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**Testimony to the Senate Public Health and Welfare Committee
In Support of SB83
February 2, 2021**

Chairman Hilderbrand and Committee Members:

Our associations support the provisions in SB83 allowing the State Child Death Review Board to disclose information to law enforcement and prosecutors in certain situations. This is the provision found on page 3 lines 8-19 of the bill in section 1 subsections (j)(4) and (5).

We are not certain how often the listed conditions would occur to utilize this new authorization to share information. But we hope you all would agree this limited disclosure of information for investigative purposes is good public policy to protect our children regardless of the frequency it occurs. If there is any reason for the Board to believe law enforcement is either not aware of a case of child abuse or neglect resulting in death or if there is additional information that would either clear a suspect or help bring a suspect to justice, it would be unconscionable for that information to not be passed to a criminal investigative agency.

AMENDMENT SUGGESTION:

The only recommendation we ask you to consider is to add to subsection (B) in both subsection (j)(4) and (j)(5) “. . .or if the Board has knowledge of a law enforcement investigation involving the death of a child.” We believe this is an important provision that could provide potential exculpatory information helpful to avoid a wrongful conviction. Those amendments would be to lines 13 and 19 on page 3 of the bill. The distinction of adding this provision is the bill language limits the sharing to only when the Board has determined the child’s death was from abuse or neglect. The proposed additional language would also allow the sharing of the information if the Board did not make that determination but were aware an investigation was being conducted related to the child’s death. In those cases, it would be important for an investigator to examine the circumstances not currently in their possession that led the Board to conclude it was not a case of abuse or neglect.

We urge you to move the bill forward with this provision.

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