



Mandatory Reporting Task Force | Meeting 13

February 28, 2024, Meeting Recap

Overview

The Mandatory Reporting Task Force is legislatively charged with analyzing the effectiveness of Colorado's mandatory reporting laws in keeping children safe, connecting families with the resources they need, and providing clarity to mandatory reporters. Integral to this analysis, the task force will continue to examine the relationship of these laws to systemic issues and disproportionate impacts on under-resourced communities, communities of color, and people with disabilities.

Introduction

Aletha Jenkins from Mesa County Department of Human Services was introduced as a new task force member. She has been in the role of assessment supervisor for the past seven years and been with the county for 10 years on the assessment/intake team.

Overview of Future Meetings

Trace Faust reviewed the road map for the task force's work ahead and explained the need for additional meetings to tackle the statutory requirements. They reviewed the timeline for discussions, recommendations, and voting. After March 20th, the task force will divide into two subcommittees to address different topics in two phases. The first phase will involve a training subcommittee (which will address professions affected by mandatory reporting) and a reporting processes subcommittee, with each focusing on specific directives.

Jessica Dotter asked if members may participate in multiple subcommittees. The meetings for different subcommittees will run simultaneously during regular meetings, but there may be opportunities for members to contribute to multiple subcommittees. It was suggested that members can watch subcommittee videos and connect with other members to contribute to additional subcommittees' work. The goal is to efficiently manage time.

Alternative Responses Resource Overview

Bryan Kelley then presented an overview of materials provided on alternative responses. Given the interest within the task force regarding alternative processes and services as potential solutions to the problems the task force is addressing, Bryan provided research on decision tools, consultations and warmlines in other states such as New York's decision tree and Evident Change's Community Response Guides. These resources help mandatory reporters understand whether to file a report or pursue alternative options for aiding families. Bryan also mentioned consultation systems like the one in Dane County, Wisconsin, and warmlines designed to connect families with

assistance without involving child abuse and neglect reporting. He highlighted upcoming speakers who will discuss these topics in detail.

Arapahoe County's Community Development and Prevention Program

Michelle Dossey shared information about the Arapahoe County Department of Human Services' Community Development and Prevention Program that was implemented in 2018. The program's goal is to enhance the community's capacity to support families without defaulting to the child welfare system. Michelle emphasized two key foundations of the program: the principles of holding families together and building them up, and the importance of connection in preventing vulnerability and danger in communities.

About 60 percent of referrals made to Arapahoe County, similar to trends across Colorado and the nation, are screened out for not meeting the statutory threshold of abuse or neglect. Reasons for reporting include incidents like child suicide, concern about liability, fear of criminal charges for failing to report, worries about children's well-being at home and in the community, lack of understanding of the child welfare system, lack of connection between the reporting party and the family, and insufficient resources.

The program's goals, mission, and vision were outlined, emphasizing three primary categories:

Before: Focuses on encouraging support for families before reporting incidents, encouraging community partners to ask for help and preventive services rather than fitting concerns into the category of abuse or neglect. Prevention consultants engage with community partners – primarily schools, mental health professionals, medical professionals and law enforcement – to teach them to engage families, locate resources, and maintain connections with families.

During: Addresses supporting community partners after a referral is screened out, helping them understand why it was screened out and how to help the family.

After: This post-closure outreach aims to prevent repeat involvement with the department by providing ongoing support and resources to families and community partners.

The program expands the hotline to serve as a single point of entry for all referrals, encourages community partners to engage directly with families, and offers resources to support families in need, such as providing car seats if necessary.

Michelle also discussed additional support offered by the program, including participation in multidisciplinary team responses, student attendance review boards and other consultative venues to support families proactively rather than waiting for issues to arise.

She highlighted the program's goal to discourage the department from being viewed as the default system to fix social problems or provide surveillance. Michelle emphasized the importance of asking families what they need and partnering with them rather than assuming what is best. Consultation by the department should be readily available to community partners facing complex situations, with an emphasis on community partners having conversations with families to maintain trust.

