

SENATE JOINT RESOLUTION NO. 31

INTRODUCED BY D. LENZ

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF MANDATORY REPORTING OF CHILD ABUSE AND NEGLECT IN THE STATE; AND REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 70TH LEGISLATURE.

WHEREAS, mandatory reporting of suspected child abuse and neglect was instituted to protect children; and

WHEREAS, there are cases in which children are genuinely unsafe in their homes, and reporting is the most appropriate response we currently have to effectively address their needs, but in many cases an alternative response would be more effective in addressing the concern; and

WHEREAS, a wide spectrum of Montanans who interact with children are required by statute to report suspected child abuse and neglect, and mandatory reporters should demonstrate a solid understanding of what rises to the level of making a report; and

WHEREAS, a family's involvement with the Child and Family Services Division of the Department of Public Health and Human Services is generally initiated by a mandatory reporter's call to the state's child abuse or neglect centralized intake hotline; and

WHEREAS, in fiscal year 2024, the hotline received 28,812 calls, screened out 7,382 calls, entered 21,430 calls into the department's system, investigated 6,544 calls, and of the nearly 29,000 calls alleging abuse or neglect, only 1,276 children of approximately 600 families required placement out of their homes; and

WHEREAS, unnecessary Child and Family Services Division involvement with a family or child uses resources needed in cases where actual abuse or neglect are present, and needless investigations cause a stigma for the family and can create distrust of the agency whose purpose is to be a resource to families and to protect children; and

WHEREAS, standards to protect child safety should serve as the basis of training for mandatory reporters, rather than the comfort level or bias of the mandatory reporter, because there is no evidence-based

1 research showing a causal link between mandatory reporting and maltreatment prevention; and

2 WHEREAS, upstream services that address the root causes of child maltreatment can be effective in
3 strengthening families and preventing child abuse and neglect, so focusing on prevention services could
4 support family connections and improve children's safety.

5
6 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
7 THE STATE OF MONTANA:

8 That the Legislative Council be requested to designate an appropriate interim committee, pursuant to
9 section 5-5-217, MCA, to study mandatory reporting in the state.

10 BE IT FURTHER RESOLVED, that the interim committee:

11 (1) explore how consistent, uniform training may help mandatory reporters distinguish between
12 when to support and when to report in order to minimize reports arising from the mandatory reporter's
13 discomfort or bias;

14 (2) identify what steps mandatory reporters should take to collect information from children and
15 families prior to reporting;

16 (3) understand how mandatory reporters could better support children and families by referring
17 them to services or material support, rather than subjecting them to unnecessary investigations and stigma;

18 (4) explore alternatives to reporting, including identifying available support and services;

19 (5) make recommendations for uniform training on reporting and for alternative responses for
20 mandatory reporters; and

21 (6) prepare and propose legislation to solve issues related to mandatory reporting of child abuse
22 and neglect in the state.

23 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
24 requirements, be concluded prior to September 15, 2026.

25 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
26 comments, or recommendations of the appropriate committee, be reported to the 70th Legislature.

27 - END -