

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 16-0678.03 Debbie Haskins x2045

HOUSE BILL 16-1377

HOUSE SPONSORSHIP

Primavera, Joshi, Coram, Landgraf, McCann, Moreno, Tyler

SENATE SPONSORSHIP

Lambert,

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A TASK FORCE ON THE COLLECTION**
102 **AND SECURITY OF DIGITAL IMAGES OF EVIDENCE OF CHILD**
103 **ABUSE OR NEGLECT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)

The bill creates a task force on the collection and security of digital images of evidence of child abuse or neglect (task force). The task force is directed to examine the existing system of collecting, documenting, and securing digital images of evidence of suspected child abuse or neglect when employees of county departments of human or social services

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
April 1, 2016

HOUSE
2nd Reading Unamended
March 28, 2016

(county employees) are assessing allegations of child abuse or neglect, to study best practices for collecting, documenting, and securing digital images of evidence of suspected child abuse or neglect, and to make recommendations to the governor, the state department of human services, the child welfare training academy, the Colorado association of chiefs of police, the county sheriffs of Colorado, the Colorado medical society, and the general assembly for administrative and legislative changes.

The task force includes the executive director of the state department of human services or his or her designee, the child protection ombudsman, an attorney representing the office of the child's representative, an attorney representing the respondent parents' counsel, and 7 members appointed by the governor, 5 members appointed by the speaker of the house of representatives, and 5 members appointed by the president of the senate. The qualifications for the appointed members are specified in the bill. The members of the task force must be appointed on or before September 1, 2016.

The bill specifies the topics that the task force must study, including the statutes, rules, practices, and standards that govern:

- ! How a county employee who has open involvement with a child takes, maintains, and disseminates digital images of a child to document the abuse or neglect or the absence of abuse or neglect; and
- ! How, in any situation of open involvement with a county department, a county employee takes digital images of a child.

The task force must also study:

- ! Whether criteria or standards that county employees follow when documenting evidence of child abuse or neglect through digital images balance the need to collect evidence with the need to protect the privacy and constitutional rights of both parents and of children;
- ! The safeguards used by a county employee to ensure the best interests of children when documenting evidence of child abuse or neglect through digital imagery;
- ! The role of law enforcement agencies in conducting investigations jointly with county departments pursuant to cooperative agreements and whether there are best practices addressed in those cooperative agreements relating to the collecting, sharing, and handling of digital images;
- ! How county departments, law enforcement agencies, and medical professionals collaborate during assessments or investigations of suspected child abuse or neglect to collect, transmit, and share evidence, including digital

- images, without slowing down the process and while ensuring that there is no impediment to the child's safety;
- ! Whether the statute authorizing the taking of color photographs of children should be amended to include all types of digital images and what precautions should be taken regarding the transmission and storage of digital images of children;
- ! The laws and policies that govern the taking of digital images of children on personal or county-owned cell phones, cameras, or other equipment and safeguards in place to guide county employees on how to take, maintain, and disseminate digital images;
- ! The laws and policies governing the audiotaping and videotaping of child interviews; and
- ! The best practices followed in other states or recommended by national child welfare experts for child welfare caseworkers collecting evidence of suspected child abuse or neglect through digital imagery to document evidence or absence of evidence of child abuse or neglect; collaborating with and sharing in the dissemination of evidence with law enforcement agencies and medical professionals and any other agencies legally authorized in the investigation of child abuse or neglect; referring a child for medical examinations; and maintaining, storing, and safeguarding digital images of children.

The task force shall submit an initial written report on its findings and progress to the governor, the state department of human services, the child welfare training academy, the Colorado association of chiefs of police, the county sheriffs of Colorado, the Colorado medical society, the joint budget committee, and the house public health care and human services committee and the senate health and human services committee, or any successor committees, on or before December 1, 2017. The task force shall submit a final written report with its findings and recommendations for administrative changes and legislative changes, if any, to those same officials and entities on or before December 1, 2018.

