Colorado
Child Abuse Reporting

Who do I contact to report an incident in Colorado?
The county department, local law enforcement agency, or through the child abuse reporting hotline system.

Colorado Child Abuse and Neglect Hotline – 1-844-CO-4-Kids (1-844-264-5437) **Colorado Revised Statutes** § **19-3-307(1)**.

How much time do I have to report an incident?
Colorado requires immediate reporting. Mandated reporters who have "reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect shall immediately upon receiving such information report or cause a report to be made of such fact to the county department, the local law enforcement agency, or through the child abuse reporting hotline system..." **C.R.S.§19-3-304(1)(a)**.

Who is a mandatory reporter in Colorado?
Physician or surgeon, including a physician in training; Child health associate; Medical examiner or coroner; Dentist; Osteopath; Optometrist; Chiropractor; podiatrist; Registered nurse or licensed practical nurse; Hospital personnel engaged in the admission, care, or treatment of patients; Christian science practitioner; Public or private school official or employee; Social worker or worker in any facility or agency that is licenses or certified pursuant part 9 of article 6 of title 26 or part 3 of article 5 of title 26.5na; Mental health professional; Dental therapist or dental hygienist; Psychologist; Physical therapist; Veterinarian; Peace officer as defined in section 16-2.5-101, C.R.S.; Pharmacist; Commercial film and photographic print processor as provided in subsection (2.5) of this section; firefighter as defined in section 18-3-201(1.5), C.R.S.; Victim's advocate, as defined in section 13-90-107 (1) (k) (II), C.R.S.; Licensed professional counselors; Licensed marriage and family therapists; Unlicensed psychotherapists; Clergy member; Registered dietitian who holds a certificate through the commission on dietetic registration and who is otherwise prohibited by 7 CFR 246.26 from making a report absent a state law requiring the release of this information; Worker in the state department of human services; Juvenile parole and probation officers; Child and family investigators, as described in section 14-10-116.5, C.R.S.; Officers and agents of the state bureau of animal protection, and animal control officers; The child protection ombudsman as created in article 3.3 of this title; Educator providing services through a federal special supplemental nutrition program for women, infants, and children, as provided for in 42 U.S.C. sec. 1786; Director, coach, assistant coach, or athletic program personnel employed by a private sports organization or program. For purposes of this paragraph (ii), "employed" means that an individual is compensated beyond reimbursement for his or her expenses related to the private sports organization or program; Person who is registered as a psychologist candidate pursuant to section 12-245-304 (3), C.R.S., marriage and family therapist candidate pursuant to section 12-245-504 (4), C.R.S., or licensed professional counselor candidate pursuant to section 12-245-604 (4), C.R.S., or who is described in section 12-245-217, C.R.S.; Emergency medical service providers, as defined in sections 25-3.5-103(8) and 25-3.5-103(12) and certified or licensed pursuant to part 2 of article 3.5 of title 25; officials or employees of county departments of health, human services, or social services; and Naturopathic doctor registered under article 250 of title 12; and employees of the department of early childhood. **C.R.S.§19-3-304(2).**

Are Clergy mandatory reporters in Colorado?
Yes.
C.R.S. §19-3-304(2)(aa)(I).

Is there an exception for penitential communication in Colorado?
Yes. The mandatory reporting requirement "shall not apply to a person who acquires reasonable cause to know or suspect that a child has been subjected to abuse or neglect during a communication about which the person may not be examined as a witness pursuant to section 13-90-107(1)(c), C.R.S., unless the person also acquires such reasonable cause from a source other than such a communication." **C.R.S. § 19-3-304(2)(aa)(II)**.

If there is a penitential communication in Colorado, how do you define such a communication?
"A clergy member, minister, priest, or rabbi shall not be examined without both his or her consent and also the consent of the person making the confidential communication as to any confidential communication made to him or her in his or her professional capacity in the course of discipline expected by the religious body to which he or she belongs."
C.R.S. § 13-90-107(VI)(c).

If the person acquires reasonable cause to know or suspect a child has been subjected to abuse or neglect from a source other than a penitential communication, they are required to report.
C.R.S. § 19-3-304(2)(aa)(II).

What is "abuse" in Colorado?

