

REALTIME FILE

NATIONAL RESOURCE CENTER ON DOMESTIC VIOLENCE

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>> I'm excited today to bring to you in collaboration with the team of the LGBTQ institute on IP V. Follow up on social media so we can learn about our exciting projects and initiatives. NRCDV is a provider working to strengthen programs regarding domestic violence and impact on families today we are teaming up for this event. Now I'm exciting to welcome by colleagues. And I'm going to tell you a little bit about them. Carrie joined in November 2020. She brings with her a wide range of expertise in gender-based violence field. Also we welcome Shannon. She's an activist working to create loving relationships in community. She works to address issues of domestic violence, accountability in our legal system and impact on supporting people. Welcome to the webinar. We're so excited to have you. I'm going to tell our friends ha are joining us, we have people asking questions on the chat. We'll share with our amazing presenters today. Introduce yourselves, you can share any resource you would like to share. Let's start our conversation.

>> Thank you so much.

>> I just wanted to make sure you turned up your volume.

>> It was working perfectly until about four minutes ago. I just wanted to thank everyone for joining us. The topic around mandatory reporting we have been presenting on this for about six years. Is that right?

>> Maybe longer. We have seen interest in this area grow over this time which is exciting. It's a complex topic. People have varying experiences with and perspectives on mandatory reporting. We're really excited to dive in with you all today.

>> We should probably start by explaining what we'll be covering today and what we won't be covering. So the LGBTQ institute did a study on the impact of mandatory reporting on domestic violence survivors. We'll be discussing a lot of those findings. As well as the implications of those findings and really do practice thinking through

scenarios of mandatory reporting. I wanted to clarify on the front end we will not be providing legal advice. That's for your benefit and ours. As we'll discuss later these laws are pretty complex as I mentioned.

And they vary widely by state. We won't be able to answer individual questions related to individual mandatory reporting laws. But we will be looking a bit more broadly at mandatory reporting symptoms and implications of those systems and intersected violence.

I want to make sure we're on the same page here. Do you have anything to add to that Shannon?

>> I think only other thing I would add. My background I was a domestic violence advocate for 12 years. I relatively recently got in direct service work and other things in the world related to domestic violence. One of my goals today is what we notice is a fog and profound kind of lack of understanding, confusion, training, support, one of the things today is just to lift up some questions related to mandatory reporting.

I want to talk about today's goals, when we start talking about mandatory reporting, all of the depths and where it touches and impacts to survivors; people sometimes leave with more questions and that they started.

I want to right size this expectation for folks. The goal today is to get clear about what the questions are, what the impacts are and explore what are some of our next steps in our short time today on the webinar.

It's not the opportunity to learn all of the nuances that folks might need in their advocacy related to how mandatory reporting affects survivors. I want to soothe to you know there will be many questions beyond our capacity here.

Even taking the time to help them get where we're trying to go.

>> I feel soothed already. Even though I'm no longer a presenter.

>> Before we dive in we want to get to know who is on the webinar. If you could raise your hand if you are joining us as a staff members with domestic violence or partner violence program. You can use that raised hand feature on the top bar. As folks are raising their hands and the numbers are going up. It looks like a little less than half of folks here going up and up into the 90's. And then what about can we clear those? What about folks calling from a specific agency, so this could be LGBTQ specific, racial ethnic specific. There is just a hand full of folks currently raising their hands. 7 of our 213 raising their hands.

>> What about youth serving agencies?

>> Looks like rough think same amount.

>> No, it's a lot more.

>> A little bit more but roughly the same amount.

>> And then finally what about government or public health agencies?

>> Great. Kind of roughly the same amount even for government agencies. Feel free to type in the chat fur calling from another type of organization so we can see who is joining. What about providing direct services to young people? Can you raise your hand if do you that? That's a decent number.

>> 34 folks so far. 35 and climbing.

>> And what about folks that provide direct services to adults?

>> That is going up very quickly. Right now it's at 60 of our 222 people. Who here supervises direct service providers?

>> And those numbers are slowly coming in and folks raised their hand supervisors is about at 30 right now.

>> About half of them are people providing direct services to adults, we have the same number providing to young people as providing supervision to supervisors. That is help to feel know who is in the room. Can you raise your hand finally if you have ever had to make a mandated report to child protective services or law enforcement? 70 folks. OK. That's a pretty decent percentage of folks. And then in the chat box, can you just provide one word about what that experience was like for you when you had to make a mandated report to either child protective services or law enforcement?

>> Very frustrating, I canny, stressful, nerve racking. These are not great adjectives. A lot of anxiety. Anxious. Formality. Pointless. Lot of anxiety. Lots of concerns. Folks are expressing pretty negative reactions or even ambivalence like feeling conflicted. Sympathetic. That is interesting. This is a really helpful perspective. You it's helpful. It's wide range and there is a varying perspective on this issue. It's helping to feel see folks who have had this experience who have done reports to see this people are struggling with it. That is what we have seen in providing these presentations and doing these trainings for the last many years now. Did you have another perspective to share?

