



## Mandatory Reporting Task Force

### July 24, 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.

#### Draft Recommendation Review

The focus of the task force in today's meeting was to review the draft recommendations resulting from both the Data and Specialized Occupation subcommittees that had been meeting in recent sessions. The text of the draft recommendations can be found [here](#), and a video of this task force meeting can be found [here](#).

#### Data Subcommittee

Doris Tolliver opened up the discussions with a presentation of the draft recommendations derived from the meetings of the Data Subcommittee.

##### *Recommendations Related to Directive 18*

The first recommendation to be discussed was in response to Directive 18 to analyze "the benefits of an electronic reporting platform for the state". Michelle Dossey suggested that changes would need to be made to Volume 7 regulations, and potentially to statute, to address timeframe issues regarding online reports. Dawn Alexander, Jade Woodard, and Bryan Kelley discussed how this online platform might allow for integration with decision support tools described elsewhere in task force recommendations. Ida Drury suggested the recommendation could be modified to include a requirement to monitor for disproportionality and ensure continuous quality improvement.

##### *Recommendations Related to Directive 16*

Doris then introduced the recommendations related to Directive 16, which tasks the task force with analyzing "the personal information of a child, as set forth in section 19-3-307(2), that is collected for a report". Donna Wilson asked why race was not included in the list of proposed demographic characteristics to add to reporting requirements, and Bryan Kelley answered that race already exists in

the statute, but this recommendation is to add new categories not currently in statute.

Jessica Dotter raised concerns around the recommendation to eliminate a written reporting requirement, and a related provision regarding the admissibility of such reports in court as evidence. She suggested a re-wording of this line to something like “written reports from those required to report shall be admissible” to help bring clarity to the statute. Michelle Dossey agreed and provided her own suggestion of language: “should the reporting party choose to make a written report, it shall be admissible in court”. The task force discussed the merits of using self-identification for demographic categorization rather than assumptions made by third parties, and sought out ways to encourage obtaining and recording data in that way. There was also support for finding ways to allow families to confirm their demographic information to ensure accuracy.

#### *Recommendations Related to Directive 19*

Doris introduced draft recommendations related to Directive 19, to analyze “a process for inter- and intra-agency communications, confirming receipt of reports, and, in some circumstances, sharing the outcome of reports with certain mandatory reporters.” Michelle Dossey and Doris discussed state MOU templates that are currently unavailable as they are being updated. Dr. Kathi Wells raised the question of funding to ensure mailed follow-up letters are actually sent to mandatory reporters.

### **Specialized Occupations Subcommittee**

After a break, Trace Faust moved the task force into reviewing draft recommendations coming from the Specialized Occupations Subcommittee.

#### *Recommendations Related to Directive 7*

Trace introduced the draft recommendation related to Directive 7, for which the task force must analyze “Reporting time frames for mandatory reporters who are creating a safety plan for victims of domestic violence, sexual assault, or stalking to ensure the safety of the victim and the victim’s family members while creating the plan.” The initial conversation revolved around extending the time frame of reporting to 72 hours for those creating safety plans for the named groups. Michelle Murphy asked how this would impact educators who create safety plans, and this question of scope was discussed by the task force. Stephanie Villafuerte raised that these recommendations could perhaps be improved by more specificity, which many agreed with. Trace suggested that Roshan and Jennifer could supply draft language to help clarify the scope, and cross-reference that with Michelle Murphy.

#### *Recommendations Related to Directive 10*

The task force then turned to address the recommendation related to Directive 10, which charges the task force with analyzing “whether a mandatory reporter

who is employed by, an agent of, or a contractor for an attorney who is providing legal representation is exempt from the reporting requirements described in Section 19-3-304.” Discussion emerged as to whether a recommendation should address individuals who are providing legal *services* or legal *representation*, and the differences in who would be included – and when – between those two options. Trace reminded the task force that these discussions and narratives will be captured in the final report produced by the task force, even if not in the wording of the recommendations themselves. It was suggested that this question of scope be addressed in a survey, and the task force then moved on to the next set of recommendations.

#### *Recommendations Related to Directive 11*

Directive 11 charges the task force with analyzing “mandatory reporting requirements for mandatory reporters who have knowledge or reasonable cause to know or suspect that a child or youth is the victim of dating violence or sexual assault.” Sam Carwyn raised the question of how long in the past these instances of dating violence or sexual assault would apply. Jennifer Eyl and Dr. Kathi Wells discussed some of the complexities in sexual assault situations involving teens and their peers, and potential complications from having law enforcement involvement. Jade Woodard sought greater clarity on who these recommendations would apply to and when. Some task force members highlighted the importance of connecting people with services, and that victims advocates may determine that the best way to do so does not involve law enforcement or reporting. Stephanie reminded the task force that some of the topics being discussed might involve making changes to the definition of child abuse.

Trace thanked the task force for the excellent discussion, and explained that there will be more time in the following task force meeting to continue addressing questions with the recommendations stemming from the Specialized Occupations subcommittee.