



The Mandatory Reporting Task Force | Meeting 29

Meeting Minutes

October 16nd, 8:00 am-10:00 am Virtual Meeting (Zoom)

Facilitators: Trace Faust and Doris Tolliver

Members: See Appendix A

<p>Welcome & Approval of Minutes</p>	<ul style="list-style-type: none"> Task Force Chair Stephanie Villafuerte welcomed the task force. She turned attention to approval of the materials. She first asked for edits to the minutes from August 7th; there were none. Zane Grant motioned; Dr. Kathi Wells seconded. There were no oppositions. Margaret Ochoa and Kelsey Wirtz abstained. The minutes were approved. Stephanie then asked for edits to the recap from August 7th; there were none. Dr. Kathi Wells motioned; Ida Drury seconded. There were no oppositions. Leanna Gavin abstained. The recap was approved.
<p>Procedure</p>	<ul style="list-style-type: none"> Trace Faust welcomed the task force and outlined the agenda for the meeting. They directed the task force to the drafted recommendations.
<p>Discussion</p>	<ul style="list-style-type: none"> Doris Tolliver welcomed the task force and electronically provided the draft recommendation document. She also provided time for the task force to review the document. Doris brought the task force back and asked for comments on draft recommendation 16. Zane asked a clarifying question about which reporting requirement is being removed in this recommendation. He also asked about online reporting and the difference between that and written reporting. He also asked about the option to include family strengths in a report and if this will be an included field in the online reporting. Doris said that this recommendation is aligning the statute with practice since many people do not file written reports after an oral report. Michelle Dossey said that there were talks about removing the requirement for the written report since it was duplicative; she suggested that a written report is no longer required after an oral report is made. Doris thanked them. Donna Wilson said that race needs to be added in addition to ethnicity. Doris thanked her. Jessica Dotter said that there are big concerns about taking out the requirement for written reports; there are issues around a reporter thinking they made an oral report, however they did not which can muddy liability. She suggested leaving the requirement as it is. She also said that written reports should be admissible as evidence so this part of the statue should not be removed. She continued that it is beyond the scope of the directive to make significant changes to admissibility in court. Doris asked a clarifying question. Jessica confirmed; if the recommendation is to remove the written report requirement, then the written report- while not required- is still admissible in court if it is done. Doris thanked her. Ashley Chase asked about if a recorded report would also be admissible. She suggested removing the word written so then all reports are admissible in court. Michelle Dossey said that all calls are recorded and that the recordings have



been used in court. She said that she agrees with Ashley that anything with the report could be used as evidence. She also said that if someone makes a false report, then their report can be used against them in court which contributed to writing the recommendation as it is. Doris thanked her.

- Michelle Murphy asked if the identity of the reporter is confidential. Michelle Dossey said that the identity of the reporter is confidential unless the court orders it to be released. Jessica and Adriana Hartley explained when a reporter's identity is released to the court. Michelle Murphy thanked them. Doris thanked them.
- Margaret asked for more comments on recommendation a prior to moving on to recommendation b and c.
- Kevin Bishop said that in the criminal context, the reporter's identity has to be admissible. Doris thanked her.
- Sam Carwyn said that she is concerned about putting the reporter's information into evidence since reporters' recounts of a situation can include bias. Doris thanked her and said that this particular recommendation was focused on what information is collected in a report as well as refining the statute to align it with practice. She also said that there were considerations about allowing a family to correct and confirm their demographic information. She continued that there should be opportunity to add family strengths in TRAILS to provide a fuller picture of a family.
- Margaret asked if Gina Lopez would like to speak about recommendation a first.
- Gina said that her concern is with the word 'when available'. She said that she wants to avoid a family feeling in trouble due to their identity. She suggested 'prior knowledge' and 'gender expression' rather than 'gender identity' as well as adding pronouns. Doris thanked her.
- Margaret said in recommendation c, she would like to see more clarity; she suggested a specific amount of time for the department to correct/confirm a family's demographic information. She also said that there could be other types of family strengths prompted by the operators to get reporters to think more broadly. Doris thanked her and asked for more comments.
- Michelle Dossey suggested adding 'primary language' to add nuance to the languages a family speaks. Doris thanked her.
- Michelle Dossey also said that family's with screened out reports would not have an opportunity to confirm their demographic information so she suggested adding language like 'upon assignment' to the part about when to confirm information. Doris thanked her.
- Sam said that there was also a conversation about asking reporters if they talked to the family prior to reporting. Doris thanked her.
- Jennifer Eyl suggested 'review and edit' rather than 'confirm and correct'. She also said that asking about family strengths could come off as investigative so she wants to avoid having reports feel like they have to investigate a family. Doris thanked her and said that this would be for the call taker to tease out family strengths. Jennifer said that she agrees and that the training should make this clear to reporters that while they will be asked these questions, they do not need



to know this prior to calling. Doris thanked her. Michelle Dossey said that family strengths are already asked about in the enhanced screening; this helps the department understand what resources would be most helpful for the family. She said that this is not investigative for reporters to disclose since many reporters often have intensive prior experience with a family. Doris thanked them.

