

HB19-1063 Feb 1, 2018 Maureen Welch, mpwelchco@gmail.com 720-436-4121

\*This bill has good intentions, however I have many concerns and **respectfully ask for a lay-over** to allow for a broad stakeholder meeting.

\*I would suggest inviting a broad group including Col Bar Assoc, ACLU, and disability advocates together and work on this.

*public defender*

\* Two main concerns are broadening investigatory power and protecting identity of the reporting party.

### **BROADENS POWER OF APS**

- This bill widens the power of protective services creating JOINT investigations with APS and CPS.
- During CDHS MEETINGS, the counties express concern that the CDHS (state APS) is telling counties there is an expectation to look back in time during investigations.

### **Page 3 line 17**

The disclosure is necessary for the coordination of multiple agencies' **JOINT** investigation of a report or for the provision of protective services to an at-risk adult;

### **GIVES STATUTORY ANONYMITY OF THE ACCUSER**

- The language in current form of Bill 1063 also will keep personal identifiers of the reporter protected.
- Many families with disabilities who have experienced **many false allegations** of abuse and neglect of their disabled loved one.
- Anonymous reports are often from people **who do not understand disability**, especially living with intellectual or developmental disabilities. This is another -ism of discrimination: **ABLEISM**.

### **Now line 2 top page 4**

THE INFORMATION DISCLOSED PURSUANT TO THIS SUBSECTION (7)(b)(VII) MUST NOT BE DISCLOSED UNTIL AFTER THE INVESTIGATION IS COMPLETE AND **MUST NOT INCLUDE ANY IDENTIFYING INFORMATION RELATED TO THE REPORTING PARTY OR ANY OTHER APPROPRIATE PERSONS. IF THE GUARDIAN IS THE SUBSTANTIATED PERPETRATOR IN A CASE OF MISTREATMENT OF AN AT-RISK ADULT, THE DISCLOSURE MUST NOT BE MADE WITHOUT AUTHORIZATION BY THE COURT FOR GOOD CAUSE.**