



## The Mandatory Reporting Task Force | Meeting 23

### Meeting Minutes

July 24th, 8:00 am-10:00 am Virtual Meeting (Zoom)

Facilitators: Trace Faust and Doris Tolliver

Members: See Appendix A

<p>Welcome &amp; Approval of Minutes</p>	<ul style="list-style-type: none"> <li>Stephanie welcomed the task force. The approval of the materials from the July 17th meeting will occur at the next task force meeting.</li> </ul>
<p>Procedure</p>	<ul style="list-style-type: none"> <li>Trace explained that the meeting will be as a full group to review the work done in the subcommittees. They also said that there will be time to review all of the materials and they welcomed requests for more review time.</li> <li>Doris Tolliver said that she will share the draft recommendations electronically as well as electronically display a slide deck.</li> <li>Trace suggested that, since these recommendations are drafts, the focus will be on the content rather than the wordsmithing.</li> </ul>
<p>Data Subcommittee Draft Recommendations</p>	<ul style="list-style-type: none"> <li>Trace directed the task force to review the data subcommittee <a href="#">draft recommendations</a>.</li> <li>Doris Tolliver explained the draft recommendation for directive 18 and asked for comments.</li> <li>Michelle Dossey added that Volume 7 rule and potentially statute might need to be changed to address the immediacy of reviewing and processes the online reports; she said that Weld County struggled with time frames since reports need to be reviewed immediately, according to regulation and potentially statute. She also brought up adult protection reports that get blended into child protection hotlines; the electronic reporting would need to be able to address adult protection reports. Doris thanked her and asked for more comments.</li> <li>Doris addressed an electronic chat question; she responded that the electronic reporting would not be automated on what gets assigned and it would still need to be screened. Michelle Dossey said that red teams or staff are required to screen reports. Dawn Alexander mentioned a tool to help people decide if they should report in the first place and have that tool generate a note that a reporter used. Doris said that the subcommittee appreciated having guidance on the decision to report or not as well as a prompt to call the hotline for emergency situations.</li> <li>Jade Woodard said there could be connections to the decision aid tool in the final report. Doris thanked her. Bryan agreed and said that the alternative processes and services can be connected to this recommendation in the final report. Doris thanked him.</li> <li>Ida Drury asked about specifying the draft recommendation to monitor disproportionality with a CQI at the state level. Doris thanked her.</li> <li>Doris highlighted Ashley Chase's question in the chat about the intent of the online reporting. She responded that the online reporting would mimic what happens during hotline calls such as providing guidance on when reporting is necessary but to offer another mechanism for reporters; it was not necessarily</li> </ul>



intended to collect certain types of data. Ashley said that answered her question and thanked Doris.

- Doris explained the draft recommendation for directive 16 and asked for comments.
- Donna Wilson asked to add race specifically to the draft recommendation. Doris thanked her. Byran said that 19 3 307 included race but did not include ethnicity so this draft recommendation would be to have race and ethnicity together. Doris thanked him.
- Doris highlighted a question in the electronic chat; Michelle Dossey said that the statute indicates that false reports are a class three misdemeanor. Doris thanked her. Dawn Alexander suggested adding that 'false reports are a class three misdemeanor' as a disclaimer as to remind reporters since false reports are common in child care spaces. Doris thanked her and said that this information is focused on the information collected when a report is made but this point is well taken.
- Jessica Dotter asked about admissibility of reports in court as evidence. She said that many reporters will still write down a report even if it is not required so these documents should be admissible in court; it would be an unintended consequence to remove this so she suggested adding language that any written report be admissible as evidence even if the written reports are no longer required. Doris asked for clarity on her suggestion. Jessica said that she reads the statute as 'written reports by people required to report should be admissible as evidence' rather than saying the written report is required; this is a good example of how the statute is confusing. Doris thanked her and said this is a good point. Jessica said that the language could be 'written reports from those required to report shall be admissible'; this is drafting language. Doris thanked her.
- Michelle Murphy said that the education community has concern with mandatory reporters being called into court since there is a partial requirement of anonymity. She said that she has concerns with the current situation when educators get pulled into court; it is a deterrent and can negatively impact children later. Doris said that the subcommittee did not address this; it was focused on the data collected on a child when a report is made. She continued that the draft recommendation was focused on removing the requirement for a written report to follow an oral report since the written reports are seldom submitted. Michelle said that she supports that; the conversation about all reports being admissible as evidence might go beyond the scope of the draft recommendation. Doris thanked her.
- Michelle Dossey said that she agrees with Jessica and the draft language could say 'should the reporting party chooses to make a written report, it shall be admissible in court'. She also said that anything in the online reporting is written and there should be a note to indicate that those reports are also admissible Doris thanked her.
- Sam Carwyn provided comments electronically. Doris thanked her and highlighted her concerns for children with multiple racial identities needing to



have ways to capture these identities; she mentioned Donna's point of using the family's self-identification for this as well as Crystal's point of using Casey data. Sam said that her understanding is that these are how families are identifying but the disproportionate impact looks less on paper than it is in reality due to skews in data.