>> No. I think I always as we start to get into some of the policy related pieces and some of the practical, some of the implications around this work, do I invite people to just sit with that those words and that experience around what came up as you think about if you were a reporter and what it might be like or if you have made reports and have us just ground into the sense of also doing this work.?

We are going to pivot to talk about mandatory reporting. Mandatory reporting is a set of federal and state laws that require specific individuals to report actual or suspected abuse to a legal or government agency. The intention of the laws are often to protect vulnerable populations who may not be able to protect themselves. And these laws as Katherine is highlighting is dress things like child abuse or neglect, exploitation, elder abuse, domestic violence, or sexual assault. It various by what constitutes harm. For example child abuse or neglect, many states have laws that specify that witnessing domestic violence as a form is child Buss or neglect. It can nymph terms of what exposure to domestic violence can look like. In some states the child has to be in the room where other states if it's likely that the child could have overheard the violence anyway separate room, then that would count. These laws can be complicated.

Then finally they can differ by what if any exceptions there are.

Are they there exceptions for a healthcare provider to report domestic violence. There are four states that allow exceptions if the survivor doesn't want the report the take place. There are exceptions around some states have exceptions around if domestic violence advocates are mandated reporters in all cases. There is a lot of variability in these laws. 18 states and Puerto Rico require everyone above the age of 18 to report child abuse and neglect. That is one of the differences in who has to report.

Sometimes it can be extremely broad, like every adult in the state is considered a mandated reporter. So back to your point, we're going to be talking about all three of these -- all four of these different types of mandated reporting because survivors often interface with all of these in different way they can interface. So healthcare providers might interface with the crime related injuries piece if a weapon was used in their

experience of domestic violence. And dops violence advocates are often mandated reporters in many states across the country. Exposure to domestic violence, child abuse, this poses challenges for domestic violence survivors. And again the health care provider reporting injuries in some states. Do you have things to add to this or another perspective to share?

>> Most of the things that yeah here are the things matter.

>> And so kind of like pulling back a second, these laws are complicated. Domestic violence survivors' interface with them in several ways or they can. Why study had and particularly why doesn't agency working with LGBTQ survivors care so much. A lot of that comes down to the fact. We're interested in understanding how this mandatory reporting law A.F.C.s these sources as well. So I won't go into too much detail.

Shannon will be talking more about this later after we dive into the findings of that. That is setting the stage for why are we looking into this. I'm recovering fast talker. I talk too fast especially when I'm talking about da taxer please feel free type in the chat to slow down and I will do my best to do so.

Going to the studies, both reports which you recollected -- thanks for posting the lynx to them.

These are two reports that are based on a study that we conducted with the LGBTQ institute conducted in 2015 with the national domestic violence hot line. We conducted surveys with folks who were reaching out to the hot line by their chat function. For six weeks we had the survey going and it was really short. It was 7 or 8 questions that was asking people about their experiences of mandatory reporting. And we didn't specifically mention mandatory reporting in the survey because we knew their confusion around that term and what it means and what it includes. So these are the questions that the key questions that we asked.

And we asked have you ever not south help because you feared you would be reported. And has anyone you asked for help warned you they would have to report you and three has anyone ever reported you. This is all in the context of seeking help.

These are folks reaching out to the hot line for support around domestic violence.

And asking them in the context of seeking help for your relationship and experiences of violence, you have ever south this help.

And so we utilized the data from this study and looked at these questions and analyzed group differences by age and gender and sexual orientation and race ethnicity. So we looked at these kind of main questions. We had in South Korea six weeks 3600 domestic violence survivors. I don't know if anyone else here does community-based research. This is a large study sample size of our community-based work. Then sample actually included about 20% of folks identified as LGBTQ. We looked at folks by -- we ended up doing analysis looking at gender and sexual orientation and race and age and we clumped groups. For example that group you see under sexual orientation includes several identities.

>> Should I pause?

>> I think that there seems to be a range of folks. Some folks using the computer are not able to hear but people filed are able to hear.

>> I'm just going to pull out key ones for the purposes of time.

>> When we ask did people report what they shared none ten said yes. This next slide kind of a key piece which is that we ask people what it was impact of that report. We ask people did this make the situation worse?

>> 50% said a report made the situation much worse for them.