Michelle also provided an overview of the program's outcomes, including serving almost 6,000 referrals over six years, with 63 percent deemed successfully served. Data tracking includes comparing outcomes of referrals served by the prevention program to those that were not served, with a focus on subsequent involvement in child protection and youth services. The program's effectiveness is continuously assessed through data analysis to determine its impact.

There then was a brief question and answer period. Roshan Kalantar raised the point of ensuring callers understand that while they might intend to connect a family to services, if the concern rises to the level of abuse and neglect, the family may be reported. Michelle mentioned that they educate callers about this during training and inform them of their legal obligations. As for feedback, Michelle noted positive responses from Community Partners regarding the program's effectiveness and the availability of direct communication channels for inquiries or assistance within the department.

Evident Change's Community Response Guides

Bryan then introduced Emerson Ives from Evident Change, a social justice nonprofit that collaborates with communities to address challenges in child protection, adult protection, juvenile justice and education using research and data-driven approaches.

Emerson shared their excitement about being in a space where individuals are grappling with the impact of mandated reporting on communities. They introduced themselves, highlighting their background in child protection work across urban and rural areas. Emerson's passion for this work stems from personal experiences, including growing up in a dysfunctional family environment that intersected with child protection services.

Evident Change provides structured decision-making tools for workers in child welfare and Adult Protective Services. These tools, used in 40 states in the US and eight countries worldwide, help workers make complex decisions regarding various aspects of their work, such as screening calls, assessing child safety, and facilitating reunification. The agency's approach is guided by four pillars: equity, accuracy, consistency and utility. They aim to ensure that their tools enable accurate and consistent decision-making while being useful for workers and promoting equity by counteracting biases inherent in decision-making processes, using decision-support tools alongside professional expertise.

Emerson discussed the progression of their work on the Community Response Guide, which initially began internationally. Initially, the guides were binary decision support tools for mandated reporters to determine whether to call child protection. However, Emerson's approach shifted towards a more inclusive and community-centered perspective, starting with New Hampshire, a universal reporting state, where everyone over 18 is mandated to report. This led to the idea of creating guides for everyone, not just professionals. Overall, there are several areas in various stages of implementing the Community Response Guide work.

A Community Response Guide is a web-based decision support tool, also available as a phone application, designed to assist both professional reporters and community members in determining whether they need to report concerns or explore alternative methods of supporting families outside the statutory system. The design of the tool involves a data-driven, community-

based workgroup process, allowing collaboration with community members to determine what issues require additional assistance and which can be addressed locally. The project itself serves as a community intervention, with the tool being just one aspect of a broader initiative aimed at empowering communities to support families effectively.

National trends show there's an issue with screening rates, where only about half of reported cases are screened into child protection. This suggests that either people are unsure of when to call or are unaware of alternative options. The majority of reports come from mandated reporters, making them a crucial focus for impact. General neglect is the most common allegation reported. Both over and underreporting occur, and there's racial disproportionality and disparity in reporting, indicating inequitable decisions even at this early stage of the process.

Emerson discussed the challenges and dilemmas surrounding the mandate to report, emphasizing that the current reporting process is not working effectively. The idea behind the Community Response Guide is to introduce a pause in the decision-making process, allowing for an analytical pause before making a decision. This pause would involve using a decision support tool to ensure consistency in assessing concerns and considering responses beyond just reporting or not reporting.

Emerson presented a continuum of concerns, ranging from families that are safe and thriving to those where a child is unsafe and intervention is necessary. Currently, there's frustration because families with complex needs are often called into child protection, leading to a service gap where child protection isn't the appropriate agency. The tool recommends one of three actions: no action required, report to child protection or consult. The consult option provides a phone number for additional support and coaching for mandated reporters to become supporters, offering an alternative to immediate reporting.

When combined with other changes, the Community Response Guide has shown impacts on system outcomes, with varying effects on screening rates. However, it's essential to understand that the guide is just one part of the intervention. The project aims to integrate the tool with other supportive interventions. For the tool to be effective, it must be embedded in training programs so that users understand how to utilize it. Additionally, policies should align with the guide for optimal effectiveness.

