



NEW CLARIFICATIONS IN COLORADO LAW REGARDING THE REQUIREMENT THAT CERTAIN PERSONS REPORT CHILD ABUSE OR NEGLECT (C.R.S. 19-3-304)

The ambiguous language of the existing statute resulted in confusion as to whether mandatory reporters were required to report cases of adult survivors of childhood abuse to the authorities without their consent.

With the statutory revisions, the mandatory requirement to report known or suspected abuse or neglect of a current child has not changed. The new law additionally clarifies that mandatory reporters (as defined in C.R.S. 19-3-304) must make a report regarding an adult's disclosure of childhood abuse under the following conditions:

- If the mandatory reporter has reasonable cause to know or suspect that the perpetrator of the suspected abuse or neglect has subjected any other child currently under eighteen years of age to abuse or neglect or to circumstances or conditions that would likely result in abuse or neglect; or
- If the alleged perpetrator is currently in a position of trust, as defined in section 18-3-401 (3.5), C.R.S., with regard to any child currently under eighteen years of age.

The new law takes effect immediately. This statutory change in no way requires mandatory reporters to investigate or make further inquiry regarding the status of alleged perpetrators. The revision means that any disclosure by an adult survivor that does not include information indicating that a child is currently in danger, that the perpetrator is currently in a position of trust, or that otherwise gives reasonable cause to know or suspect a child is currently at risk, must remain confidential pursuant to C.R.S. 13-90-107, which protects communication with certain victim advocates.

For questions about the information provided in this document contact the Colorado Coalition Against Sexual Assault at (303) 839-9999. Colorado Revised Statutes are available at www.courts.state.co.us.

