NFM Party has a conflict, the matter shall immediately be referred to a different, qualified NFM Party.

Where an agency or interim-protection authority is the subject of the report, § 2.14 applies. The conflicted authority shall not control the verification or conversion decision.

§ 3.05 — Immediate Trigger for a Child Under Twelve

Upon conversion of an SCSAR into a CCSAR involving a Child Under 12, the Correct NFM Party shall immediately initiate the applicable CCSAR Trigger Protocol under Article 4.

No administrative approval by the Head Chief, a foundation, or an agency shall be required before the protocol begins.

§ 3.06 — Notice at Each Material Stage

The Correct NFM Party shall issue Guardian Notice:

(a) upon receipt of the SCSAR, subject to safety and lawful disclosure restrictions;

(b) when verification is completed;

(c) immediately upon conversion into a CCSAR;

(d) when an application for a restraining order or Locate Order is filed;

(e) when a protective order is issued, denied, or materially changed; and

(f) when the child's placement or return arrangements materially change.

The Correct NFM Party shall not use an administrative delay to avoid or postpone notice.

§ 3.07 — Prohibition on Unexplained Delay

Any delay in verification, conversion, Guardian Notice, or initiation of the protective protocol shall be documented in writing with the reason, responsible officer, start time, end time, and action taken to resolve the delay.

An unexplained or unjustified delay may constitute a breach of duty under Article 8.

§ 3.08 — External Reporting

Nothing in this Act replaces or suspends any reporting duty imposed by applicable law.

Where a report also triggers a mandatory report to a state, federal, or other legally designated authority, the person subject to that reporting duty shall make the required report within the applicable time.

The Correct NFM Party shall record any required external referral and its date and time.

ARTICLE 4 — CCSAR TRIGGER PROTOCOL

§ 4.01 — Immediate Notifications

Upon conversion of an SCSAR into a CCSAR involving a Child Under 12, the Correct NFM Party shall immediately notify:

(a) the qualified Legal Guardian, by Guardian Notice;

(b) the Alternate Guardian, if the Legal Guardian is disqualified or unavailable and notice to the Alternate Guardian is appropriate;

(c) the Tribal Court clerk or other appropriate court contact;

(d) the designated NFM child-protection authority; and

(e) the appropriate law-enforcement authority where immediate protective assistance is required.

The Head Chief may receive an administrative notification for recordkeeping. Such notification shall not constitute a request for approval and shall not delay the protocol.

§ 4.02 — Restraining Order Application

The Correct NFM Party shall promptly prepare and submit an application for a restraining order where the facts and applicable law support that relief.

The application may request, as appropriate:

(a) a prohibition on contacting, approaching, threatening, harassing, or harming the child;

(b) restrictions on contact through telephone, electronic communication, social media, or another person;

(c) restrictions on removing the child from a specified safe location or jurisdiction;

(d) restrictions on removing the child from school or a childcare facility;

(e) restrictions on interference with the child's medical care, counseling, or protective examination;

(f) preservation of relevant communications, records, and evidence; and

(g) any other protective terms authorized by the court and supported by the facts.

The application shall identify the proposed respondent, the factual basis for the requested restrictions, the child affected, and the requested duration and scope.

Where the Guardian is the subject of the report, any application naming the Guardian as a respondent must be supported by specific facts and lawful grounds. Disqualification under § 2.12 alone does not establish abuse or automatically justify a restraining order.

§ 4.03 — Locate Order Application

Where the child's location is unknown or there is a credible concern that the child may be in danger, the Correct NFM Party shall promptly prepare and submit an application for a Locate Order to a court with jurisdiction.

The application shall include, where available:

(a) the child's identifying information;

(b) the child's last known location;

(c) the grounds for the CCSAR;

(d) the identity of the Legal Guardian and any Alternate Guardian;

(e) any known immediate safety concerns;

(f) the identity of any person or authority alleged to be interfering with the child's safety or location;

(g) the requested lawful location and welfare-check actions; and

(h) the contact information for the Correct NFM Party.