- Stephanie asked if these questions about strengths are a part of all reports. Michelle Dossey said that these questions are included in enhanced screening and all counties are required to use enhanced screening. Stephanie thanked her and asked if this recommendation is needed. She also suggested specifying the families have the opportunity to correct demographic information upon assessment. Doris thanked her and said that 'upon assessment' can be added; she asked for objections to this. There were none. She also asked if members can vote on a subsection of a recommendation. Trace said that they can be broken out as its own piece.
- Ida asked about communicating to reporters that family strengths are a part of enhancing screening could prompt informative responses from the reporter. Doris thanked her and said that this leads to the training conversation in recommendation 17.
- Doris asked for comments about recommendation 17.
- Yolanda Arredondo said that she is concerned about the unintended consequence of collecting demographic information from the reporter since it could be incorrect and if a family is not assigned then they do not have the opportunity to correct it. She said that it can be important to gather the information in the system but maybe the information could be unlabeled until the family has an opportunity to confirm it. She said there should be a balance of collecting information at the point of hotline but not using that information until a family can confirm it. Doris asked a clarifying question; Yolanda said that this was for recommendation 16. Doris thanked her.
- Donna said that the training is also in recommendation 3 and one of the disconnects is a lack of training on respectful inquiry. She wants to see this training in addition to implicit bias. Doris thanked her.
- Leanna said that, concerning recommendation 16, the information gathered is only about the child rather than the family she wanted to clarify if this was the intent or if there should be demographic information collected on the family as well. She also asked if the corrections to demographic information will be pertaining to the child or to the family. She mentioned an example of a child's gender expression being different from how a family views the child's gender expression. Doris said that the directive is focused on the information of the child. She also noted the point about a child's characteristics being in disagreement in how the family views the child's characteristics.
- Stephanie said that, pertaining to recommendation 16, there are notes on the nuances of the recommendations will be further considered the drafting of legislative rather than the drafting of the recommendation; these nuances are also included in the narrative of the report. Doris thanked her.
- Doris asked for more comments on recommendation 17; there were none.



- Doris asked for comments on recommendation 18.
- Margaret said that 'equal access' might not have teeth without a fiscal note; there needs to be resources for access. She suggested requiring awareness on the training could be promoted on websites. Doris thanked her.
- Michelle Murphy said that the report is light on resources. She is also wondering about what it meant by 'considering the difference in staffing and resources across counties'. Michelle Dossey said that this refers to counties that do not have resources to watch an inbox so unless the online reporting is done at the state-level, there needs to be considerations for lower-resourced counties. Michelle Murphy thanked her and asked for this clarity to be included in the recommendation. Michelle Dossey said that there is no extra staff in Arapahoe County to handle an online reporting. Michelle Murphy said that the rural counties would also have a hard time so this can be clarified. Doris thanked them.
- Sam asked about including the goal of the electronic reporting. Doris asked a clarifying question. Sam said that one of the goals of electronic reporting was to screen out certain reports as well as connect families to resources rather than just take another report. Doris thanked her.
- Donna asked if the reviews on disproportionality. Michelle Dossey said that there was a need to know if there were overassigning or underassigning with the online reporting tool. Donna suggested adding 'disparities' to the review of the online reporting tool. Doris thanked her and asked for more comments on recommendation 18; there were none.
- Doris asked for comments on recommendation 19.
- Michelle Dossey said that there is a template for MOUs between the state and law enforcement agencies so this might not be necessary. Doris thanked her.
- Margaret asked if the confidentiality laws will be comported with the AG's office. Doris thanked her.
- Trace asked Yolanda about the MOU template. Yolanda said that counties can use the standard MOU template and counties can also use their own so this recommendation can be struck. Doris thanked them; suggested replicating this model for other partners outside of law enforcement. Michelle Dossey said that the struggle is that this is a reason used to not communicate with partners. She also mentioned not being able to share basic information due to confidentiality laws. Trace asked if there should be language about uplifting the current practice as an example. Doris agreed and suggested adding language about appropriate entities to replicate this practice with. Doris asked for more comments.
- Michelle Dossey said that the standardized letter should be able to be customizable to include information about screening out and preventative services. Doris thanked her.
- Michelle Murphy asked about alternative resources and if the reporter would provide the support or if the agency would. Doris asked her to explain more. Michelle Murphy rephrased her question. Doris said that this is for cases that are screened out to inform them what happened in this report since reporters often have concerns for a family; this provides further options should the reporter want to share them with the family. Michelle Murphy asked if the reporter would be the



