

## **Testimony for Mandated Reporter Commission**

**Dated: April 13, 2021**

**Submitted by: Rebecca Greening, Esq. on behalf of the MA Child Welfare Coalition and the Children Law Support Project**

My name is Rebecca Greening and I am an attorney representing parents and children in child welfare cases. I am also a clinical instructor at the Family Law/Domestic Violence clinic at the Legal Services Center of Harvard Law School. I am testifying as a member of and on behalf of the MA Child Welfare Coalition and the Children's Law Support Project.

I am here to raise concern that several of the proposals being considered by the Commission would make children in the Commonwealth less safe and expand intrusive policing of families living in poverty, specifically Black and brown families.

These concerning proposals before the Commission are:

Expanding the list of mandated reporters

Changing the definitions of abuse and neglect

Lowering the threshold for reporting and

Increasing penalties for not reporting

First, the proposals before the commission will undoubtedly flood the system with reports, the majority of which, statistically speaking, will be suspicions about neglect rather than concerns of abuse. According to DCF's Fiscal Year 2020 Annual report, over 70% of all reports filed were screened out or unsupported by DCF. The proposed changes would substantially increase inappropriate or unsubstantiated reports beyond this already very high number.

As the investigative report into the death of David Almond illuminates, DCF has a demonstrated inability to maintain quality, responsive decision-making when it comes to the safety of children in the Commonwealth. This is true in the screening process as well, where a surge in reporting based on flawed and biased suspicions will lead to more unnecessary and intrusive investigations. DCF will be quickly overburdened and less able to respond to higher needs families and

children. Pennsylvania's expansion of mandated reporting is illustrative in this regard – an audit of impact of the expansion caused the state to have to admit that due to the increased workload, supervisors could not provide optimal supervision and had to prioritize answering calls and training new staff over monitoring activities AND a flood of reports resulted in delays in transmitting child abuse reports to investigation agencies.

Second, when every child and family facing professional and nonprofessional is a mandated reporter, an agent of the state surveillance system, families in need will be driven further from the very services that they need to support their families based on fear that the state will see their struggles in poverty as inadequate parenting.

Research by academic Kelley Fong on the impact of state surveillance in the lives of mothers in poverty highlights that family needs rooted in structural disadvantages are defined as maltreatment, something the proposal before the commission would explicitly do by changing the definition of neglect. Social service providers in the community became entities to tiptoe around – seen by parents as agents of the punitive state rather than allies seeking to help families.

I ask the commission to seriously look at the insidious and traumatic impact on predominately Black and brown families when the threat of their children being taken away looms over access to critical services needed to keep those children safe. In this way, expanding a net of surveillance through broadening mandated reporting does not equal increased safety for children nor does it strengthen families.