"Abuse" or "child abuse or neglect" means any act or omission in one of the following categories that threatens the health or welfare of a child:

(1) Any case in which a child exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death and either: Such condition or death is not justifiably explained; the history given concerning such condition is at variance with the degree or type of such condition or death; or the circumstances indicate that such condition may not be the product of an accidental occurrence;
(2) Any case in which a child is subjected to unlawful sexual behavior as defined in section 16-22-102 (9), C.R.S.[i];
(3) Any case in which a child is a child in need of services because the child's parents, legal guardian, or custodian fails to take the same actions to provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent would take. The requirements of this subparagraph (III) shall be subject to the provisions of section 19-3-103.[ii]
(4) Any case in which a child is subjected to emotional abuse. As used in this subparagraph (IV), "emotional abuse" means an identifiable and substantial impairment of the child's intellectual or psychological functioning or development or a substantial risk of impairment of the child's intellectual or psychological functioning or development.
(5) Any act or omission described in section 19-3-102 (1) (a), (1) (b), or (1) (c)[iii];

(6) Any case in which, in the presence of a child, or on the premises where a child is found, or where a child resides, a controlled substance, as defined in section 18-18-102 (5), C.R.S., is manufactured or attempted to be manufactured;
(7) Any case in which a child is born affected by alcohol or substance exposure, except when taken as a prescribed or recommended and monitored by a licensed health care provider, and the newborn child's health or welfare is threatened by substance abuse;
(8) Any case in which a child is subjected to human trafficking of a minor for involuntary servitude, as described in section 18-3-503[iv] or human trafficking of a minor for sexual servitude, as described in section 18-3-504(2)[v]. **C.R.S.§19-1-103(1)(a).**

Where can I find Colorado law on child abuse?
https://leg.colorado.gov/colorado-revised-statutes

---

[i] Unlawful sexual behavior means any of the following offenses or criminal attempt, conspiracy, or solicitation to commit any of the following offenses: sexual assault, in violation of section 18-3-402; or sexual assault in the first degree, in violation of section 18-3-402, as it existed prior to July 1, 2000; sexual assault in the second degree in violation of section 18-3-403, as it existed prior to July 1, 2000; unlawful sexual contact, in violation of section 18-3-404; or sexual assault in the third degree in violation of section 18-3-404, as it existed prior to July 1, 2000; sexual assault of a child in violation of section 18-3-405; sexual assault on a child by one in a position of trust in violation of section 18-3-405.3; sexual assault on a client by a psychotherapist in violation of section 18-3-405.5; enticement of a child, in violation of section 18-3-305; incest, in violation of section 18-6-301; aggravated incest, in violation of 18-6-302; human trafficking of a minor for sexual servitude, as described in section 18-3-504(2); human trafficking for sexual servitude as described in section 18-3-504(1); sexual exploitation of children, in violation of section 18-6-403; procurement of a child for sexual exploitation, in violation of section 18-6-604; indecent exposure, in violation of section 18-7-302, soliciting for child prostitution, in violation of section 18-7-402; pandering of a child, in violation of section 18-7-403; procurement of a child, in violation of section 18-7-403.5; keeping a place of child prostitution, in violation of section 18-7-404; pimping of a child, in violation of section 18-7-405; inducement of child prostitution, in violation of section 18-7-405.5; patronizing a prostituted child, in violation of section 18-7-406; engaging in sexual conduct in a correctional institution, in violation of section 18-7-701; wholesale promotion of obscenity to a minor in violation of section 18-7-102(1.5); promotion of obscenity to a minor, in violation of section 18-7-102(2.5); class 4 felony internet luring of a child, in violation of section 18-3-306(3); public indecency, committed in violation of section 18-7-301(2)(b), if a second offense is committed within five years of the previous offense or a third of subsequent offense is committed; invasion of privacy for sexual gratification, in violation of section 18-3-405.6; second degree kidnapping, if committed in violation of section 18-3-302(3)(a).