>> That's compared to 3% that said it made it better. That's a huge distinction. The majority said that it made either no difference or made the situation worse. And less than 20% said it made the situation any better at all. And there were no differences dem graphically or in terms of where people were reported to in terms of the impact. This was a standard effect of impact that people said it made it much worse. Like the qualitative data we analyze detail in the journal article details more qualitatively. You see some differences in what much worse looks like for some communities versus for others. For example folks within the qualitative data said that what made things feel like it was much worse was that the report was made, it was empowering process. That second quote under made things worse was about it was about abuse increasing over time and making it more active. A lot of folks talked about this and they talked about some of the major negative outcomes being greater police involvement and that greater police involvement involved increase in abuse. It emboldened their partner. We have to ask about ethnic differences. That was one of the things that came out in the qualitative data, there were different kind of negative experiences with the police by race. So white women for example talked about it being much worse because police involvement meant their partner was arrested. And that created more problems for their family, it angered their partner and led to more abuse. Whereas women of color and for this particular question meant we had to clump which is not ideal, not best practice by a lot. Unfortunately, it was required for the sample size of this data.

Women of color talked about police involvement often didn't lead to any change at all. Their partners weren't arrested necessarily. In fact they were at greater likelihood of being arrested as the survivor of violence. There were differences in Terps of what but both white women and women of color and these are women talked about that was much worse for both groups. It was a different kind of worse for both if that makes sense. And that people talked about other major negative outcomes, the it was losing their children. A lot of women had lost custody of their children or they were removed from the home.

These are severe consequences that we know about. That was definitely what came up in the report. This next section we asked about was about asking for help and being warned. And so I'm curious though from you all if you can raise your hand, you have ever warned them you might have to make a report to CPS or law enforcement?

>> They are still coming in and looks like in the 60's which I will say when we ask people to raise their hand to some question if they are providing direct services the response was about the same number. Looks like nearly all of them have raised their hand for this question.

>> That's a good read on that.

>> Thank you all for doing that. I'm curious in the chat box if you can share when in the process of working with someone did you offer this warning. Was this a standard warning you give everyone you work with, when you first start working? Was it as the conversation veer and we're getting into territory that might trigger a mandated report. If you can type that into the chat box. While you are typing that let me answer Jessica's

question about so we surveyed folks the age range, there were folks under 18. I can't remember right now if the cutoff was 16 or something like. That that were included in the survey. It was mostly adults overall.

>> It looks like on the chat there is a range but there is a strong contingent of folks sharing that they had that conversation up front as part of their intake, as part of initial conversation, summary of the large portion of what folks are responding in the chat.

>> OK. I see that. For some people it's sometimes on a hot line I have to interrupt a client with confidentiality or limitations.

>> I'm going go back to this question. In one word, what that was experience like for you providing that warning?

>> Awkward, necessary, I hate it. Frustrating, relief. Urge. Relatable. This idea of choice and how and what they want to share. This is hard. I want to acknowledge this is tough. It's a bind. It's such a terrible bind that these laws are putting on us in order to figure out how best to serve people, we're having to do so in a system that restricts our ability to do that. Part of me felt sad but I knew I had to protect the child. These are great. Thank you so much for sharing that and the vulnerability in sharing that. Feel free keep typing. It's helpful to see where folks are. And in line with what people are sharing, 15% of folks that completed the survey said they had been warned when reaching out for help when people have to report what they shared. It's a pretty large number. It's not -- these are folks reaching out for a whole to many different kinds of people.

We didn't ask specifically for domestic violence agencies. This was just reaching out for help broadly. And then other follow up for you. Some of you have already answered this. How have participants responded when you have warned them about having to make a report? And your point about immigrant survivors not understanding the consequences is really important. Thank you. It ruins the report. I've been hung up on.

>> They hung up. Somebody hung up. It ended the conversation. I was just having a reaction to that.

>> Someone said they understood. Completely broke the trust. Some were relieved. I've heard the before too Erica. When Carolyn talks about clarity and power to share what they want, thanked me when I offered options. That is really helpful. I can keep reading for days. So when we ask participant about 6 out of ten they had the wording changed what they decided to share. That matches what people are saying. People have a reaction to this. And what you all listed out is what survivors reported to us in the survey. Is that people minimize their experiences. They held back important details. As many of you mentioned they stopped talking, they hung up. This person said I never said another word. Most worrisome is the fact that for a lot of folks that meant they stopped reaching out for help all together. It was not just they stopped talking to that provider or person, but they didn't turn anywhere else either after that. That sense of broken trust or feeling there is nowhere you can go, that is stive turn to. And these mandatory reporting laws, in some states it's everyone above the age of 18, 18 and above are mandatory reporters, where could people feel safe to turn for support without being worried they are going to be turned to law enforcement or child protective services. And you know I think this is one of the things that we struggle with I think on this point. There is a lot of folks when we have done this in the past folks articulate these point here, this is helpful because it gives people a choice. It gives people a

choice to decide what they want to do. And it's a struggle because people say they feel relief they could tell someone of the harms that could come their way by having to involve different systems. That is absolutely true. The idea of minimizing harm we put survivors through by minimizing their involvement with different systems is key. It's an important piece. It's also very different than support. This idea of giving people the choice to not trigger a harmful system is really just not the same as giving them a choice to receive the support they want. It can affect our ability to provide the support that folks are coming to us for. When people change what they share, that's in part the intended impact of that warning. If you tell me more, I'm going to have to involve this system that I don't think will help you.