The task force is repealed, effective July 1, 2019.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 8 to article
 3 of title 19 as follows:

4 **PART 8**

1 TASK FORCE ON THE COLLECTION AND SECURITY
2 OF DIGITAL IMAGES OF EVIDENCE
3 OF CHILD ABUSE OR NEGLECT

4 **19-3-801. Legislative declaration.** (1) THE GENERAL ASSEMBLY
5 HAS A STRONG INTEREST IN THE PRACTICES, STANDARDS, AND
6 SAFEGUARDS SURROUNDING COUNTY EMPLOYEES IN THE CHILD WELFARE
7 SYSTEM WHO HAVE AN OPEN INVOLVEMENT WITH A CHILD RELATED TO
8 SUSPECTED ASSAULT OR CHILD ABUSE OR NEGLECT THAT IS DOCUMENTED
9 THROUGH DIGITAL IMAGERY.

10 (2) THE GENERAL ASSEMBLY FINDS THAT THERE IS A NEED TO
11 BALANCE THE POLICIES AND PRACTICES USED IN DOCUMENTING CHILD
12 ABUSE OR NEGLECT THROUGH DIGITAL IMAGERY WITH THE NEED TO
13 PROTECT THE PRIVACY RIGHTS OF CHILDREN AND PARENTS.

14 (3) DUE TO ADVANCES IN TECHNOLOGY AND IN DIGITAL IMAGERY,
15 IT IS IMPORTANT TO EVALUATE WHETHER THE CURRENT STATUTES, RULES,
16 AND PRACTICES RELATING TO THE COLLECTION AND STORAGE OF DIGITAL
17 IMAGES OF CHILDREN THAT DOCUMENT CHILD ABUSE OR NEGLECT ARE
18 HANDLED IN WAYS THAT ENSURE THE PRIVACY, SAFETY, AND PROTECTION
19 OF CHILDREN.

20 (4) IN ADDITION, THERE IS A NEED TO ENSURE THERE IS ADEQUATE
21 GUIDANCE ABOUT THE SECURITY AND CONFIDENTIALITY OF EVIDENCE
22 THAT MIGHT BE OBTAINED IN DOCUMENTATION OF CHILD ABUSE OR
23 NEGLECT, INCLUDING THE TAKING AND STORAGE OF DIGITAL IMAGES OF
24 CHILDREN AND ENCOURAGING COLLABORATION BETWEEN COUNTY
25 EMPLOYEES, LAW ENFORCEMENT, MEDICAL PERSONNEL, AND OTHER
26 AGENCIES LEGALLY AUTHORIZED IN THE INVESTIGATION OF ABUSE AND
27 NEGLECT OF CHILDREN. WHILE THE GENERAL ASSEMBLY ACKNOWLEDGES

1 THAT SOME PARENTS MAY HAVE CONCERNS ABOUT ANY PHOTOGRAPHS OR
2 DIGITAL IMAGES BEING TAKEN OF THEIR CHILDREN, THE GENERAL
3 ASSEMBLY FINDS THAT DOCUMENTATION OF ABUSE OR NEGLECT IS
4 IMPORTANT TO PROTECT CHILDREN AND THAT ALL PHOTOGRAPHS AND
5 DIGITAL IMAGES TAKEN OF CHILDREN SHOULD BE SAFEGUARDED AND
6 REMAIN CONFIDENTIAL AS REQUIRED BY LAW.

7 (5) THE GENERAL ASSEMBLY RECOGNIZES THE IMPORTANCE OF
8 ESTABLISHING CLEAR STANDARDS TO ACHIEVE CONSISTENT PRACTICES IN
9 DOCUMENTING EVIDENCE OF ABUSE OR NEGLECT, THE NEED TO
10 PERIODICALLY REVIEW WHETHER LAWS, RULES, AND PRACTICES
11 REGARDING THE COLLECTION OF DIGITAL IMAGES OF CHILDREN NEED TO
12 BE UPDATED TO REFLECT CHANGES IN TECHNOLOGIES AND EMERGING
13 TECHNOLOGIES, AND THE IMPORTANCE OF ENCOURAGING COLLABORATION
14 BETWEEN COUNTY EMPLOYEES, LAW ENFORCEMENT, MEDICAL PERSONNEL,
15 AND ANY OTHER AGENCIES LEGALLY AUTHORIZED IN THE INVESTIGATION
16 OF CHILD ABUSE OR NEGLECT.