A Locate Order shall request only actions authorized by law and appropriate to the circumstances.

§ 4.04 — Judicial Presentation

Applications shall be presented promptly to a court with jurisdiction.

Where an emergency hearing is necessary, the Correct NFM Party shall request the earliest available emergency procedure.

The court shall be informed of:

(a) the child's age;

(b) the CCSAR conversion and its documented basis;

(c) the identity of the Correct NFM Party;

(d) the identity and status of the Legal Guardian;

(e) any Guardian disqualification;

(f) any agency or interim-protection conflict under § 2.14;

(g) the Guardian's determination, where one has been provided; and

(h) the specific protective relief requested.

The Correct NFM Party shall accurately disclose material information, including information that may be unfavorable to the requested relief.

§ 4.05 — Law-Enforcement Transmittal

Upon issuance of a Locate Order or other lawfully enforceable protective order, the Correct NFM Party shall transmit the order to the appropriate law-enforcement authority through an accepted method.

The case file shall record:

(a) the issuing court;

(b) the date and time of issuance;

(c) the date and time transmitted;

(d) the receiving agency or officer;

(e) confirmation of receipt, where available; and

(f) any response or action reported by law enforcement.

§ 4.06 — Guardian Notice of Orders and Actions

The Correct NFM Party shall provide the qualified Guardian with copies of orders and material filings affecting the child's care or placement, subject to lawful confidentiality restrictions and any specific safety restriction imposed by a court.

If a document cannot lawfully be disclosed in full, the Guardian shall receive a meaningful notice of the action and its effect on the child, together with the procedure for obtaining authorized access.

§ 4.07 — Child Medical and Forensic Protection

Where the child may require medical attention or a forensic examination, the Correct NFM Party shall arrange or request appropriate assistance from qualified medical professionals.

The protocol shall:

(a) prioritize emergency medical treatment where needed;

(b) avoid delaying necessary care for administrative approval;

(c) use qualified professionals trained to work with children;

(d) avoid unnecessary or repeated examinations;

(e) protect the child's dignity, privacy, and emotional wellbeing;

(f) preserve relevant medical and forensic records through lawful procedures;

(g) document referrals, appointments, and completed examinations; and

(h) notify the qualified Guardian of material medical arrangements and results to the extent disclosure is lawful and safe.

No NFM officer or unqualified person shall conduct a medical or forensic examination.

§ 4.08 — Child Interview and Trauma Protection

Any interview of a child concerning suspected abuse shall be conducted by a qualified person using an age-appropriate and trauma-informed procedure.

The Correct NFM Party shall:

(a) avoid repeated questioning where a prior reliable interview or record is available;

(b) avoid leading, threatening, coercive, or suggestive questions;

(c) document the identity and qualifications of the interviewer;

(d) record the date, time, location, and general method of the interview;

(e) preserve recordings and notes according to applicable law and policy; and

(f) protect the child from unnecessary exposure to the reported person or other persons who may intimidate the child.

The Guardian shall be informed of the interview process, subject to any lawful restriction necessary to protect the child or the integrity of an investigation.

§ 4.09 — Immediate Safety and Placement Plan

The Correct NFM Party shall document an immediate safety plan identifying:

(a) the child's current location, if known;

(b) the person currently caring for the child;

(c) any immediate danger or protective restriction;

(d) the qualified Guardian's position and instructions;

(e) any lawful temporary placement;

(f) medical or counseling needs;

(g) school or childcare arrangements; and

(h) the steps and responsible persons for safe return or reunification.

The plan shall be updated when material circumstances change.

§ 4.10 — Case File Completion

Every action under this Article shall be recorded in the CCSAR Case File, including the original report, conversion record, verification materials, Guardian Notice, applications, court orders, law-enforcement communications, medical referrals, interview records, safety plan, and a dated chronology of material events.

ARTICLE 5 — GUARDIAN AUTHORITY, CONFLICTS, AND INTERIM PROTECTION

§ 5.01 — Qualified Guardian's Authority

Where the FINAL RULE in § 1.06 applies, the qualified Legal Guardian shall determine the child's wellbeing and make the decisions described in that section.