Then people change what they are sharing which makes sense. But then it's still not providing them the support they came to you for essentially if that makes sense. I'm getting on a soap box so I'll Pusha head.

>> I think the only thing I want to say here as I'm seeing things in the chat that people are starting to think about how does this information lay on top of where the organization or their program is positioned inside other systems, where they are located. What are the confines, context of their advocacy. One of for better or worse, one of the things in my position here, time in an organization. As a person as part of the domestic violence movement and who was an advocate for a long, long time but who is not a mandated reporter because I don't have listener that requires that in the state I'm in, doesn't have a universal reporting law is that I can be a little more forth right about or just more explicit about what some of the negative institutional impacts. Which I do believe that the way that these laws and systems are set up, they are set up in direct opposition to some of our hall mark of the domestic violence movement. Some of these pieces around what we know is that the context in which people who are experiencing violence are best supported is increased support and connection, decreased isolation, increased ability to talk and share at your own pace, to be in charge of your own information. In charge of the experiences happening to you. Those are the hall marks of domestic violence advocacy.

Violence and abuse are by design isolating and silencing experiencing.

We're faced with a set of practices and laws and requirements and policies that actually contribute to the exact thing we're trying to change which is silence, decreased connection. We all know when someone disclosing harm they experienced, for people that is a monumental experience in their life.

They might only try doing that once and years before they ever share that again. We know that we sometimes have a pretty narrow window with which to be able to meaningfully connect with folks.

I would invite folks the sit with and we'll talk more but to sit with what all of the things ha folks are sharing about the complexity of being clear with people about what the expectations are and then the impacts of what that sharing is. Because navigating this and figuring out what services we work with is being clear about this is going the help us be in service with that vision. It seemed like a good time to throw that in there.

>> People are adding in so much helpful feedback and comments that we'll be addressing at different points throughout. Thank you so much.

Keep sending in questions. I'm going the Pusha head quickly because I'm running over as always. The last section we asked about was about whether or not people were too

afraid to reach out for help altogether. And about one in three people said they've not asked someone for help for fear that person would be legally tried report what they shared. Over 1/3 of people said they hadn't turned to someone.

This is hard already to reach out about. And it's huge the one in three have said they haven't turned to someone.

That was significantly higher for folks that were under 18. Nearly half of people who were under 18 said they haven't sought help from someone for fear they would be reported.

>> I hear those sound but those are not me.

>> That's confusing. We see these laws and the confusion around them is key because it extends to both workers and advocates and others in the field as well as survivors themselves and young people in particular.

And that when we ask people to whom they were afraid to turn for help for fear of being reported, mostly they said friend and family. People said they were afraid their friend and family would have to report them. In many states that could be true. That friend and family would have to report folks.

Again this is really speaking to this idea that mandatory reporting laws are affecting not just systems of support but even informal systems, like where people go to first are friend and family. We know that from research in this area.

For these folks impact people's ability to turn to these closest people in their lives for fear of system involvement is a huge deal. And this people mention a lot of fear about what would happen.

Looking at some of these larger scale fears, as I mentioned before arrest of partner. That is not what a lot of folks want. It doesn't serve people's families. It's incarceration is real harm for a lot of folks, both those incarcerated and those who are in family with folks incarcerated.

And that people again were fearful of child removal around homelessness. And then deportation. This was more common around people of color and particularly API men mentioned fears of deportation the most. And that actually white trans and gender nonconforming were most afraid of their own arrest actually.

These are real fears people have of just seeking out help. And it's a lot to sit with.

And so I'm going to stop there for a second and give us a minute to take a quick breath. That's my dog Jackson.

>> Thank you so much.

>> So we want to transition now. I love this report. Think we could not talk enough about this report and information. To contact us there are so many things we all know and you all know in your advocacy that we just know from talking to each other, you know from coming to webinar like this, from being in conversations in the field and having tools like this research to be able to start to share and have additional conversations and be able to understand it at a different scale so important. So one of the things that this data helps us to understand or helps to us codify is we know that mandatory reports are not benign. One of the things I work with young people for a very long time. Have a partner who also worked with young people for all of his adult life and still. Sometimes there is this idea that a mandatory report is just a benign thing. It's a requirement you have. When in doubt you just make the report. You are not sure, maybe it's not required, just make it. Then it's premised on the idea it's just a report.

