

Dear Senator/Representative:

The Colorado Department of Human Services (DHS) has specifically taken the position that DHS can take photographs of private areas of children in child abuse investigations. In replying to questions from the Colorado Legislature's Joint Budget Committee on December 6, 2013, Colorado DHS states states, "There is no limitation on the taking of the photographs because the purpose is to document injuries, regardless of where the injuries may be."

County DHS caseworkers routinely strip search children in this way, without parental consent, a court order, or an emergency situation. DHS claims that § 19-3-306, the statute allowing color photographs of "areas of trauma visible on the child" means that caseworkers can remove the child's clothes to make any injuries visible.

In addition, there is currently no prescribed way to take or store these photographs that ensures that privacy is protected and the photographs cannot be misused.

I/We do not agree that this practice is harmless to our children. Children experience these searches as traumatic and coercive, and even as akin to sexual abuse. Children who were not abused are actually traumatized by the Department. Children who were abused have their abuse trauma exacerbated by this intrusive approach.

I/We know that a Task Force is currently considering recommendations both for the handling of digital photographs and for when private areas of children may be viewed and photographed.

Please do not accept any recommendation that does not give full protection to children and parental rights.

DHS should have consent from the parent, guardian or child, or a court order for a medical examination, or be in the middle of a medical emergency situation, before it can require a search of a child's private areas. And photographs should be stored securely as is common practice in the medical profession.

Sincerely,