The Correct NFM Party shall document the Guardian's instructions and communicate them to the persons responsible for implementing the child's care and safety plan.

§ 5.02 — Guardian's Determination

The Guardian's determination shall be recorded with the date, time, and method by which it was communicated.

A person who receives the determination shall not alter it, delay it, or substitute a different administrative decision merely because that person disagrees with it.

A person who believes that immediate action is necessary to prevent imminent physical harm shall follow § 1.05 and document the specific emergency basis.

§ 5.03 — Correct NFM Party's Duty to Give Effect to the FINAL RULE

The Correct NFM Party shall:

(a) identify and verify the Legal Guardian;

(b) issue Guardian Notice;

(c) provide the Guardian with material information necessary to make informed welfare decisions, subject to lawful safety and confidentiality restrictions;

(d) record the Guardian's determination;

(e) communicate that determination to the relevant NFM offices and participating authorities;

(f) identify any practical or legal obstacle to implementing it;

(g) seek prompt resolution of any lawful obstacle; and

(h) refrain from substituting its own welfare determination for that of a qualified Guardian.

§ 5.04 — Guardian Is the Subject of the CCSAR

Where the Legal Guardian is the person whose conduct is the subject of the particular CCSAR:

(a) the Guardian shall not exercise final decision-making authority under § 1.06 in that particular matter while the disqualification remains in effect;

(b) the disqualification shall be limited to the particular report and shall not automatically affect the Guardian's authority concerning another child or another matter;

(c) the Alternate Guardian shall be notified and may exercise the authority lawfully assigned to that person, provided the Alternate Guardian is not also the subject of the report;

(d) where no qualified Alternate Guardian is available, the matter shall be referred promptly to the Tribal Nations Guardian or the appropriate court with jurisdiction for lawful interim protection;

(e) any temporary placement shall be based on the child's safety and applicable law;

(f) the disqualified Guardian shall not be treated as having committed an offence merely because the report has been made or the disqualification has taken effect;

(g) the disqualified Guardian shall receive notice of proceedings and an opportunity to respond where required by law and where notice will not create an immediate danger to the child; and

(h) the disqualification shall be reviewed when material facts change or the basis for the disqualification is resolved.

§ 5.05 — Agency or Interim-Protection Authority Is the Subject of the Report

Where an agency or interim-protection authority is itself the subject of the SCSAR or CCSAR:

(a) that authority shall have no decision-making control over the report;

(b) that authority shall not conduct or control its own investigation under this Act;

(c) that authority shall not determine the child's placement or the Guardian's fitness;

(d) that authority shall not block Guardian Notice or prevent the qualified Guardian from receiving information to which the Guardian is lawfully entitled;

(e) that authority shall not select, remove, or direct the independent Correct NFM Party for the matter;

(f) that authority shall preserve relevant records and provide them through a non-conflicted and lawful process;

(g) the matter shall be referred to a non-conflicted Correct NFM Party or other qualified tribal authority; and

(h) Tribal Nations retains control of the matter through its qualified and non-conflicted authorities.

Where the Legal Guardian is not the subject of the CCSAR and the Correct NFM Party is properly conducting the matter, the FINAL RULE in § 1.06 applies.

§ 5.06 — No Retaliation or Interference

No person or authority acting under this Act shall retaliate against, threaten, intimidate, punish, or obstruct:

(a) a child who makes or is believed to have made a report;

(b) a Legal Guardian acting in good faith;

(c) a reporting person;

(d) a witness;

(e) a Correct NFM Party acting within its authority; or

(f) a person preserving evidence or providing relevant information.

Any allegation of retaliation or interference shall be recorded and referred to a non-conflicted authority.