17 (6) THEREFORE, THE GENERAL ASSEMBLY FINDS THAT IT WOULD
18 BE VALUABLE TO CREATE A TASK FORCE OF PERSONS WITH EXPERIENCE IN
19 OR INTEREST IN THE CHILD WELFARE POLICY SYSTEM TO EXAMINE THE
20 CURRENT POLICIES AND STATUTES GOVERNING THE COLLECTION AND
21 SECURITY OF DIGITAL IMAGES OF EVIDENCE OF CHILD ABUSE OR NEGLECT,
22 STUDY BEST PRACTICES ON COLLECTING AND SECURING DIGITAL IMAGES
23 OF EVIDENCE OF CHILD ABUSE OR NEGLECT, AND MAKE
24 RECOMMENDATIONS TO THE EXECUTIVE BRANCH AND GENERAL ASSEMBLY
25 ON ADMINISTRATIVE AND LEGISLATIVE CHANGES TO IMPROVE THE
26 COLLECTING AND SECURING OF DIGITAL IMAGES OF EVIDENCE OF CHILD
27 ABUSE OR NEGLECT.

1 **19-3-802. Definitions.** AS USED IN THIS PART 8, UNLESS THE
2 CONTEXT OTHERWISE REQUIRES:

3 (1) "CHILD'S PRIVATE AREAS" MEANS THE CHILD'S GENITALS, PUBIC
4 AREA, BUTTOCKS, OR FEMALE BREAST AREA.

5 (2) "COUNTY DEPARTMENT" MEANS A COUNTY DEPARTMENT OF
6 SOCIAL OR HUMAN SERVICES.

7 (3) "COUNTY EMPLOYEE" MEANS AN EMPLOYEE OF A COUNTY
8 DEPARTMENT. "COUNTY EMPLOYEE" ALSO INCLUDES A PERSON WORKING
9 AS A CONTRACTOR OR SUBCONTRACTOR WHO IS PROVIDING CASEWORKER
10 SERVICES FOR A COUNTY.

11 (4) "DIGITAL IMAGE" OR "DIGITAL IMAGERY" MEANS ANY VISUAL
12 DEPICTION CREATED ELECTRONICALLY OR TRANSFORMED INTO AN
13 ELECTRONIC FORMAT, INCLUDING ANY PHOTOGRAPH, FILM, VIDEO,
14 COMPUTER OR COMPUTER-GENERATED IMAGE OR PICTURE, OR ANY
15 SIMILAR VISUAL DEPICTION THAT IS:

16 (a) CAPABLE OF STORAGE IN OR TRANSMISSION TO AN ELECTRONIC
17 FORMAT, INCLUDING ON ELECTRONIC DEVICES AND APPLICATIONS, ON THE
18 INTERNET, OR IN THE CLOUD; OR

19 (b) CAPABLE OF TRANSFORMATION FROM AN ELECTRONIC FORMAT
20 INTO ANOTHER FORMAT, SUCH AS A PRINTED PAGE.

21 (5) "OPEN INVOLVEMENT" MEANS A SITUATION IN WHICH THE
22 COUNTY DEPARTMENT CURRENTLY HAS A REFERRAL, HAS A RESPONSE TO
23 A REPORT, HAS OPENED AN ASSESSMENT, IS PROVIDING SERVICES, OR HAS
24 AN OPEN CASE IN THE COLORADO TRAILS SYSTEM THAT IS RELATED TO
25 THE PROVISION OF CHILD WELFARE SERVICES, AS DEFINED IN SECTION
26 26-5-101 (3), C.R.S.

27 (6) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF

1 HUMAN SERVICES.

2 (7) "TASK FORCE" MEANS THE TASK FORCE ON THE COLLECTION
3 AND SECURITY OF DIGITAL IMAGES OF CHILD ABUSE OR NEGLECT, CREATED
4 IN SECTION 19-3-803.

