

Bill 23-0095:

The Protecting Children through Mandatory Reporting Amendment Act of 2019

Attorney General Karl Racine introduced this Bill to the Council in January of 2019. The central focus of this Bill is to clarify the responsibilities of professionals who regularly work with children, and are mandatory reporters for suspected child abuse or neglect. The amendment seeks to update and expand current mandatory reporting laws in the District of Columbia to ensure the health; safety and wellbeing of children are protected. This bill sets out to accomplish the following:

1) Strengthen protections for children across the District of Columbia.

- Includes language to ensure that mandatory reporters are reporting suspected child abuse.
- Requires mandatory reporters to contact authorities regarding child abuse that occurred in the past.

2) Expand the definition of who is a “mandatory reporter” by:

- Adding religious leaders to the list of persons required to report child abuse. With several exceptions.
 - Subsection 2(b)(5)“ ... the term “minister” means any priest, clergyman, rabbi, or other duly, ordained, or consecrated ministers of religion authorized to perform a marriage ceremony in the District of Columbia, and any duly accredited practitioner of Christian Science”
- Adding members of boards of directors and heads of religious institutions
 - Subsection 2(b)(3) “the person in charge of the facility or institution, or his designated agent, and chair of the board of directors, if any, shall promptly report to MPD or CFSA”

3) Increase fines and penalties for those who fail to report child abuse or neglect.

- Increases the maximum fine from \$1000 to \$2500 for the first offense, and \$5000 for subsequent offenses.
 - **Section 7 (a)** “ any person required to make a report under this act who willfully fails to make such report shall be fined not more than \$2500 or imprisoned not more than 180 days for a first offense and fined not more than \$5000 of imprisoned not more than 180 days for a second or subsequent offense”.
- Adds language that requires Office of the Attorney General (OAG) to notify any licensing boards of the conviction (i.e., teachers, doctors, social workers, etc.)
 - **Section 7(b)** “the office of The Office of the Attorney General of the District of Columbia shall promptly notify any appropriate licensing authority if a mandated reporter is found guilty of any violation of subsection (a) of this section”.

4) Require trainings and certifications for those that qualify as mandatory reporters.

- Adds **new** requirement for individuals to be trained and certified if they are mandatory reporters

- Section 8 is the newest section added to this bill and includes all information pertaining to mandatory reporter trainings.
- Adds language that imposes a fine, on mandatory reporters, of up to \$300 dollars for failure to complete training and certification.
 - **Section 8 (d)(1)** “any person required to attend mandated reporter training under this section who fails to attend the training as required shall be subject to a civil fine of \$300”.

A hearing on this bill will be held July 11, 2019 however, the record will remain open for written comment and testimony until July 21, 2019