§ 5.07 — Interim Protection Where No Qualified Guardian Is Available

Where the Legal Guardian is disqualified or unavailable and no qualified Alternate Guardian or Tribal Nations Guardian is immediately available:

(a) the Correct NFM Party shall seek immediate assistance from the Tribal Court or other authority with jurisdiction;

(b) temporary protective measures shall be limited to what is necessary to protect the child;

(c) the child's placement shall be documented and reviewed promptly;

(d) the child's family, tribal, cultural, and established caregiving relationships shall be considered as required by applicable law;

(e) a qualified Guardian shall be identified or appointed as expeditiously as possible under the applicable guardianship process; and

(f) temporary protection shall not become a basis for indefinite agency control.

§ 5.08 — Restoration of Guardian Authority

When the basis for a Guardian's disqualification has been resolved, the Correct NFM Party shall promptly update the CCSAR Case File and notify the Guardian and any Alternate Guardian.

The Guardian's authority shall be restored to the extent permitted by the governing guardianship instrument and applicable law.

No administrative office shall continue a disqualification solely because it was previously recorded.

ARTICLE 6 — LOCATION, SAFE RETURN, AND REUNIFICATION

§ 6.01 — Immediate Location Efforts

Where the child's location is unknown or the child may be in danger, the Correct NFM Party shall promptly initiate the lawful location procedures available under the circumstances.

The case file shall document the requests made, the authorities contacted, the responses received, and any obstacles encountered.

§ 6.02 — Confirmation of Child's Safety

When the child is located, the responsible authority shall document:

(a) the date, time, and general location where the child was located;

(b) the identity of the person or authority with the child;

(c) the child's apparent immediate condition, without substituting a non-professional assessment for medical evaluation;

(d) whether emergency medical attention is required;

(e) whether the reported person is present or has access to the child;

(f) the protective steps taken; and

(g) the person notified as the qualified Guardian or Alternate Guardian.

§ 6.03 — Safe Return to the Qualified Guardian

Where the FINAL RULE applies, the Correct NFM Party shall coordinate the child's safe return to the qualified Legal Guardian, subject to applicable law and any valid order of a court with jurisdiction.

The return plan shall identify:

(a) the person responsible for arranging the return;

(b) the safe transfer location;

(c) the expected time of transfer;

(d) any medical, safety, or transportation needs;

(e) any lawful restrictions concerning contact with the reported person;

(f) confirmation that the Guardian has been notified; and

(g) confirmation that the child has been safely received.

§ 6.04 — Twenty-Four-Hour Safe-Return Objective

Where the child has been located, the Guardian is qualified and available, and no immediate safety concern or lawful order prevents return, the Correct NFM Party shall make every reasonable effort to complete safe return to the Guardian within twenty-four (24) hours after the child's location and the Guardian's availability have been confirmed.

If safe return cannot be completed within that period, the Correct NFM Party shall:

(a) document the specific reason;

(b) identify the person or authority responsible for resolving the obstacle;

(c) notify the Guardian;

(d) establish the next action and expected time;

(e) review the child's temporary placement and safety; and

(f) continue efforts toward safe return without unnecessary delay.

The twenty-four-hour period is an operational objective for safe reunification. It shall not be used to require a transfer that would expose the child to immediate danger or violate a valid court order.

§ 6.05 — No Unjustified Retention

A child shall not be retained away from a qualified Guardian solely because of administrative preference, an unresolved internal disagreement, or the convenience of an agency.

Any continued separation shall have a documented safety or legal basis, an identified responsible authority, and a prompt review process.

§ 6.06 — Reunification Record

When the child is safely returned to the Guardian, the Correct NFM Party shall record:

(a) the date and time of return;

(b) the identity of the person transferring the child;

(c) confirmation of receipt by the Guardian;

(d) any medical or safety instructions communicated;

(e) any continuing protective orders or restrictions; and

(f) any follow-up services or appointments arranged.

ARTICLE 7 — CONFIDENTIALITY, EVIDENCE, AND RECORDS

§ 7.01 — Confidentiality

All SCSAR and CCSAR records shall be treated as confidential child-protection records.

Access shall be limited to persons with a legitimate protective, investigative, medical, legal, or administrative need and lawful authority to receive the information.