Just a report. Let's just make a report. It's no big deal. What we know is actually that report can have a range of things. I've heard folks talk about this some in the chat. That range of things can be you make this report and then nothing ever happens. You never hear about I again. There is no follow up. Nothing else ever happens. And then on the other end of the spectrum, you could make a report and the police could show up to somebody's house, their children could be removed. There could be a range of severe responses and impacts in people's lives. Having a broad range of potential impacts and outcomes and we know anytime police are showing up at your house, that is not a benign chill situation for anyone but particularly for communities that are overpoliced and disproportionately being impacted by the criminal legal system. We know that mandatory reports are not benign. We know mandatory reports are not support. Sometimes when I'm talking with folks about the impacts of mandatory reporting there, is this like gut instinct for folks to be like no, but we need it because children are being hurt, people are being hurt and we need this. And what I want to invite people if you are feeling that now, if you are noticing any kind of resistance or tensions to the idea that mandatory reporting that we might be wanting to disrupt that mandatory reporting how it happens. The goal is still the same. The goal and clear about what our goal is to make sure people experiencing violence and abuse and exploitation are in charge of themselves v the supports they need, have the reduced barriers, are deeply connected with communities and with the abundant resources and support they need in order to pro Premera is that not harm and also be a person who is thriving in the world. That is what I want for all people experiencing violence and harm. A mandated report is not support.

The support is the advocacy.

The support is community, connection, other resources. The mandatory report is a tool and mandated report that is required and a part of a complex array nationally of laws and policies. And we know that mandatory report creates obstacles for receiving support. Anytime peopling violence and abuse are less charge of their information and less if charge about what happens to them, that makes them less safe and less supported. One of the things the practices that is really common and I heard you all say for many of you who are mandatory reporters this is your practice which is be working with a young person and then front load that bay saying I want to let you know I'm a mandatory reporter and anything you tell me, if you are going to hurt yourself or another person hurting I will have to report to law enforcement or child protective services or your version. That was my version I did for many years. We have heard about the dampening and silencing that's correct has. And we know that it is not the thing I want to say is that I made that report for nine years. It makes sense to make that report given context of the mandatory reporting laws and policies we currently exist in. For me that warning is a part of my commitment to self-determination and to confidentiality and I'm transparent about what is my role.

Giving that warning to folks and let them know what the limbs of confidentiality I have with them R. all the work I did with young people it just shut down conversations.

Young people are like it is already the trust building, to be able to show up and be a person that is going to be trustworthy of information from anybody. But particularly a young person. Anything we're doing to damp than decreases young people's ability to access support. I heard folks say this in the chat as well. But it is very common to E I

heard folks say this in the chat, well -- we're just going to skip to the next piece. Be a person with you all. So the next piece is the impacts of mandatory reporting on overreporting for parents experiencing domestic violence. So is there a range of practices again nationally. In the scope of this webinar breaking down each practice. But one of the functions is that regardless of the laws in various areas, we know that there is just mass confusion what about is a report and when is not. And in many places people are hopefully interpreting. I'm based in Washington state.

I did most of my add vodka any Washington state.

We're lucky to have laid the groundwork in our state laws to be very clear that a child witnessing domestic violence is not a mandatory report in Washington state. And so in our state there are tools to help guide folks. Even with the tools, even with that clarity, we know that advocates all the time are still reporting witnessing domestic violence as interpreting that as a mandatory report and making the reports. In Washington state resulting in overreporting. There is an example here not necessarily related to the young person witnessing violence but she arrived at shelter in a takes without a letter beat for her child. This is not safe, have to report. Do you want to say anything about this particularly?

>> I think this just captures what we hear. This is something that came up in the chat. And in one of our presentations we have done. People talking about this being the sent meant of executive director and really having to work hard especially given that power in balance to figure out how do we reduce harm for the person. It's really hard when the impulse is driven by liability and not the well being of the survivor.

And so that can feel like that for a situation like this. And this this is a person that was fleeing. Fleeing an unsafe situation and now has to worry about being reported for this. I don't have much else other than I think someone nailed with it the sense of uhhh.

>> We addressed this some. But the context of these mandatory reporting laws is they are promoting a model of involuntary disclosure you're.

One of the hall marks of the domestic violence movements and advocacy the support of self-determination of people should be in charge of their own information and a lot of our work is supporting survivors to be back in charge of what happens to them approximate their lives.

And what we know is that mandatory reporting and its requirements and the systems we are reporting into are in direct tension with that commitment of putting survivors back in charge of their own information and their own experiences and what happens to them.

And this confidentiality is a hall mark of our movement. We have codified our commitment to confidentiality in basically every so again I'm based in Seattle in Washington state.

When I talk about peer, we have clear about confidentiality.

Our state code is clear about confidentiality for survivors.