The task force was then invited to ask Emerson questions. Regarding concerns about the tool potentially leading mandatory reporters to ask leading questions to get to a desired result, Emerson emphasized the importance of training and asking clarifying questions to gather necessary information. Emerson noted the complexity of training requirements in different states and highlighted efforts to align various training programs with the Community Response Guide's principles. This involves identifying key components missing from existing training programs and collaborating with stakeholders to incorporate them.

Regarding liability concerns, Emerson emphasized the importance of collaboration and ensuring that all stakeholders are involved in the development and implementation of the tool. This collective approach helps in addressing concerns and mitigating potential risks, ensuring that decisions made align with legal requirements and best practices.

Criston Menz expressed appreciation for the tool's potential to remove the go-between in reporting, streamlining the process based on legal criteria. She asked about the tool's consideration of mental health aspects, its implementation, and about liability concerns and how the system handles anonymity for reporters who may not want to disclose their identity. Some of the tool's design and functionality discussed included:

Operationalizing Legal Standards: The tool is designed to operationalize legal standards related to child abuse and neglect, providing a structured approach for assessing suspicions based on legal criteria.

Tailored Concern Categories: Different concern categories are tailored to address various types of abuse and neglect, including physical abuse, sexual abuse, trafficking, neglect, caregiver mental health and caregiver substance use.

Threshold Establishment: The tool establishes a threshold for determining the severity of concerns, ranging from imminent danger to challenges in daily functioning or schooling due to mental health conditions or other factors.

Sorting Questions: Sorting questions are utilized to determine whether a report or consultation is necessary based on the established threshold, ensuring consistency and accuracy in decision-making.

Anonymity and Privacy: Consideration is given to maintaining anonymity and privacy for reporters who may be hesitant to disclose their identity. The system allows for consultations to be conducted without revealing the reporter's information to child protection, helping to alleviate concerns about potential repercussions.

Print-Out Feature: The tool generates a print-out for users after completing the assessment or consultation, which does not include any family information. This intentional design choice aims to protect privacy and prevent the creation of records for cases that do not meet the threshold for suspicion of abuse or neglect.

Overall, the tool's design and functionality prioritize accuracy, consistency, and privacy while providing a structured approach to assessing and responding to suspicions of child abuse and neglect.

Emerson highlighted the advantages of the Community Response Guide while acknowledging its limitations, emphasizing that its effectiveness relies on proper training and implementation. They mentioned a positive development in New Hampshire, where the Attorney General's office issued a memo stating that using the CRG in good faith counts as fulfilling the mandate to report child abuse or neglect. This decision provided reassurance to individuals using the tool. Additionally, they shared insights from a survey conducted in New Hampshire, where over half of the respondents had made reports to child protection without suspecting abuse or neglect, mainly due to the mandate to report, highlighting the pressure and fear driving over-reporting. However, Emerson is optimistic that through collaborative efforts involving legal guidance, training, and policy messaging, the culture around reporting could be reshaped.

The discussion touched on several aspects of the tool's design and functionality:

Reporting Process: The tool guides users through a decision-making process to determine whether a report to child protection is warranted based on established criteria. However, the decision to actually make the report remains with the individual user.

Data Collection: There was deliberation about what data to collect, with consideration given to tracking usage patterns and concerns checked by users to tailor training and support. While there's interest in collecting data on tool usage, the focus is not on collecting family-level data but rather on understanding who is using the tool and for what purposes.

Cross-Reporting: While there's discussion about cross-reporting to other agencies like law enforcement, the tool doesn't directly facilitate this process. However, there may be practice guidance suggesting cross-reporting in certain cases.

Screened Out Information: There was debate about whether information from screened-out reports should still be stored in the system. Some felt it was unnecessary to keep records for families whose cases did not meet the threshold for child protection involvement. However, concerns were raised about losing valuable data if only screened-in reports were retained.