[ii] (1) No child who in lieu of medical treatment is under treatment solely by spiritual means through prayer in accordance with a recognized method of religious healing shall, for that reason alone, be considered to have been neglected or dependent within the purview of this article. However, the religious rights of a parent, guardian, or legal custodian shall not limit the access of a child to medical care in a life-threatening situation or when the condition will result in serious disability. In order to make a determination as to whether the child is in a life-threatening situation or that the child's condition will result in serious disability, the court may, as provided under section 19-1-104(3), order a medical evaluation of the child. If the court determines, on the basis of any relevant evidence before the court, including the medical evaluation ordered pursuant to this section, that the child is in a life-threatening situation or that the child's condition will result in serious disability, the court may, as provided under section 19-1-104(3), order that medical treatment be provided for the child. A child whose parent, guardian, or legal custodian inhibits or interferes with the provision of medical treatment in accordance with a court order shall be considered to have been neglected or dependent for the purposes of this article and injured or endangered for the purposes of section 18-6-401, C.R.S. **(2)** A method of religious healing shall be presumed to be a recognized method of religious healing if: **(a)(I)** Fees and expenses incurred in connection with such treatment are permitted to be deducted from taxable income as medical expenses pursuant to regulations or rules promulgated by the

United States internal revenue service; and**(II)** Fees and expenses incurred in connection with such treatment are generally recognized as reimbursable health care expenses under medical policies of insurance issued by insurers licensed by this state; or**(b)** Such treatment provides a rate of success in maintaining health and treating disease or injury that is equivalent to that of medical treatment.**(3)** Refusing an immunization on the grounds of medical, religious, or personal belief considerations, as set forth in section 25-4-903, or opting to exclude immunization notification information from the immunization tracking system established in section 25-4-2403(7) by itself does not constitute child abuse or neglect by a parent or legal guardian for the purposes of this article 3.

[iii] **(1)** A child is neglected or dependent if: **(a)** A parent, guardian, or legal custodian has abandoned the child or has subjected him or her to mistreatment or abuse or a parent, guardian, or legal custodian has suffered or allowed another to mistreat or abuse the child without taking lawful means to stop such mistreatment or abuse and prevent it from recurring;**(b)** The child lacks proper parental care through the actions or omissions of the parent, guardian, or legal custodian;**(c)** The child's environment is injurious to his or her welfare;**(d)** A parent, guardian, or legal custodian fails or refuses to provide the child with proper or necessary subsistence, education, medical care, or any other care necessary for his or her health, guidance, or well-being;**(e)** The child is homeless, without proper care, or not domiciled with his or her parent, guardian, or legal custodian through no fault of such parent, guardian, or legal custodian;**(f)** The child has run away from home or is otherwise beyond the control of his or her parent, guardian, or legal custodian;**(g)** The child is born affected by alcohol or substance exposure, except when taken as prescribed or recommended and monitored by a licensed health care provider, and the newborn child's health or welfare is threatened by substance use.**(2)** A child is neglected or dependent if: **(a)** A parent, guardian, or legal custodian has subjected another child or children to an identifiable pattern of habitual abuse; and**(b)** Such parent, guardian, or legal custodian has been the respondent in another proceeding under this article in which a court has adjudicated another child to be neglected or dependent based upon allegations of sexual or physical abuse, or a court of competent jurisdiction has determined that such parent's, guardian's, or legal custodian's abuse or neglect has caused the death of another child; and**(c)** The pattern of habitual abuse described in paragraph (a) of this subsection (2) and the type of abuse described in the allegations specified in paragraph (b) of this subsection (2) pose a current threat to the child.

[iv] **(1)** A person who knowingly sells, recruits, harbors, transports, transfers, isolates, entices, provides, receives, or obtains by any means another person for the purpose of coercing the other person to perform labor or services commits human trafficking for involuntary servitude. **(2)** Human trafficking for involuntary servitude is a class 3 felony; except that human trafficking of a minor for involuntary servitude is a class 2 felony.

[v] **(a)** A person commits human trafficking of a minor for sexual servitude if the person: **(I)** Knowingly sells, recruits, harbors, transports, transfers, isolates, entices, provides, receives, obtains by any means, maintains, or makes available a minor for the purpose of commercial sexual activity; or**(II)** Knowingly advertises, offers to sell, or sells travel services that facilitate an activity prohibited pursuant to subsection (2)(a)(I) of this section.