Our county and city code is very clear. At every level for government, everything domestic down on the commitment to confidentiality as women as the practices. We're sitting with that hall mark of the movement in direct tension with something that says regardless of whether you think this is in best service of you, now I'm going to have to take that information which we have fought the codify and report that and share that information regardless whether that is something you think is best or some of these services support for you into a system. That tension is promoting this piece around

silencing or taking away the ability for people to make decisions over the harm that -- over what is going to be best service for them based on the harm.

>> Just to under duty point I'm about to make. If there is anything for me it's that I would want folks to walk away from this webinar with, it is this point. One of the things we know is that the context of mandatory reporting takes community support. So is part of how the domestic violence movement and domestic violence advocacy comes up is at community-based support trying to work really hard to connect people experiencing violence and abuse for the range of supports they need.

As how many of us we all need complex things to get our need met. Trying to get people connected to the neighborhood group, to the support group. To the food resource. To all the range of things folks need are both formal and informal support. Is that is one of the tasks of advocacy. Mandatory erodes that support. It takes what is should be community based support helping folks with a wide range of needs which may include criminal advocacy and other legal systems, that is an important piece. That is being connected to from community support. And makes them someone who are required to direct and push people into state support that we know are under resourced. Like built on racist systems. They are systems not designed to support many folks including communities of color. And direct tension with our commitment to community-based advocacy. It is making it hard even when there is not a mandate report. That is the other key thing from the findings that folks are self-policing themselves and holding off on seeking support because of this overarching fear of mandatory reporting. That is even before and like the warning is before a mandatory report has been filed or is in motion that just fear of it is eroding support. So there needs to be Liz asked about how are people educated about mandatory reporting for state where people are 18 and over is a mandated report. That's a great question I don't know. It's not clear. It's not clear what sort of education there is. It's clear people have a ton of confusion about it including survivors, including the folks that need help. And this erosion of support is exactly counter to what survivors need.

>> That's perfect. I think we have a slide about it. I think it makes sense. I wanted to introduce it here as well. Which is the sometimes when we talk about mandatory reporting, there can be a lot of discussion about what is the law, how do we do that and in some ways overvaluing the legal requirement associated with mandatory reporting. One of the things I always want to highlight when we talk about confidentiality, confidentiality also a legal commitment. It's a moral ethical value and commitment that we had as a movement that we have held up and practice. It's also a set of laws that are legally legal as well. And are codified in various laws and funding and policies. It's important to take the whole of that. When you overreport, you have the potential of being in violation of your legal commitment around confidentiality for survivors. Overreporting is not no big deal.

It is also the legal responsibility and legal right for survivors to have confidentiality. So there is many reasons. I don't think that is the best reason not to over report. It's not context closed but I'm legally required to make a legal report. You are also legally required to maintain confidentiality of survivors. I want to make that clear. I think sometimes that we think about the mandatory report like the real laws and the confidentiality is not really as real. And both are important things to understand in the context of how do we navigate this context of mandatory reporting.

>> I'm going to take us through just a couple of scenarios. These are not meant to maybe some day in a different time we will get to be together and do deep dives practicing work around what does that really look like for advocates, for people who are mandated reporters who are trying to show up and support people experiencing violence. I wanted to get people a little bit of practice in building the muscle and skills around how to think about this question of is this even a mandated report. Again because the laws or policies that are the context for mandatory reporting change state by state there is a range of things, something that may be a required mandated report in where I am and where you are may with different. We're not trying to get to the question of for everyone for all time stamps this is a mandated reporter. The goal of these questions are to help people to start to think about how to understand what is a mandated report in your area and what to do with those questions.

I just wanted to help clarify and context lose muscle building of the skill and not stamping yes this is a mandated report of it. Scenario one. You are meeting with a 15-year-old. And the 15-year-old reports during a fight her boyfriend hit her.

>> Someone getting to this point here. Take a moment to speak about it here. I will say one of the things Washington state we've done a lot of work around this question. In Washington state the mandatory reporting laws were designed to think about harm adults were doing to young people. The question was not in discussion about peer-to-peer violence. And so our laws are just foggy and gray at best about where how to navigate peer to peer violence. Our Washington state coalition against domestic violence did prepare a bunch of wonderful interpretations and best practices for Washington state advocates about how to think about teen dating violence and mandatory reporting. I will make sure I can share that with folks. And for us there is that guidance is helping us understand in Washington state the laws are directed towards adults harming young people and not peer to peer violence. There is a range of practices. This comes up a lot when we think about teen dating violence and how you support young people who are experiencing violence in a peer-to-peer relationship and those are often some of the first questions people are asking when we try to parse out is this a mandated report if that's one of the questions we're trying to ask.