5 **19-3-803. Task force on the collection and security of digital**
6 **images of child abuse or neglect - creation - membership.** (1) THERE
7 IS HEREBY CREATED THE TASK FORCE ON THE COLLECTION AND SECURITY
8 OF DIGITAL IMAGES OF CHILD ABUSE OR NEGLECT, FOR THE PURPOSE OF
9 STUDYING THE ISSUES SET FORTH IN SECTION 19-3-804 AND MAKING
10 FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR, THE STATE
11 DEPARTMENT, THE CHILD WELFARE TRAINING ACADEMY, THE COLORADO
12 ASSOCIATION OF CHIEFS OF POLICE, THE COUNTY SHERIFFS OF COLORADO,
13 THE COLORADO MEDICAL SOCIETY, AND THE GENERAL ASSEMBLY ON
14 ADMINISTRATIVE AND LEGISLATIVE CHANGES TO IMPROVE THE
15 COLLECTION AND SECURITY OF DIGITAL IMAGES OF CHILD ABUSE OR
16 NEGLECT.

17 (2) THE MEMBERSHIP OF THE TASK FORCE MUST NOT EXCEED
18 TWENTY-ONE MEMBERS AND, TO THE EXTENT PRACTICABLE, MUST
19 INCLUDE PERSONS FROM THROUGHOUT THE STATE AND MUST REFLECT THE
20 ETHNIC DIVERSITY OF THE STATE. THE TASK FORCE CONSISTS OF THE
21 FOLLOWING MEMBERS:

22 (a) THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT OR HIS
23 OR HER DESIGNEE;

24 (b) THE CHILD PROTECTION OMBUDSMAN, APPOINTED PURSUANT
25 TO SECTION 19-3.3-102;

26 (c) AN ATTORNEY WHO IS A REPRESENTATIVE OF THE OFFICE OF
27 THE CHILD'S REPRESENTATIVE CREATED IN SECTION 13-91-104, C.R.S.;

1 (d) AN ATTORNEY WHO IS A REPRESENTATIVE OF THE RESPONDENT
2 PARENTS' COUNSEL CREATED IN SECTION 13-92-103, C.R.S.;

3 (e) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

4 (I) AN INDIVIDUAL WHO IS A LICENSED PEDIATRICIAN IN THIS
5 STATE WITH PREVIOUS EXPERIENCE WITH CHILD ABUSE OR NEGLECT CASES;

6 (II) A LAW ENFORCEMENT OFFICER OR INVESTIGATOR FROM AN
7 URBAN AREA WHO INVESTIGATES ALLEGATIONS OF CHILD ABUSE OR
8 NEGLECT;

9 (III) A LAW ENFORCEMENT OFFICER OR INVESTIGATOR FROM A
10 RURAL AREA WHO INVESTIGATES ALLEGATIONS OF CHILD ABUSE OR
11 NEGLECT;

12 (IV) A REPRESENTATIVE WHO OVERSEES THE CHILD WELFARE
13 TRAINING ACADEMY CREATED IN SECTION 26-5-109, C.R.S.;

14 (V) AN INDIVIDUAL WHO IS A DIRECTOR OR ADMINISTRATOR OF A
15 COUNTY DEPARTMENT;

16 (VI) AN INDIVIDUAL WHO IS TRAINED AS A SEXUAL ASSAULT
17 NURSE EXAMINER (SANE), AS DEFINED IN SECTION 23-5-143 (2) (d),
18 C.R.S.; AND

19 (VII) A LICENSED CHILD PSYCHIATRIST OR PSYCHOLOGIST WHO
20 WORKS WITH CHILDREN THAT HAVE BEEN ABUSED OR NEGLECTED;

21 (f) THE FOLLOWING MEMBERS APPOINTED BY THE SPEAKER OF THE
22 HOUSE OF REPRESENTATIVES:

23 (I) AN INDIVIDUAL WHO IS A FORENSIC INTERVIEWER WITH AN
24 ACCREDITED CHILD ADVOCACY CENTER WITH EXPERIENCE IN
25 INTERVIEWING CHILDREN THAT HAVE BEEN ABUSED OR NEGLECTED;

26 (II) AN INDIVIDUAL REPRESENTING A STATEWIDE PROFESSIONAL
27 SOCIAL WORK ORGANIZATION WHO HOLDS THE DEGREE OF A MASTER OF

1 SOCIAL WORK WITH EXPERIENCE COUNSELING CHILDREN THAT HAVE
2 EXPERIENCED CHILD ABUSE OR NEGLECT;

3 (III) A CERTIFIED FOSTER PARENT WHO IS CURRENTLY CARING FOR
4 CHILDREN IN FOSTER CARE;

