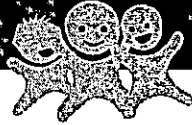


# PROTECTING CHILDREN THROUGH MANDATORY REPORTING

a bill to extend the statute of limitations for failure to report sexual abuse of a child

Senator Rhonda Fields



## by the numbers



1 in 4 girls and 1 in 6 boys will be sexually abused by age 18.<sup>1</sup>

Between

77 and 81%

of sexual assaults will go **unreported** by victims.<sup>2</sup>



Unreported sexual abuse means offenders **aren't caught or treated**, and children remain unprotected.

## mandatory reporting laws protect children



Children who report abuse most often choose a **trusted adult** to tell - someone with whom they have a preexisting relationship, not law enforcement.<sup>3</sup>



These trusted adults - **doctors, teachers, clergy** - are also best positioned to observe signs of abuse and intervene. They are our mandatory reporters.<sup>4</sup>



Mandatory reporters provide a **critical link** between abused children and the law enforcement empowered to protect them - and other potential victims - by apprehending offenders.

Current law protects children by requiring mandatory reporters who **know of or suspect abuse** or neglect to make an **immediate report** to DHS, law enforcement, or the child abuse hotline. If a mandatory reporter willfully conceals the abuse - and prevents the apprehension of the offender and the protection of the child victim - the mandatory reporter can be charged with a class three misdemeanor, punishable by up to six months in jail and a \$750 fine.<sup>5</sup>

## the fields bill to protect children



Mandatory reporters who purposefully conceal abuse by failing to report **compound the harm to abused children**, beginning on Day 1 - the day the know or suspect a child is being abused. Current law allows the prosecution of those who fail to report for **18 months** from Day 1.



When a child, under the age of 18, makes a **written or verbal report of sexual abuse** to a mandatory reporter, and that mandatory reporter fails to protect that child by making a report, the Fields bill would extend the time to prosecute the reporter from 18 months to **ten years** from Day 1.



The bill targets those very few bad actors - not the simply untrained - who would **willfully ignore the report of a courageous child**, purposefully leaving law enforcement in the dark and the clock ticking in the race to prevent an offender from abusing that child and others.

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OUR TEACHERS, MEDICAL PROFESSIONALS, CLERGY, AND OTHER MANDATORY REPORTERS ARE ON THE FRONT LINES OF PROTECTING OUR CHILDREN FROM SEXUAL ABUSE. THEY ARE HARD-WORKING, INVALUABLE, AND OFTEN UNDERVALUED. WHEN THE VERY FEW BAD ACTORS GO UNPUNISHED - HELPED BY A STATUTE OF LIMITATIONS THAT REWARDS THEM FOR CONCEALING THEIR CRIME - CHILDREN ARE FAILED, AND SO ARE THEIR FELLOW PROFESSIONALS. THIS BILL NOT ONLY PROTECTS THE CHILD WHO MUSTERS THE COURAGE TO REPORT SEXUAL ABUSE TO A TRUSTED ADULT, BUT ALSO OTHER VICTIMS WHO SUFFER WHEN AN OFFENDER GOES UNAPPREHENDED BECAUSE OF THE FAILURE OF THAT TRUSTED ADULT TO REPORT THE ABUSE TO THOSE WITH THE POWER TO INTERVENE.

Senator Rhonda Fields



## JOIN THE EFFORT



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- 1 Statistics About Sexual Violence (2015). National Sexual Violence Resource Center: Info Stats for Journalists.
- 2 Marchetti, C.A. (2012). Regret and police reporting among individuals who have experienced sexual assault. *Journal of the American Psychiatric Nurses Association*, 18(1), 32-39; Criminal Victimization, 2016 (NCJ 251150), Washington, DC: U.S. Dept. of Justice, Office of Justice Programs, Bureau of Justice Statistics.
- 3 Krebs, et al. (2016); Kilpatrick, D.G., Saunders, B.E., & Smith, D.W. (2012) Youth victimization: Prevalence and implications (NCJ 194972). Washington, D.C.: U.S. Dept. of Justice, Office of Justice Programs, National Institute of Justice, Bureau of Justice Statistics; Langton, L., Berzofsky, M., Krebs, C., & Smiley-McDonald, H. (2012). Victimization not reported to the police, 2006-2010 (NCJ 238536); Paige, J. & Thornton, J. (2015). Healing from intrafamilial child sexual abuse: The role of relational processes between survivor and offender. *Children Australia*, 40(3), 242-259.
- 4 § 19-3-304(2), C.R.S.
- 5 § 19-3-304(4), C.R.S.