only person to share the resources with the family. Doris said that a caseworker would not call a family. Michelle Murphy said this is hard to put on a teacher rather than a case worker. Michelle Dossey said that there is no caseworker assigned so there is not further involvement; the hope is that the teacher can ask the family if they need further resources and provide them with suggested resources. Michelle Murphy said that this helps. Jill Cohen said that families do not want to get calls from a caseworker since there is still a lack of trust and it is not always easy to understand what it means to be screened out; social workers and teachers need to lean in and offer resources even when it is uncomfortable. Doris said that this is like Donna's point about respectful inquiry with families to avoid going behind a family's back but to engage with them.

- Jennifer said that many reporters will only have one contact with a family since there are so many mandated reporters. She said that she likes this theory but it might not have the desired impact since there are many reporters without follow up interactions with the family. Doris thanked her.
- Trace moved the task force to a break.
- Trace brought the task force back and provided time to review the draft recommendations.
- Trace asked for comments about draft recommendation 11.
- Jessica asked how sexual assault is defined since there are many definitions to consider. She also asked how the recommendation defines children or youth since these terms also include many interpretations. She suggested age 15 or older since situations involving a person age 12 or younger presents an immediate concern. Trace thanked her.
- Michelle Dossey said that she supports the intent but expanding the time prior to a report could be detrimental to a child since a child could be at risk during that delay. She suggested adding a stipulation that a delay can be used only if the reporter is using that time to ensure a child's safety. Trace asked if language to capture the intent of the delay would capture this concern. Michelle Dossey agreed. Trace thanked her.
- Jennifer said that the intent is missing and that the language is too broad. She said that there is an autonomy aspect for teenagers; if a 15 year-old talks to a trusted person, they might not want it reported. She suggested adding inter-familial aspects or an age aspect; she wants to ensure that teens have access to resources without confidentiality being breached. Trace asked if this recommendation can be separated into dating violence and other sexual assaults since there are complications with dating violence and peers. Jennifer said that it is more complicated than that but this is a good direction. Trace agreed and said that the drafters can further deliberate the nuances. Jennifer also said that she doesn't see the value in the time extension in this recommendation. Trace said that this came up as another tool for safety with the youth consideration; the delineations could be helpful in this recommendation.
- Cris Menz said that she advocates for 12- year olds' right to mental health care; she suggested consistency with the language already in place. Trace thanked her and said that there can be clarity around the intent of the recommendation.



	<ul style="list-style-type: none"> ● Trace asked for comments about how to further clarify recommendation 7; they provided time for the task force members to review. ● Trace brought the task force back and provided some background prior to taking comments. ● Jessica said that there was a discussion about victim advocates also meeting the definition of another mandatory reporter so she suggested adding more clarity on this; if a person falls under another mandatory reporter definition then they need to report under that role, each role is not exempt if one of the roles is victim advocates. Trace thanked her. They also asked if there are any public comments. ● Jennifer said that the role the person currently operates in during that moment should dictate if they are exempt from reporting or not; this falls in line with conversations that a mandated reporter is not 'on' 24/7. She said that she is a therapist and an attorney and this can cause conflicts. Trace asked her to say more about this. Jennifer said that the role the person is performing at the time dictates. Doris suggested 'when they are acting in the capacity of a victim advocate rather than other roles they may also hold'. Trace thanked them. ● Trace asked if there should be a third recommendation for expanding the delay beyond victims advocates. There were no comments so Trace said that this answer to this question is no. ● Gina said the exemption aligns with the role of victim advocate. Trace thanked her. They also said that the task force needs to vote on the removal and the delay and they will be broken out in the voting. ● Trace asked for more comments. Kevin asked for a revision provision to see if the recommendation is effective. Trace thanked him and asked for this to be considered further in the wrap up meeting; this can be captured in the narrative of the report. ● Trace thanked everyone.
Public Comment	<ul style="list-style-type: none"> ● No public comment.
Next Steps and Adjourn	<ul style="list-style-type: none"> ● Trace explained that these edits will be incorporated and then provided to the task force for final voting. Members who want to abstain must provide a letter explaining their abstention. The voting will be reviewed in the final meeting. ● Michelle Muphy asked if the edited recommendation can be shared for final revisions prior to voting. Zane agreed since some members have large networks to confer with. Trace said that there are timelines to work with but this request can be accommodated as best as the facilitation team can. ● Trace thanked everyone; the task force adjourned at 10 AM.

Appendix A: