

Senate Judiciary

04/08/2024 01:30 PM

HB24-1244 Minor Autopsy Report Release Requirements

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
<p>Alyssa Elgersma For themselves</p>	<p>To Whom It May Concern:</p> <p>My name is Alyssa Elgersma. I am a close family friend of Courtenay and Riley Whitelaw.</p> <p>Riley was violently murdered June 11, 2022. A couple months later, her autopsy became public record.</p> <p>Currently, the general public has the ability to request and receive a copy of that report. Not everyone needs to know the details of any death but especially those caused by a public crime.</p> <p>Privacy of minors is valued and during their lives, it should also be valued in their death.</p> <p>I am in support of HB24-1244 Minor Autopsy Release Requirements.</p> <p>This bill allows those who truly need to know the autopsy details to do their job to the best of their abilities.</p> <p>This bill allows families and friends to grieve as privately as they are able to when it comes to a public death.</p> <p>This bill allows the minor victims to have some dignity in death.</p> <p>Thank you for your time and consideration.</p>

	Sincerely, Alyssa Elgersma
--	-----------------------------------

My name is Kelsey Matthews. My daughter, Elle, was killed by her daycare provider on August 26, 2020 when she was 16 weeks old. Days after her death I found out through the media that there were 17 children in the providers house, two of them mine. I also found out that the state had issued this provider 4 cease and desist orders to stop care before Elle's death, as well as put the provider under surveillance. The Colorado Department of Human Services knew that she was providing illegal care well over the limit for years, but they did nothing about it.

It wasn't until an investigative reporter entered the picture that the CDHS began to make a change. It wasn't until Elle's autopsy was released that people were able to be shown that children in this state are not being protected the way the public thinks they are. That there are so many flaws and oversight of child safety and something needed to change. Why was her autopsy so important? Because it was able to provide facts about her death. That she died from the environment the daycare provider put her to sleep on, an adult size mattress with soft bedding and pillows. A daycare provider CDHS knew was providing negligent care since 2013 when they issued her first cease and desist order. Putting her under surveillance twice and issuing her 6 more orders until the time she was arrested.

Upon the release of the investigative report, CDHS started an internal investigation into their own protocols. They created a task force and are to this day still working on ways to provide safer environments for children and stop the people who choose not to. One of the biggest changes was the Bill in Elle's name, mandating that CDHS post on their website Colorado Shines any providers, regardless of their licensure, that have cease and desist orders.

None of this would have happened if Elle's autopsy report was inaccessible to the public. There are no words you can put on describing what it feels like to lose a child. The hole that is in your heart and the heaviness on your chest every day. Children should not die, but they do. It is horrific and tragic to think about, too uncomfortable to talk about for many people, but each death of a child is a catalyst. In Elle's case it was a catalyst for change.

Do I believe that there should be a Bill that protects deceased minors and their families, yes, but this isn't that Bill. This Bill protects entities that are responsible in preventing the death of children and protecting their safety. It restricts the public knowledge about safety issues regarding children. This bill diminishes the ability for news outlets to report on issues about Colorado's children. If this Bill passes there is no longer a checks and balances system. Instead the entities that already hold the power remain in power with no accountability for their actions. It excludes the public from important information. It affects more lives than we can imagine because it limits information to the public of previous downfalls or mishaps. There were 19 children that had died over a span of ten years before Elle. Each of these deaths happened in a type of child care known as negligent to the state, but hidden from the public. I ask that you vote against this Bill to help protect living children because while losing a child is the hardest thing I will ever have to go through, knowing that her death changed countless lives of living children is the only thing that gives me light on my darkest days.