Testimony in Opposition to HB 2480
Submitted to the Judiciary Committee
Testimony of Kasey Dalke, Chief Executive Officer, Children's Advocacy Centers of Kansas

Madam Chair Humphries and Members of the Committee,

Thank you for the opportunity to submit written testimony regarding HB 2480. I appreciate the intent of the bill and the desire to preserve attorney-client privilege when licensed social workers are engaged under the supervision of an attorney. However, I respectfully submit this testimony in opposition to HB 2480 due to the significant child safety concerns created by the bill's mandatory reporting carve-outs.

Child Safety Considerations Under Mandatory Reporting Law

Mandatory reporting laws exist because children cannot protect themselves and often cannot disclose abuse safely without the involvement of trained professionals and protective systems. These laws are intentionally broad and uniform so that when abuse or neglect is suspected, a child safety response can be activated quickly and consistently.

HB 2480 introduces an exception that allows licensed social workers, when working under the supervision of an attorney, to withhold reports of suspected child abuse or neglect if that information arises during legal representation. While narrow in scope, this carve-out creates a meaningful gap in the child protection system — one where credible information about abuse may never reach child protection authorities, law enforcement, or multidisciplinary response teams.

This bill does not dismantle the Child Advocacy Center (CAC) model. However, it creates significant safety concerns for children by allowing abuse disclosures to remain siloed at precisely the moments when children may be at ongoing risk.

Practical Implications of the Reporting Exception

In practice, this carve-out could result in scenarios such as:

- A licensed social worker working with a defense team learns of ongoing abuse of a child, or another child in the home, during mitigation or client interviews. Under HB 2480, no report may be required, delaying or preventing a safety intervention.

- A youth involved in a juvenile or criminal case discloses past abuse and indicates that younger siblings are currently unsafe. If that disclosure occurs solely through legal representation, mandatory reporting could be blocked.

- In domestic or custody-related matters, a parent discloses abuse dynamics involving children that suggest present risk, but the information remains confidential and the child protection system is never activated.

In each of these scenarios, CAC involvement may never occur — not because abuse did not exist, but because the law permits the information to remain confidential even when a child may still be unsafe.

Relevant Research on Disclosure and Risk

Research consistently demonstrates that delayed disclosure is common in child abuse cases. Many survivors do not disclose abuse for years, often into adulthood, due to fear, shame, power dynamics, and concern about not being believed.[1][2] When disclosures do occur, they often happen during interactions with trusted professionals.[3]

Research also shows that when one child discloses abuse, other children in the same environment are frequently at risk.[4] Delays in reporting are strongly associated with continued victimization and increased harm.[5] Mandatory reporting systems exist to address these realities and to ensure that disclosures lead to timely safety assessments.

Implications for Licensed Social Work Practice

Licensed social workers are mandatory reporters because reporting is a core function of the profession's ethical and legal responsibilities. Creating carve-outs that allow licensed social workers not to report suspected child abuse or neglect fundamentally muddies the waters for a profession that relies on clarity, consistency, and public trust.

If a licensed social worker wishes to operate in a role where reporting child abuse or neglect is optional, that individual should not hold a professional license that is explicitly grounded in child protection obligations. Mandatory reporting is not an incidental requirement of licensure — it is foundational to the role.

Allowing licensed professionals to selectively step away from that responsibility undermines both child safety and the integrity of the profession itself.

Legal Precedent and System Consistency

HB 2480 represents a significant shift in Kansas law by allowing attorney-supervised confidentiality to override mandatory reporting in child abuse cases. While limited to specific circumstances, this change weakens the consistency of child protection obligations across systems and sets a concerning precedent.

Child protection works best when expectations are uniform, predictable, and clearly understood. Introducing exceptions increases confusion, creates uneven application of the law, and increases the risk that children fall through the cracks.

Continued Engagement and Collaboration

While we oppose HB 2480 as currently drafted, we want to be clear that we remain open to continued dialogue. We would welcome the opportunity to work collaboratively with bill proponents and committee members on any future language that preserves attorney-client privilege without compromising child safety or undermining mandatory reporting obligations.

Conclusion

While the intent of HB 2480 is understood, the consequences for child safety are too significant to ignore. Mandatory reporting exists because children cannot self-advocate, and any carve-out that allows credible abuse disclosures to go unreported places children at risk.

For these reasons, I respectfully urge the Committee to oppose HB 2480.

Thank you for your consideration and your continued commitment to the safety and well-being of Kansas children.

Respectfully submitted,

Kasey Dalke
Chief Executive Officer
Children's Advocacy Centers of Kansas

References

[1] London, K., Bruck, M., Ceci, S., & Shuman, D. (2005). *Disclosure of child sexual abuse: What does the research tell us?* Psychological Science in the Public Interest.
[2] Alaggia, R., Collin-Vézina, D., & Lateef, R. (2019). *Facilitators and barriers to child sexual abuse disclosure*. Trauma, Violence, & Abuse.
[3] Hershkowitz, I., et al. (2014). *The dynamics of child sexual abuse disclosure*. Child Abuse & Neglect.
[4] Finkelhor, D., Turner, H., Shattuck, A., & Hamby, S. (2014). *Violence, crime, and abuse exposure in a national sample of children and youth*. JAMA Pediatrics.
[5] DePrince, A. P., et al. (2012). *The impact of delayed disclosure on continued victimization*. Journal of Child Sexual Abuse.