5 (IV) AN INDIVIDUAL WHO REPRESENTS A LAW AND POLICY
6 ADVOCACY GROUP OR CHILD ADVOCACY AGENCY IN THIS STATE; AND

7 (V) AN INDIVIDUAL WHO IS A CASEWORKER FOR A COUNTY
8 DEPARTMENT IN AN URBAN AREA THAT CONDUCTS ASSESSMENTS OF CHILD
9 ABUSE OR NEGLECT CASES;

10 (g) THE FOLLOWING MEMBERS APPOINTED BY THE PRESIDENT OF
11 THE SENATE:

12 (I) A COUNTY ATTORNEY WITH EXPERIENCE IN DEPENDENCY OR
13 NEGLECT CASES;

14 (II) A PERSON REPRESENTING SCHOOLS, SUCH AS A PRINCIPAL,
15 ADMINISTRATOR, OR SCHOOL NURSE;

16 (III) A REPRESENTATIVE OF A NATIONALLY RECOGNIZED LOCAL
17 ORGANIZATION THAT WORKS TO PREVENT AND TREAT CHILD ABUSE OR
18 NEGLECT;

19 (IV) AN INDIVIDUAL WHO SERVES AS A COURT-APPOINTED SPECIAL
20 ADVOCATE (CASA) FOR ABUSED OR NEGLECTED CHILDREN, AS DEFINED
21 IN SECTION 13-91-103 (3), C.R.S.; AND

22 (V) AN INDIVIDUAL WHO IS A CASEWORKER FOR A COUNTY
23 DEPARTMENT IN A RURAL AREA THAT CONDUCTS ASSESSMENTS OF CHILD
24 ABUSE OR NEGLECT CASES.

25 (3) THE APPOINTING AUTHORITIES IN SUBSECTION (2) OF THIS
26 SECTION SHALL MAKE THEIR INITIAL APPOINTMENTS TO THE TASK FORCE
27 NO LATER THAN SEPTEMBER 1, 2016. EACH MEMBER OF THE TASK FORCE

1 WHO IS APPOINTED PURSUANT TO SUBSECTION (2) OF THIS SECTION SERVES
2 AT THE PLEASURE OF THE APPOINTING AUTHORITY WHO APPOINTED THE
3 MEMBER.

4 (4) THE MEMBERS OF THE TASK FORCE SERVE WITHOUT
5 COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

6 (5) (a) THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT OR
7 HIS OR HER DESIGNEE SHALL CONVENE THE FIRST MEETING OF THE TASK
8 FORCE ON OR BEFORE OCTOBER 1, 2016.

9 (b) THE TASK FORCE SHALL ELECT A CHAIR AND VICE-CHAIR FROM
10 AMONG ITS MEMBERS.

11 (c) THE TASK FORCE SHALL MEET FOUR TO SIX TIMES PER
12 CALENDAR YEAR TO COMPLETE ITS DUTIES.

13 (d) UPON REQUEST BY THE TASK FORCE, THE STATE DEPARTMENT
14 SHALL PROVIDE OFFICE SPACE, EQUIPMENT, AND STAFF SERVICES AS MAY
15 BE NECESSARY TO IMPLEMENT THIS PART 8.

16 **19-3-804. Task force - purposes - issues to study - written**
17 **reports.** (1) THE PURPOSE OF THE TASK FORCE IS TO:

18 (a) STUDY AND INVESTIGATE CURRENT LAWS, RULES, AND
19 PRACTICES FOLLOWED IN THE STATE AND BEST PRACTICES IN OTHER
20 STATES REGARDING THE DOCUMENTATION OF EVIDENCE OR THE ABSENCE
21 OF EVIDENCE OF SUSPECTED CHILD ABUSE THROUGH THE COLLECTION AND
22 SECURITY OF DIGITAL IMAGES BY COUNTY EMPLOYEES;

23 (b) CONSIDER WHETHER THE STATUTES AND PRACTICES
24 CONCERNING THE COLLECTION OF EVIDENCE OF ABUSE OR NEGLECT AND
25 THE USE OF DIGITAL IMAGES ARE CONSISTENT WITH EXISTING
26 TECHNOLOGIES AND EMERGING ELECTRONIC TECHNOLOGIES; AND