§ 7.02 — Protected Information

Protected information includes:

(a) the child's name, address, school, and identifying details;

(b) medical, psychological, and counseling records;

(c) photographs, recordings, and forensic materials;

(d) the identity of reporting persons and witnesses where protected;

(e) the identity of the reported person where disclosure is restricted;

(f) guardianship declarations and contact information;

(g) the CCSAR Case File and associated communications; and

(h) any other information whose disclosure could endanger the child or compromise a lawful investigation.

§ 7.03 — Guardian Access

A qualified Guardian shall receive the information reasonably necessary to make informed decisions concerning the child's wellbeing, subject to applicable law and specific restrictions necessary to protect the child or another person's legally protected information.

Any denial or limitation of access shall be documented, including the legal or safety reason and the procedure for requesting review.

§ 7.04 — Evidence Preservation

The Correct NFM Party shall take reasonable steps to preserve relevant records and evidence, including:

(a) original reports and attachments;

(b) electronic communications and messages;

(c) relevant photographs, recordings, and files;

(d) medical and forensic records lawfully obtained;

(e) school, agency, and placement records lawfully obtained;

(f) notification and communication logs; and

(g) records of decisions and protective actions.

Evidence shall not be altered, destroyed, concealed, or improperly transferred.

§ 7.05 — Chain of Custody

Where physical or digital evidence is collected or transferred, the responsible person shall document:

(a) what was collected;

(b) who collected it;

(c) the date, time, and location;

(d) how it was preserved;

(e) each transfer of custody; and

(f) any access, alteration, or processing.

§ 7.06 — Secure Storage and Retention

CCSAR records shall be stored securely with access controls and an audit trail.

Records shall be retained for the period required by applicable law and the approved NFM records-retention schedule. No record shall be destroyed while subject to a lawful preservation requirement, pending proceeding, or active investigation.

§ 7.07 — Unauthorized Disclosure

Unauthorized access, use, disclosure, alteration, or destruction of a CCSAR record shall be reported promptly to a non-conflicted authority and documented.

Appropriate corrective or disciplinary action may be taken under applicable NFM rules and law.

ARTICLE 8 — COMPLIANCE, REVIEW, AND ENFORCEMENT

§ 8.01 — Breach of Duty

Failure to perform a required duty under this Act, including failure to initiate the CCSAR Trigger Protocol, issue Guardian Notice, identify a conflict, preserve evidence, or document a material action, may constitute a breach of duty under applicable NFM rules.

§ 8.02 — Conflict-of-Interest Review

Any person who becomes aware of a conflict involving the Correct NFM Party, an agency, an interim-protection authority, or another decision-maker shall disclose the conflict promptly.

A non-conflicted authority shall determine the appropriate reassignment or protective procedure.

The authority whose conduct is the subject of the report shall not decide whether it is disqualified under § 2.14.

§ 8.03 — Post-Incident Review

A post-incident review shall be conducted within fourteen (14) days after resolution of the immediate protective matter, where practicable.

The review shall examine:

(a) whether the report was registered promptly;

(b) whether verification and conversion were properly documented;

(c) whether the Correct NFM Party was properly designated;

(d) whether Guardian Notice was issued and delivered;

(e) whether any Guardian or agency conflict was correctly identified;

(f) whether the child's immediate safety needs were addressed;

(g) whether medical and forensic protections were followed;

(h) whether the child was safely returned or the reason for continued separation was documented;

(i) whether the twenty-four-hour safe-return objective was achieved or, if not, whether the delay was justified; and

(j) what improvements are necessary.

The review shall not be conducted by a person or authority disqualified as the subject of the report.

§ 8.04 — Corrective Action

Where the review identifies a failure, the responsible office shall prepare a written corrective-action plan identifying:

(a) the deficiency;

(b) the responsible office or person;

(c) the corrective measure;

(d) the deadline for completion; and

(e) the method for confirming completion.