>> So the next scenario -- reading slide. Same question based on your current role and knowledge, do you think this would be a mandated report? A range of yes or no. Talking about state context. Whether they understand that would be a mandated report from where they are. Scenario three.

>> Again, based on your current role and knowledge do you think this would be a mandated report? Similar range. Yes, no. Not in my state. I'm going for sake of time move us along. This is my invitation of homework for you all. The invitation is to really take this information, take these scenarios, some of the questions that have come up. Go to book your programs and start to think about and talk about when you come together and discuss how to go about determining if the situation warranted a mandated report. Thinking about your program, your staff, your peers, your colleagues, how do you and your program go about determining what is and is not a mandated report based on your state's laws and organizational program policies? Next, how do you respond to and support the person in the scenarios. Mandated report is like 5% of the task we're doing as advocacy.

We should understand all of this.

The minute the report should not be the end of anything.

It should never be the last thing we do. If you find yourself making a mandated report, I not doneness with you make the report.

That's a tiny range of support we provide people. What we really care about and what is going to help make sure survivors and people experiencing violence and abuse are supported is all the rest of the stuff. Understanding your context as mandatory supporter but understanding what you are going to do before and after those requirements. Discuss what mechanism, policies or structures are in place in your organization to determine next steps? One of the things is it's really common people don't know who to call. They will find themselves in a situation they think might be a mandated report and feel like I don't know. And so getting clear about what the practice is. People receive very little training in my experience about mandatory reporting about what that looks like.

Most people have a head in the sand feeling, hope it doesn't happen and when it does they panic. Making sure you have thought through your practices and how you are going to navigate them.

People do not do this work well in isolation. We'll transition to talk about best practices and policies. One of them don't do it alone. These are not decisions advocates could make by themselves. There should be a team of confidentiality they can go to and say here is what happened, how are we going to advocate this. Most place versus a time stamp on your requirement as a mandated reporter. That can add an extra feeling of panic or extra feeling of urgency. And sometimes false urgency because we haven't laid the groundwork to think about that support. And one of the things you can do now is grapple with these conversations and get clear even if we are in a broken context that may not be in best service, what are you doing now while we're working to create the conditions. And who would you go to the organization to get clarity.

>> I feel like we can go through them together probably. I'm happy to take a quick initial stab. I'm sure there is a less violent way to say that. I think this is a live link that you can click is a link to child welfare. And it can help clarify your understanding of your state's mandatory reporting laws. The key of not overreport can't be emphasized enough.

Never using reporting to cover your assets. It's really a matter of if the concern is driven by liability instead of survivor well being that's a problem and that means we're not doing in what? Service of survivors. Shannon mentioned clarifying program practices around reporting and warning. And making sure I don't know if you want to talk about these point more than what you already did. You have a good sense of some of the program practices piece.

>> There are questions too about I agree being mandated reporters is problematic for so many reasons. As long as we are by law warning clients best practice?

>> I really the path that take on this is a three-prong process.

The first time hear you asking is the harm reduction prong. My partner works for an organization and he would come home and they would make mandated reports every day. If they had a guess or a feeling that something might maybe be a report, they would report, report, report. By contrast in my 12 years of advocacy nine of those working with young people experiencing violence I have made five to ten reports period.

Mandated reports. And so there is a huge range. So for the right now getting clear about the practices in your state and to be perfectly honest, I saw a piece in there, a lot of the laws are gray and vague and people have not done a deep dive on them. Working with your state coalition, policy folks in the area to be floutly getting clarity , what we know about the systems if you ask them to report, they are liability-based systems and they are always going to say everything is a report. Asking the question is this a report is not what I recommend about how to navigate that. How I recommend spend you start with what are our best practices of the field. What do we know of survivors and how are the laws interacting with that as the guiding question. Not is this a report. Someone afraid they will say no and harm will happen and they will be liable for it so they always say yes. Getting the clarity ability what is the gray area and understanding your state's laws. Having organizational policies that are clear within that. And modeling that if you are an organization that is in a position to model that. And then doing harm reduction practices within epi what you understand to be your legal requirement. That is not overreporting. For me it is the I always think about hall mark. When I'm working with young people I want them to be in charge of their own information. I still do the practice even after learning about the harm of warning. How I talked about I changed. I Sid here is my commitment to you. Here is our commitment to you around confidentiality both organizationally and legally. Here are the limits of that. I want to you know my commitment is always to support you and what you want for your own life and for your own safety and support. That is what my commitment is. Also not being I'm a reporter period. But helping to do what is in our control to do the trust building with folks.

One of the other harm reduction practices I have utilized is also as we understand it in Washington state and as the program I worked for department the requirement, our requirement as mandatory report estelle was net if we knew a report had been made. We also were infusing choice wherever possibly I would give young people choices. One of those is I can if there is a situation where shared information is a mandatory report and that's been determined, then I talk with them to say this is information that is going to need to be shared with child protective service or the police depending on what the information is. Here is our option. One is I can make that report and tell what you happened and we can never hear about I again. Someone I can make the report and you can hear what I'm saying and we can go over everything.