27 (c) RECOMMEND THE BEST PRACTICES TO BE USED IN THE

1 COLLECTION AND SECURITY OF DIGITAL IMAGERY EVIDENCE OF CHILD
2 ABUSE OR NEGLECT.

3 (2) IN CARRYING OUT THE PURPOSES OUTLINED IN SUBSECTION (1)
4 OF THIS SECTION, THE TASK FORCE SHALL INVESTIGATE AND CONSIDER:

5 (a) THE STATUTES, RULES, PRACTICES, AND STANDARDS IN
6 COLORADO, IF ANY, THAT GOVERN:

7 (I) HOW A COUNTY EMPLOYEE WHO HAS OPEN INVOLVEMENT WITH
8 A CHILD TAKES, MAINTAINS, AND DISSEMINATES DIGITAL IMAGES OF A
9 CHILD, INCLUDING THE CHILD'S PRIVATE AREAS, TO DOCUMENT THE ABUSE
10 OR NEGLECT OR THE ABSENCE OF ABUSE OR NEGLECT; AND

11 (II) HOW, IN ANY SITUATION OF OPEN INVOLVEMENT WITH A
12 COUNTY DEPARTMENT, A COUNTY EMPLOYEE TAKES, MAINTAINS, AND
13 DISSEMINATES DIGITAL IMAGES OF A CHILD'S BODY, INCLUDING PRIVATE
14 AREAS.

15 (b) WHETHER THE CRITERIA OR STANDARDS THAT COUNTY
16 EMPLOYEES FOLLOW WHEN DOCUMENTING EVIDENCE OF CHILD ABUSE OR
17 NEGLECT THROUGH DIGITAL IMAGES BALANCE THE NEED TO COLLECT
18 EVIDENCE OF CHILD ABUSE OR NEGLECT WITH THE NEED TO PROTECT THE
19 PRIVACY AND CONSTITUTIONAL RIGHTS OF BOTH PARENTS AND OF
20 CHILDREN;

21 (c) THE SAFEGUARDS USED BY A COUNTY EMPLOYEE TO ENSURE
22 THE BEST INTERESTS OF CHILDREN WHEN DOCUMENTING EVIDENCE OF
23 CHILD ABUSE OR NEGLECT THROUGH DIGITAL IMAGERY;

24 (d) THE ROLE OF LAW ENFORCEMENT AGENCIES IN CONDUCTING A
25 CHILD ABUSE OR NEGLECT ASSESSMENT OR INVESTIGATION JOINTLY WITH
26 COUNTY DEPARTMENTS PURSUANT TO COOPERATIVE AGREEMENTS
27 IMPLEMENTED PURSUANT TO SECTION 19-3-308 (5.5) AND WHETHER THERE

1 ARE BEST PRACTICES THAT HAVE BEEN DEVELOPED THROUGH
2 COOPERATIVE AGREEMENTS RELATING TO THE COLLECTION, SHARING, AND
3 HANDLING OF DIGITAL IMAGES;

4 (e) HOW COUNTY DEPARTMENTS, LAW ENFORCEMENT AGENCIES,
5 AND MEDICAL PROFESSIONALS COLLABORATE DURING ASSESSMENTS OR
6 INVESTIGATIONS OF SUSPECTED CHILD ABUSE OR NEGLECT TO COLLECT,
7 TRANSMIT, AND SHARE EVIDENCE, INCLUDING DIGITAL IMAGES, WITHOUT
8 SLOWING DOWN THE PROCESS AND WHILE ENSURING THAT THERE IS NO
9 IMPEDIMENT TO THE CHILD'S SAFETY;

10 (f) WHETHER SECTION 19-3-306, REGARDING THE TAKING OF
11 COLOR PHOTOGRAPHS OF CHILDREN, SHOULD BE AMENDED TO INCLUDE
12 ALL TYPES OF DIGITAL IMAGES AND WHAT PRECAUTIONS SHOULD BE
13 TAKEN REGARDING THE TRANSMISSION AND STORAGE OF DIGITAL IMAGES
14 OF CHILDREN;