New York's Help, Empower, Advocate, Reassure, and Support (HEARS) Family Line

Bryan introduced Kristin Gleeson, Associate Commissioner of the Division of Child Welfare and Community Services, and Tracy Swanson, the Senior Attorney at the Office of the Ombudsman for New York State's Office of Children and Family Services. They were invited to speak about New York's Family Line program and provide further insights into its implementation and impact.

Kristin began by highlighting New York's structure of being state-supervised but locally administered across over 50 counties. She emphasized the focus on race equity, social justice reform and the initiative to support families instead of solely reporting them, aligning with the concept of "narrowing the front door" to the child welfare system. She discussed the establishment of a warmline, inspired by initiatives in other states, to provide support to families in need. Also mentioned was the update of mandated reporter training, which Tracy addressed later.

The acronym "HEARS" stands for Help, Empower, Advocate, Reassure, and Support. It represents the Family Support Line launched by the New York State Office of Children and Family Services in April 2022. The line assists families and mandated reporters by providing information about local resources and making referrals to various services in their communities. The line operates during business hours on weekdays, with plans to expand its hours and days of operation. Initially receiving about 50 calls per month, the line now averages 150 to 200 calls monthly. Common topics addressed include for housing assistance, baby gear such as pack and plays and car seats, diapers, formula, parenting assistance, mental health services, legal aid, financial support, food assistance, furniture, clothing, childcare, domestic violence prevention, and transportation. HEARS was developed in consultation with other states.

The HEARS line operates within a call center separate from the child abuse hotline, with different staff. This call center also handles other state office lines of business. The HEARS line provides assistance by identifying local resources and making referrals. The team continuously updates resources to ensure accuracy. Recognizing the need for a holistic approach, the HEARS line

incorporates an evaluation component, collecting feedback from callers via surveys to continuously improve their services.

The HEARS line is integrated into the mandated reporter training. The goal is to change the perspective of mandated reporters from solely reporting to also supporting families.

When asked about what they have learned from implementing the HEARS line, the speakers expressed surprise at the frequency of calls from parents expressing desperation and a desire to place their children in foster care due to overwhelming circumstances. A notable success story involved a mother in New York, NY facing financial hardship and struggling to care for her children. After contacting the child abuse hotline, she was connected with the HEARS line, which facilitated immediate assistance from the regional office. The rapid response and wraparound services provided to the family exemplifies the program's effectiveness in keeping families together and ability to address urgent needs and support families in crisis.

The example provided reflects both systemic support and individual initiative. In New York, there is a differential response system in place, although not mandated in all counties, which allows for immediate action while also initiating a preventive services case. So, while there is systemic support in terms of having protocols and resources in place, the exceptional level of support provided in this case likely involved a dedicated case worker going above and beyond to address the immediate needs of the family. Overall, it's a combination of systemic readiness and individual dedication that leads to such successful outcomes, and while not all cases may receive this level of attention, it highlights the potential impact of proactive and compassionate intervention.

Tracy mentioned concerns from teachers and educational staff regarding the perception that reporting families is the only way to access services for them. She emphasized the importance of educating mandated reporters about alternative avenues for obtaining family services and support without the necessity of filing a report, highlighting the need to expand awareness of available resources beyond traditional reporting channels.

Stephanie Villafuerte asked whether the hotline and HEARS line are staffed by DHS personnel (Kristen confirmed they are state employees under the Office of Children and Family Services). Stephanie raised concerns about the association between the HEARS line and the government system, wondering if this might deter engagement. Kristen acknowledged the potential fear but emphasized the ongoing paradigm shift and the need to build trust through positive experiences. She noted that this process is still evolving, considering factors such as whether prevention efforts should be government or community-based.

Meeting Conclusion

Bryan sent a link to a survey for task members to complete before the conclusion of the meeting. Trace highlighted some themes. A public commenter shared concerns about systemic biases against families with disabilities and violations of the Americans with Disabilities Act. They highlighted the discrimination faced and expressed frustration over being silenced for five years.