I can call you after ward and tell you everything I said.

I'm sharing information that belongs to them. The person I'm working with experiencing harm, it shouldn't be secret. It shouldn't be putting information out to the system and never telling the people who southeast we have shared their information what we shared and with who. The other option I will say not one person ever took me up on this but I offered the option they could make the report and I would sit with them while making it. If I witnessed a report being made, then I don't need to make additional reports on top of that. I have witnessed a report being made and I know that information has been shared. So a range of things we can go to increase choice. We'll talk a little bit here about programs and policies we could approximate work, toward.

>> I think you nailed those. I think harm reduction is most of what we lay out here. Is around safety planning as you were talking about and involving people as much as possible. Making reports to a detective if you have to make a report, not just calling

911. Kind of working with whom ever. If you do have someone you do know at law enforcement that you trust. And as Shannon mentioned before, making sure that you are getting support on the way and that you are involving folks within your agency. And that it's a painful process for a lot of folks including those making the reports. And so it's really key to keep that in mind with the support that you are also receiving as well. And then I kind of wanted to flip it at the end piece around because there was a question I think you asked about this was a hot minute ago but you asked there is a chance that mandatory reporting laws might increase where you are in Florida and they might increase that the mandatory reporting in emergency rooms going from gunshot injuries to now including strangulation. So it would be expanding the laws. And what does that mean and I think in a lot of ways hearing the impact and the experiences that advocates have across the country, it's really clear that we need to be reexamining the scope of these laws and the ways in which they have really grown outside of the original intent and really trying to understand and maximize the way that survivors can seek support without facing unwanted system involvement, without triggering mandated reports and them interesting involved with CPS or law enforce. And maximizing. We have a commitment as domestic violence advocates and staff that and program staff that around confidentiality and it's critical that we're able to provide support and that is confidential support to survivors so people with k share what their experiences are. They don't have to use coded language or leave information out. That is necessary for survivors to get the support they need and for us to meet survivors where they are. And that really Garthing information as we think about what movement changes need to happen, it really is a what are the impacts of mandatory reporting with you are and what are the experiences you are seeing or the impacts you are seeing and what information can we use to help modify these laws in the future potentially and reexamine their scope and the ways in which the impact is different than the intent a lot of the time. And then finally being able to identify and strengthen community base interventions that don't involve the legal system. That includes transformative justice and to efforts that are really devoid and separate from the criminal legal system. Because as we know with mandatory reporting serving as the deputization of people to become arms of the state, that's a huge disservice we feel need to think through and identify additional strategies and efforts and initiatives to be able to move away from systems that aren't working for survivors. I'm talking a lot in this last minute. I don't know if you have anything to add.

>> From the bottom of my heart, I love the domestics violence movement. From bottom of my heart one of the things my plea to sus how the system in the criminal legal system and that is having a profound impact on many survivors, survivors of color, survivors with disabilities, anyone being crushed by the state and by policing is not being served well by our overinvestment in the criminal legal system. Mandatory reporting is a hall mark of. That that it is part of the way this we see policing as a function showing up in our work where we are directing people to the what we know are harmful systems. Question do better. I love this movement and we're a movement and not just a set of services. We do work that is the world we're trying to create. This san important part of creating positions that survivors are well supported anted not over criminalization of survivors and putting people in system Wes know are harmful to them.

And to Zo last thing I wanted to share I forth to include the slide specifically Slate group of folks locally doing work in Washington state who have developed tools around this. Mostly different advocates, folks work in the field.

Mandatory reporting is not neutral and it is a set of tools to be doing conscious raising about mandatory reporting , what it is and what its impacts are and what folks can do about it. You'll see that link there. That has copies of all the info graphic Wes created. I wanted to make sure I shared that slide.

>> And then we're almost out of time.

And then I just noticed this. This is our contact information. I'll newspaper mine here. I wanted to be live. I thought it was important to keep that excitement at the end. That is my email. Feel free.

Trier of questions that have come up. Thank you for your engagement and your being willing to be vulnerable and share your experiences and being open with us. Please feel free to reach out with questions afterwards. I think there were some questions around how are folks positioned to be able to continue this work in terms of changing the field. That's an ongoing discussion we're excited to continue with folks who are interested and excited. I think that is it. Goen there is anything else.

>> This after amazing. I want to thank both of you. This is a great conversation. I love having our friends in the chat. Twine thank everybody for engaging and having this conversation. You guys did an amazing job. Please know that we're going to be sharing the presentation, slides, materials will be there and you'll receive an email about it when the recording is ready. Feel free to share with coworkers.