15 (g) THE STATUTES, RULES, AND POLICIES THAT GOVERN THE
16 TAKING OF DIGITAL IMAGES OF CHILDREN'S BODIES, INCLUDING PRIVATE
17 AREAS, ON PERSONAL OR COUNTY-OWNED CELL PHONES, CAMERAS,
18 DEVICES, OR OTHER EQUIPMENT THAT CAN BE USED TO TAKE DIGITAL
19 IMAGES, AND THE SAFEGUARDS IN PLACE TO GUIDE COUNTY EMPLOYEES
20 ON HOW TO TAKE, MAINTAIN, AND DISSEMINATE DIGITAL IMAGES;

21 (h) THE STATUTES, RULES, AND POLICIES THAT GOVERN THE
22 AUDIOTAPING AND VIDEOTAPING OF A CHILD INTERVIEW AND THE
23 STORAGE AND MAINTAINING OF THOSE CHILD INTERVIEWS; AND

24 (i) THE BEST PRACTICES FOLLOWED IN OTHER STATES OR
25 RECOMMENDED BY NATIONAL CHILD WELFARE EXPERTS FOR CHILD
26 WELFARE CASEWORKERS TO FOLLOW WHEN COLLECTING EVIDENCE OF
27 SUSPECTED CHILD ABUSE OR NEGLECT THROUGH DIGITAL IMAGERY TO

1 DOCUMENT EVIDENCE OR ABSENCE OF EVIDENCE OF CHILD ABUSE OR
2 NEGLECT; COLLABORATING WITH AND SHARING IN THE DISSEMINATION OF
3 EVIDENCE WITH LAW ENFORCEMENT AGENCIES, MEDICAL PROFESSIONALS,
4 AND ANY OTHER AGENCIES LEGALLY AUTHORIZED IN THE INVESTIGATION
5 OF CHILD ABUSE OR NEGLECT; REFERRING A CHILD FOR MEDICAL
6 EXAMINATIONS; AND MAINTAINING, STORING, AND SAFEGUARDING
7 DIGITAL IMAGES OF CHILDREN.

8 (3) BASED ON THE STUDY OF THE ISSUES OUTLINED IN SUBSECTION
9 (2) OF THIS SECTION, THE TASK FORCE SHOULD DEVELOP
10 RECOMMENDATIONS FOR ADMINISTRATIVE CHANGES THAT THE COUNTY
11 DEPARTMENTS AND THE STATE DEPARTMENT SHOULD UNDERTAKE AND
12 DEVELOP SPECIFIC RECOMMENDATIONS FOR LEGISLATION, IF ANY.

13 (4) ON OR BEFORE DECEMBER 1, 2017, THE TASK FORCE SHALL
14 SUBMIT AN INITIAL WRITTEN REPORT ON ITS FINDINGS AND PROGRESS TO
15 THE GOVERNOR; THE STATE DEPARTMENT; THE CHILD WELFARE TRAINING
16 ACADEMY; THE COLORADO ASSOCIATION OF CHIEFS OF POLICE; THE
17 COUNTY SHERIFFS OF COLORADO; THE COLORADO MEDICAL SOCIETY; THE
18 JOINT BUDGET COMMITTEE; AND THE PUBLIC HEALTH CARE AND HUMAN
19 SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
20 HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY
21 SUCCESSOR COMMITTEES. ON OR BEFORE DECEMBER 1, 2018, THE TASK
22 FORCE SHALL SUBMIT A FINAL WRITTEN REPORT TO THE GOVERNOR; THE
23 STATE DEPARTMENT; THE CHILD WELFARE TRAINING ACADEMY; THE
24 COLORADO ASSOCIATION OF CHIEFS OF POLICE; THE COUNTY SHERIFFS OF
25 COLORADO; THE COLORADO MEDICAL SOCIETY; THE JOINT BUDGET
26 COMMITTEE; AND THE PUBLIC HEALTH CARE AND HUMAN SERVICES
27 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH AND

1 HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
2 COMMITTEES. THE FINAL REPORT MUST INCLUDE, BUT NEED NOT BE
3 LIMITED TO, THE TASK FORCE'S FINDINGS AND RECOMMENDATIONS FOR
4 CHANGES IN ADMINISTRATIVE RULES AND RECOMMENDATIONS FOR
5 LEGISLATION, IF NECESSARY.

6 **19-3-805. Repeal of part.** THIS PART 8 IS REPEALED, EFFECTIVE
7 JULY 1, 2019.

8 **SECTION 2. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, and safety.