§ 8.05 — Annual Report

The Office of the Head Chief shall publish an annual report on the operation of this Act, using aggregated and appropriately de-identified information.

The report may include:

(a) the number of SCSARs received;

(b) the number of CCSARs confirmed;

(c) the number of protective applications submitted;

(d) the number of restraining orders and Locate Orders issued;

(e) the number of children located;

(f) the number of children safely returned to qualified Guardians;

(g) the number of cases involving Guardian disqualification;

(h) the number of cases involving agency or interim-protection conflicts;

(i) the number of cases meeting the twenty-four-hour safe-return objective; and

(j) corrective actions and procedural improvements.

The annual report shall not disclose information that identifies a child or compromises a protected investigation.

§ 8.06 — Training

NFM personnel assigned to receive, verify, investigate, or administer SCSAR and CCSAR matters shall receive appropriate training concerning:

(a) child safety and safeguarding;

(b) recognition and referral of suspected abuse;

(c) trauma-informed communication;

(d) Guardian Notice and guardianship verification;

(e) conflict-of-interest procedures;

(f) confidentiality and evidence preservation;

(g) emergency notification and referral; and

(h) the operation of the FINAL RULE.

ARTICLE 9 — LEGAL AUTHORITIES AND RECOGNITION

§ 9.01 — Federal Indian Child Welfare Law

This Act references the Indian Child Welfare Act of 1978, 25 U.S.C. §§ 1901 et seq., including provisions concerning tribal jurisdiction, transfer of proceedings, intervention, placement preferences, and emergency proceedings where applicable.

The applicability of any particular ICWA provision shall be determined under the facts and law governing the particular child and proceeding.

§ 9.02 — State Law and Mandatory Reporting

This Act references applicable California child-abuse reporting laws, including California Penal Code §§ 11165 et seq., and applicable protective-order and guardianship provisions.

Nothing in this Act shall be construed to excuse a mandated reporter from a reporting obligation imposed by applicable law.

§ 9.03 — International Instruments

This Act may refer to the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children, and the United Nations Convention on the Rights of the Child, as expressions of international principles.

This Act does not declare either instrument binding domestic law in the United States.

§ 9.04 — Tribal Law and Custom

This Act shall be administered consistently with applicable tribal constitutions, laws, customs, guardianship instruments, and lawful orders.

§ 9.05 — Recognition by Other Forums

The National Federation of Mendocino may provide certified copies of this Act, its records, and orders issued under it to courts, agencies, and law-enforcement bodies.

Recognition and enforcement outside the issuing authority shall be determined under the law applicable to the receiving forum.

ARTICLE 10 — EFFECTIVE DATE, SEVERABILITY, AND APPROVAL

§ 10.01 — Effective Date

This Act takes effect upon approval and enactment by the Office of the Head Chief on November 18, 2026.

§ 10.02 — Severability

If any provision of this Act is held invalid or unenforceable by a court with jurisdiction, the remaining provisions shall continue in effect to the extent they can operate independently and consistently with applicable law.

§ 10.03 — Supersession

This Act, Act No. NFM-2026-CCSAR-003, supersedes the prior NFM-2026-CCSAR-002 draft and any inconsistent prior internal CCSAR protocol to the extent of the issuing authority's lawful power.

§ 10.04 — Approval and Enactment

APPROVED AND ENACTED by the Office of the Head Chief, National Federation of Mendocino, on this 18th day of November, 2026.

___/SS/ __/S/ ____ 11-16-2026

Lord Devin: Mallonee
Head Chief, National Federation of Mendocino

___/SS/ __/S/ ____ 11-16-2026

Geronimo Thomas Langenderfer
Chief, Mendocino Indian Reservation

ATTESTATION

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Office of the Head Chief to be affixed on this 18th day of November, 2026.

