

Date: February 15, 2023

Bill number: HB 350

Committee: House Ways and Means Committee

Bill title: **Public Schools – Reporting of Sexual Misconduct, Stalking, and Harassment (Report Act of 2023)**

DHS Position: **LETTER OF INFORMATION**

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide written information regarding House Bill 350 (HB 350).

DHS serves as the state's primary social services agency and has the authority for statewide implementation of Child Protective Services (CPS). House Bill 350 would permit a principal or principal's designee to gather the name of witnesses, statements of any witnesses, a description of the incident, and a record of injuries and damages. These would normally be areas law enforcement or CPS would investigate, if involved. Such interviews are more appropriately handled at the local Child Advocacy Centers by individuals who are trained in forensic interview techniques that avoid re-traumatizing victims.

Child Advocacy Centers are child-centered facilities created to provide a trauma-focused, evidence-based, and multidisciplinary response to child abuse victims through investigations, medical and mental health treatment, and victim services. The Centers coordinate with local agencies to create a multidisciplinary team consisting of law enforcement, prosecutors, child protective services, medical and mental health professionals, and victim advocates. There is a Center in each county in Maryland. Most of the Child Advocacy Centers are accredited by the National Children's Alliance, the national parent organization, following fulfillment of ten core standards. Those ten standards are as follows: Multidisciplinary Team; Diversity, Equity and Access of Services; Forensic Interview; Victim Support and Advocacy; Medical Evaluation; Mental Health; Case Review and Coordination; Case Tracking; Organizational Capacity; and Child Safety and Protection.

Forensic interviews are important to investigations because their explicit purpose is to determine whether child sexual abuse occurred by using a neutral, fact-finding process designed to avoid duplicative interviewing. Those interviews provide the Local Department of Social Services (LDSS) and law enforcement with the information necessary to move forward with an appropriate response during an investigation of the child sexual abuse. House Bill 350 creates an administrative report and interview process outside of the mandatory reporting required of educators. School districts currently have strong partnerships with the respective LDSS to handle situations that fall under CPS' purview. Schools undertaking separate interviews and investigations may hinder CPS and law enforcement investigations. There may be unforeseen consequences during the investigation process with the duplicative interviews. Finally, HB 350 as written mandates data collection to be reported annually to the Maryland General Assembly, however it allows each county to determine the penalty or consequences for those that violate the proposed statute, and the bill provides no required process or timeline for an incident investigation, which could lead to unfairness and lack of consistency in data collection.

The Department is grateful to offer the aforementioned information on HB 350 for the Committee's consideration during your deliberations and welcomes the opportunity to discuss further.