- Michelle Murphy said that she is wondering about requiring additional characteristics; she is wondering what is referred to by characteristics and that asking for characteristics without a drop down menu could bring in inappropriate information. Doris thanked her and brought up consistency in language.
- Dr. Wells asked when and how a reporter would be asked questions about a family's identities; this is to make sure reports are not taken more or less seriously depending on the answers. Doris said that the subcommittee looked at the tool used for reports; there is no language prior to questions relating to demographics. She said that this language can be added. Dr. Wells said that she wonders what the answers are based on, like either a family's self-identity or an assumption. Michelle said that they are required to asked these questions and counties are given guidance on how best to ask these questions; she also mentioned questions around how a reporter is basing their responses either off of self-identity of the family or an assumption as well as questions to the reporter about how the family's demographics is impacting their decision to report. She said that she would love to ask these questions but it is not always done well; there is no guidance on how to ask these questions. She suggests drafting a recommendation to train on how to ask these questions better such as including that it's important to track demographic data however it is not used in the screening decision. Dr. Wells said she agrees and they can understand more about bias if a family identifies differently than the demographic provided at the time the report was made. Doris thanked them.
- Ashley Chase asked why household income was included. Doris responded that it was intended to get at socioeconomic issues and the conflation of socioeconomic struggles with neglect. Bryan said that this conversation came from aligning this conversation with SB 24-200. Ashley said that this makes sense; she was worried about painting a target. Jordan Steffen said that they are open to changing terms. Doris thanked them.
- Jessica asked about data collected about alleged perpetrators. She also asked when and how families would be given an opportunity to confirm their demographic information. Doris said that the subcommittee did not discuss a process for reports that get screened out since they want to refrain from notifying families unnecessarily; for the cases that get assigned, there is a caseworker that interacts with the family and the caseworker can provide a prompt to revisit how families are identified. She said that the specifics were not worked out but that working with the caseworker can be an opportunity to confirm a family's characteristics. Yolanda Arredondo said that part of the challenge is a lack of an opportunity to confirm family demographic information if a case is not assigned; the risk of putting it in the system at the point of hotline is that it can misidentify a family. Doris said that a potential solution can be to cross match information with



	<p>other DHS resources to clean up the data behind the scene; she is unsure about the procedure for this or the legal perspective on this. Yolanda said that another challenge is that, if the demographic information is entered at the point of hotline, a caseworker might assume it is accurate since it is in the client profile even if it might be inaccurate; there should be a time for the family to self identify rather than rely on a reporter's description which might be inaccurate. Doris thanked her.</p> <ul style="list-style-type: none"><li>• Doris directed the task force to directive 19 and asked for comments. Michelle Dossey asked if the state already has a template for the law enforcement MOUs. Doris said that there are MOU templates between law enforcement and county agencies that are being updated. Michelle Dossey said that these get redone on a specific schedule so she wonders if this point is necessary since it's already happening. Doris thanked her.</li><li>• Dr. Wells asked about a recommendation for funding to support the draft recommendations. Doris said that there is a prompt in TRAILS to generate a letter so this letter would be sent to all reporters rather than just specified reporters. Dr. Wells said that getting a letter back rarely happened since it was an unfunded expectation. She said that she is unsure if the challenge was around knowing who to send the letter to or if it was funding. Michelle Dossey said that the statute only requires letters to be sent to specified reporters and the process is different across every county; many counties ask the reports to request the information. Doris thanked her. Crystal Allen Ward asked if this can be linked to the electronic reporting tool; if someone wants a response, they could get something generated back on the online reporting tool. She is balancing the desire to know what happens to a report and the burden to agencies. Doris thanked her and said that there is already a template in TRAILS to auto generate a report; it didn't seem like generating the report for all reporters would create a burden on county offices.</li><li>• Doris moved the task force to a break.</li></ul>
Specialized Occupations Subcommittee Draft Recommendations	<ul style="list-style-type: none"><li>• Trace brought the task force back from a break. They explained that the subcommittee discussed removing victim advocates from the list of mandatory reporters and delaying reporting for victim advocates; the full task force will discuss further to inform the final recommendations. Jordan continued that the draft recommendations are not 'and/or'; she explained that Bryan and her needed to address all the directives so the draft recommendations present all conversations, as considered. Trace provided time for the task force to review the <a href="#">draft recommendations</a>.</li><li>• Trace brought the task force back and asked for comments around the content of the draft recommendations.</li><li>• Trace explained the draft recommendation for directive 7. Jordan continued that this draft recommendation is open for consideration in both directive 7 and directive 11. Trace asked for comments and explained the context of the conversation behind the specific time frame of 72 hours.</li><li>• Stephanie said that there were very robust discussions about these conversations. Trace thanked her and mentioned that 80% of respondents on the</li></ul>