/SS/ /S/ ____

Lord Devin: Mallonee
Head Chief, National Federation of Mendocino

nationalfederationofmendocino.org

(Seal of the Office of the Head Chief)

PART TWO — PUBLIC NOTICE OF ENACTMENT

PUBLIC NOTICE

NATIONAL FEDERATION OF MENDOCINO — OFFICE OF THE HEAD CHIEF

NOTICE OF ENACTMENT

CCSAR PROTECTION ACT OF 2026
Act No. NFM-2026-CCSAR-003

Notice Reference: NFM-2026-PN-005
Date of Publication: November 18, 2026

Subject: Public Notice of the Enactment of the Confirmed Child Sexual Abuse Report Protocol, Guardian Notice, Correct NFM Party Requirements, and the FINAL RULE of Guardian Authority.

TO ALL PERSONS, AGENCIES, COURTS, LAW-ENFORCEMENT BODIES, AND TRIBAL NATIONS TO WHOM THESE PRESENTS MAY COME:

NOTICE IS HEREBY GIVEN that on the 18th day of November, 2026, the Office of the Head Chief of the National Federation of Mendocino enacted the CCSAR Protection Act of 2026, Act No. NFM-2026-CCSAR-003.

The Act establishes an internal child-protection protocol for receiving, verifying, recording, and responding to Suspected Child Sexual Abuse Reports and Confirmed Child Sexual Abuse Reports involving children affiliated with the Mendocino Indian Reservation and the Devin Mallonee Foundation.

I. PURPOSE OF THE ACT

The Act establishes procedures for:

(a) receiving and verifying Suspected Child Sexual Abuse Reports (SCSARs);

(b) converting a verified report into a Confirmed Child Sexual Abuse Report (CCSAR);

(c) requiring the Correct NFM Party to conduct and document the matter;

(d) issuing Guardian Notice to the qualified Legal Guardian;

(e) protecting the final authority of the qualified Legal Guardian under the FINAL RULE;

(f) initiating protective applications and lawful location procedures where a child under twelve is involved;

(g) disqualifying an agency or interim-protection authority from controlling a matter where that authority is itself the subject of the report;

(h) protecting the child's medical, forensic, and personal information; and

(i) facilitating safe return and reunification with the qualified Guardian.

II. THE FINAL RULE — § 1.06

Where the Legal Guardian is not the person whose conduct is the subject of the CCSAR, and the CCSAR is conducted by the Correct NFM Party, the Legal Guardian has final authority under the Act over the child's wellbeing.

That authority includes decisions concerning safe placement, medical care, education, contact arrangements, and return of the child to the Guardian's care.

The Head Chief, an agency, a foundation, or an administrative officer shall not override the qualified Guardian's determination merely because of disagreement.

III. GUARDIAN NOTICE — § 2.12

Guardian Notice is the formal notice issued by the Correct NFM Party to the Legal Guardian when an SCSAR is received, verified, converted into a CCSAR, or when a material protective action is taken.

The notice identifies the report, the Correct NFM Party, the child's circumstances, the Guardian's status, the protective action, and the Guardian's authority under the FINAL RULE where applicable.

The delivery method, time, recipient, and result shall be recorded in the CCSAR Case File.

IV. CORRECT NFM PARTY — § 2.13

The Correct NFM Party is the NFM office, officer, investigator, child-protection unit, or designated task force authorized in writing to receive, verify, conduct, and record the particular report.

The Correct NFM Party must be identified in the CCSAR Case File and must not have a disqualifying conflict of interest.

V. AGENCY OR INTERIM-PROTECTION AUTHORITY DISQUALIFICATION — § 2.14 AND § 5.05

Where an agency or interim-protection authority is itself the subject of the report concerning sexual abuse or other abuse, that authority shall have no decision-making control over that matter under this Act.

It shall not control the investigation, determine its own responsibility, decide the child's placement, or override the qualified Guardian.

Tribal Nations retains control of the matter through its qualified and non-conflicted authorities. The qualified Tribal Nations Guardian or other qualified Guardian shall exercise the applicable guardianship authority under the Act.

VI. CHILD UNDER TWELVE — ARTICLES 3 AND 4

Upon conversion of an SCSAR into a CCSAR involving a child under twelve, the Correct NFM Party shall immediately initiate the applicable CCSAR Trigger Protocol.

The protocol includes:

(a) Guardian Notice and immediate internal notifications;

(b) preparation and filing of a restraining-order application where supported by the facts and applicable law;

(c) preparation and filing of a Locate Order application where the child's location is unknown or the child may be in danger;

(d) prompt presentation to a court with jurisdiction;

(e) lawful transmission of issued orders to appropriate law-enforcement authorities;

(f) medical and forensic protection where needed;

(g) trauma-informed child interview protections; and

(h) completion of the CCSAR Case File.

VII. GUARDIAN DISQUALIFICATION — § 5.04

Where the Legal Guardian is the person whose conduct is the subject of the particular CCSAR, that Guardian does not exercise final authority under § 1.06 in that matter while the disqualification continues.

The matter shall proceed through the qualified Alternate Guardian, Tribal Nations Guardian, or other lawful interim-protection process.

Disqualification is limited to the particular report and is not, by itself, a finding of wrongdoing.

VIII. SAFE RETURN AND REUNIFICATION — ARTICLE 6

Where the qualified Guardian is not the subject of the CCSAR and no immediate safety concern or valid court order prevents return, the Correct NFM Party shall make every reasonable effort to complete safe return of the child within twenty-four (24) hours after the child's location and the Guardian's availability have been confirmed.

Any delay must be documented, explained, communicated to the Guardian, and reviewed while efforts toward safe return continue.

IX. CONFIDENTIALITY AND EVIDENCE — ARTICLE 7

SCSAR and CCSAR records are confidential child-protection records.

The Act requires secure storage, restricted access, protection of the child's identity and medical information, preservation of relevant evidence, and documentation of access and transfers.

X. COMPLIANCE AND REVIEW — ARTICLE 8

The Act establishes duties concerning prompt reporting, conflict-of-interest review, post-incident review, corrective action, annual reporting, and training of personnel assigned to CCSAR matters.

Annual reporting shall use aggregated and appropriately de-identified information.

XI. LEGAL AUTHORITIES

The Act references:

(a) the Indian Child Welfare Act of 1978, 25 U.S.C. §§ 1901 et seq., where applicable;

(b) applicable California child-abuse reporting and protective-order laws;

(c) applicable tribal constitutions, laws, customs, and guardianship instruments; and

(d) international instruments as expressions of principle, without declaring them binding domestic law.

XII. EFFECTIVE DATE

The CCSAR Protection Act of 2026, Act No. NFM-2026-CCSAR-003, takes effect upon approval and enactment on November 18, 2026.

XIII. NOTICE TO COURTS AND LAW ENFORCEMENT

Courts, agencies, and law-enforcement bodies receiving this Notice are respectfully requested to take notice of the Act and accord it such recognition as the law of the receiving forum permits.

The Office of the Head Chief may provide certified copies of the Act, relevant notices, and orders issued under it upon request.

XIV. TEXT OF THE ACT

The full text of the CCSAR Protection Act of 2026, Act No. NFM-2026-CCSAR-003, is published on the official public notice forum of the National Federation of Mendocino and is incorporated into this Notice by reference.

XV. ATTESTATION

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Office of the Head Chief to be affixed on this 18th day of November, 2026.

___/SS/ __/S/ ____ 11-16-2026

Lord Devin: Mallonee
Head Chief, National Federation of Mendocino

___/SS/ __/S/ ____ 11-16-2026

Geronimo Thomas Langenderfer
Chief, Mendocino Indian Reservation

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(Seal of the Office of the Head Chief)

CERTIFICATE OF PUBLICATION

This Public Notice is published on the official public notice forum of the National Federation of Mendocino on November 18, 2026.

Publication Date: November 18, 2026
Notice Reference: NFM-2026-PN-005
Act No.: NFM-2026-CCSAR-003

___/SS/ __/S/ ____ 11-16-2026

Lord Devin: Mallonee
Head Chief, National Federation of Mendocino

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Geronimo Thomas Langenderfer
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