survey voted in favor of moving this draft recommendation forward. They mentioned draft recommendations reflecting what people in the field need.

- Jennifer Eyl said that anyone who is creating a safety plan for victims would have up to 72 hours to help people get safe prior to involving child welfare; victim advocates are a separate category which is a very narrow group of people. She explained that there are statutory guidelines for who is a victim advocate and these folks would be exempt from mandatory reporting; she also said that anyone else that does not fit the statutory guidelines but works with victims would have 72 hours to make a report. Trace thanked her.
- Jade Woodard asked about specific victim advocates, for example, who work at the prosecutor's office. She asked if they would be not exempted but have the extra 72 hours. Jennifer said that this is her understanding. Trace thanked them and said that part of the conversation was around professional judgment; someone might make a report in less time than 72 hours but in the circumstances where it would be helpful to have more time, they can take that.
- Michelle Murphy asked how this applies to educators since they do safety plans but it might be different; training might be unclear. She said she agrees with the reason but is unclear who it applies to. Trace thanked her. Michelle Murphy asked if the recommendation applies to educators. Jordan said that this directive was written to encompass educators but the language can be more explicit. Michelle Murphy asked what is meant by a safety plan. Jordan said that it can be up for discussion if the recommendation should include safety plans in schools. Michelle Murphy said she will take it back to her team to further discuss. Trace thanked them.
- Jennifer said that the intention was meant to apply to all mandatory reporters; she said that Michelle Murphy might be addressing a training issue to recognize domestic abuse, sexual assault or stalking as well as how to connect victims to resources. Trace thanked her.
- Stephanie said that she appreciates the conversation; for background, this issue came up two years ago when the legislation for the task force was being drafted. She continued that, at the time, the issue was specific and was about advocates' ability to assist victims and families; there was not a conversation about other advocates. She also mentioned that Colorado is one of the few states that require victim advocates to be mandatory reporters. She brings this up to provide background for who this recommendation applies to and realizes it could benefit from specificity. Trace thanked her.
- Roshan Kalantar said that the original conversation was about adding the delay to reporting if domestic violence and sexual assault advocates cannot be taken off the list. She continued that since there is talk about removing domestic violence and sexual assault advocates, the delay to reporting would apply to people not included in the original conversations. She said that she agrees with the recommendation but Michelle Murphy's point about what counts as safety planning is really important. She mentioned the importance of having survivors in a safe place when the report is made and how this is different from some of the safety planning that happens at schools such as safety planning for self harm, for



example. Michelle Murphy added that it's complicated since students go home at the end of the day. Roshan agreed. She wonders if there is guidance for medical folks around connecting victims to a community based advocate. She also mentioned Yolanda's electronic chat about how safety planning is not a perfect solution but a process. She said that she is concerned about applying this to reporters without training in domestic violence and sexual assault. She suggested adding language to connect victims to community resources with expertise to mitigate putting burden on someone who lacks this knowledge. Trace said that there should be clarity in who the directive and draft recommendation addresses. Jordan said that if there is language to help narrow this, that would be helpful. Trace said that Roshan and Jennifer could supply language to help clarify language and then cross reference that with Michelle. Michelle agreed and said that she will talk to her team about this to understand more since she has concerns.

- Sam said that she recognizes an exception for domestic violence and sexual assault professionals; the delay is to support families and it is important that this delay is accessible to everyone who does safety planning even if that is not their primary role. Trace thanked her.
- Trace explained the draft recommendation for directive 10 and asked for comments.
- Jennifer said that she thought the conversation was about legal services rather than just representation as to include all stages of a case. Jordan said that there was a lack of clarity on this point. Trace asked what people think of this clarification. Michelle Dossey asked about the thought behind excluding guardian ad litem from being mandatory reporters. Ashley Chase said that they are not mandated reporters since they are licensed attorneys and are bound by attorney ethics; their duties are to the best interest of the child. She said that having guardian ad litem being attorneys is important to this role; the professional ethics are key to this. She also mentioned that there is research to support that it is best practice to have legal teams work with social workers. She continued that an attorney could not work with someone on a multidisciplinary team without confidentiality; an attorney can always report if they choose, after they consider the ethical pros and cons before deciding. Trace thanked everyone and asked if there is any concern about the draft recommendation as it is written.
- Jennifer said that her concern is around representation since that word is limiting. Trace asked more about this. Jennifer said that Chris Henderson agreed to this word change during the subcommittee conversation. Jessica said that there is a nuance about when representation starts; there should be wordsmithing to not limit the recommendation. Stephanie asked if the task force wants to address the directive as stated or if it wants to include these further concerns about staff involved prior to and outside of representation. Trace suggested asking about these questions in a survey; the narrative of the report will also include these deeper conversations for legislative considerations.
- Trace asked for public comment.



	<ul style="list-style-type: none"><li>● Trace explained the draft recommendation for directive 11 and asked for comments.</li><li>● Sam brought up assaults that have happened far in the past. Trace thanked her.</li><li>● Jennifer thanked Sam and mentioned that there is so much nuance in these conversations such sexual assaults involving peers; having law enforcement involved in sexual assault situations is not always the best course of action for many considerations like how teens are legally allowed to seek their own mental and physical health treatments. She also mentioned teen dating violence between two peers. She concluded that there is a lot of nuance. Trace thanked her.</li><li>● Jade said that she wants to be clear on who the recommendation applies to like other trusted adults a child might go to for help; she also brought up distinguishing when something is a child welfare issue. Trace thanked her.</li><li>● Dr. Wells also brought up distinguishing when something is a law enforcement issue. Trace thanked her and asked for subcommittee members to provide more context.</li><li>● Dr. Wells said that the challenge is that children are minors; the balance is a level of protection as well as involving law enforcement or child welfare when it's against someone's wishes. Trace thanked her and said that age and public safety came up as considerations during subcommittee conversations.</li><li>● Michelle Dossey said that there are concerns around duplicative reports that count against a family when an assault- especially a past assault- is reported multiple times by multiple professionals as well as concerns around how long ago the assault happened. She said that reporters often have questions about the length of time that has passed since an assault and if they have to report it. Trace thanked her.</li><li>● Michelle Murphy said that there needs to be clarity between this draft recommendation and the one for directive 7. Trace thanked her.</li><li>● Jessica said that it's important to connect people to services; victim advocates play an important role in connecting people with services in a way that best meets the needs of the person, which sometimes means not involving law enforcement or child welfare at all or right away. She also brought up an exemption for not reporting assaults involving 15-17 year olds but how this, too, is complicated since there can be overlaps with domestic violence. Trace thanked her and said that these topics will be revisited.</li><li>● Gina Lopez said that she is going to gather data on sexual violence with teens; they are in a difficult limbo since they are too young for adult services but too old for child services. She said it would be important to align these services as well as to provide comprehensive training. Trace thanked her.</li><li>● Stephanie said that, legally, reports must be made for child abuse against someone under age 18; the statute says that child abuse is an act committed against someone under 18 and that child abuse includes many types of acts; the perpetrator can be of any age to still constitute child abuse. She mentions this to say that this conversation could potentially go very deep and could change the definition of child abuse. Trace thanked her.</li></ul>
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	<ul style="list-style-type: none"><li>• Sam highlighted disproportionate impact; black and brown youth have different experiences with teen dating violence and sexual assault situations as well as reports. She said that they should try to get ahead of this problem, especially since dating and stalking looks very different today than it did years ago. Trace thanked her.</li></ul>
Conclusion	<ul style="list-style-type: none"><li>• Trace thanked everyone and explained that there will be more time for conversation about the specialized occupations draft recommendations. They said there might be follow up emails with surveys and directed task force members to watch their inboxes.</li></ul>
Public Comment	<ul style="list-style-type: none"><li>• There were no requests for public comment.</li></ul>
Next Steps and Adjourn	<ul style="list-style-type: none"><li>• The task force adjourned at 10:10 AM; the next task force meeting is August 7th at 8 AM.</li></ul>

**Appendix A:**

Dr. Kathi Wells  
Zane Grant  
Jennifer Eyl  
Crystal Allen Ward  
Jessica Dotter  
Michelle Dossey  
Ayla Bullock  
Sara Pielsticker  
Ida Drury  
Jade Woodard  
Kelsey Wirtz  
Michelle Murphy  
Donna Wilson  
Yolanda Arredondo  
Aletha Jenkins  
Roshan Kalantar  
Dawn Alexander  
Gina Lopez  
Cris Menz  
Ashley Chase