

Senate Judiciary Committee

Brendan Bunnell 271-4063

HB 767-FN, expanding requirements for reports to law enforcement by the department of health and human services.

Hearing Date: March 24, 2026

Time Opened: 3:03 p.m.

Time Closed: 3:25 p.m.

Members of the Committee Present: Senators Gannon, Abbas, Altschiller and Reardon

Members of the Committee Absent: Senator Carson

Bill Analysis: This bill requires the department of health and human services to immediately verbally report a complaint of crime, abuse, or neglect of a child directly to an on duty law enforcement officer. The bill also refines requirements for entry into public places by law enforcement and trained case workers.

Sponsors:

Rep. Love

Who supports the bill: Representative David Love and Representative Popovici-Muller.

Who opposes the bill: Cory Stone and Daniel Richardson.

Who is neutral on the bill: Susan Larrabee (DCYF)

Summary of testimony the presented:

Representative David Love testified in support of the bill, explaining that his motivation came from serving on a committee investigating the Division for Children, Youth, and Families and hearing repeated accounts of serious physical abuse of children that did not result in meaningful intervention.

- Described incidents involving children being punched, kicked, and otherwise physically harmed, emphasizing that such conduct would clearly be treated as criminal assault if done to an adult in public, yet often does not result in the same response when it occurs in the home.

- Referenced the case of Harmony Montgomery and broader reporting indicating multiple child deaths within a short period, arguing that children are “slipping through the cracks” in the system. He stated that the purpose of the bill is to ensure that serious physical abuse of children is treated as criminal conduct and investigated by trained law enforcement rather than handled solely through a social services framework.
- Expressed concern that DCYF workers may lack the investigative training necessary for criminal cases and described examples where individuals with concerning backgrounds were involved in child protection roles. He argued that law enforcement should take the lead in investigating abuse involving violence, while DCYF should focus on social services and child safety. He emphasized that repeated reports of abuse often result in no action if there are no broken bones or hospitalizations, which he characterized as unacceptable.
- Senator Altschiller asked whether Representative Love recalled prior legislation prohibiting corporal punishment for foster children and whether this bill extends that concept further. She also asked whether the bill removes DCYF’s role in conducting initial investigations or whether it works alongside existing processes.
 - Representative Love responded that the bill is intended to distinguish between acceptable discipline and criminal conduct, stating that he does not intend to prohibit minor corporal punishment such as a slap on the butt, but that punching a child should clearly be treated as a crime. He explained that when a criminal act occurs, it should be investigated by law enforcement rather than handled primarily by DCYF, which he views as a social services agency.
 - Senator Altschiller asked whether the issue might be better addressed by expanding existing child abuse statutes to cover biological children in the same way as foster children.
 - Representative Love responded that his focus is specifically on serious physical violence, such as striking a child with a closed fist, and ensuring those acts are treated as criminal offenses. He reiterated that current practice too often results in no action unless injuries are severe, and that this needs to change.
- Senator Abbas asked about language in the bill requiring that reports be made “immediately verbally” to an on-duty law enforcement officer, questioning why reporting must be verbal rather than allowing written forms such as email.
 - Representative Love responded that he believed the language may have come from an amendment and stated he would be open to changing it. He acknowledged that allowing reporting by email or other written means

would be acceptable and noted that the effective date in the bill would also need correction.

- Senator Abbas followed up, expressing concern that requiring verbal reporting alone may not create a clear record that the report was made, and asked whether this issue had been discussed previously.
 - Representative Love responded that there had been some discussion about the requirement for immediate reporting, particularly in areas where police coverage is limited outside normal hours. He indicated openness to amending the language, including potentially allowing more flexibility in timing or method of reporting.
- Senator Gannon asked whether teachers, as mandated reporters, are already required to report suspected abuse when they observe injuries such as bruises.
 - Representative Love responded that while mandated reporting requirements exist, in practice repeated reports may not result in action if injuries are not severe. He stated that agencies may become desensitized to repeated reports and that cases are often dismissed due to lack of visible serious injury, reinforcing his argument that stronger intervention is needed.

Susan Larrabee, general counsel and legislative liaison for DCYF, testified neutrally and explained that the amended bill does not create a fiscal impact because it largely codifies existing practices rather than introducing new ones.

- Emphasized that the statute in question dates back to 1999 and must be understood alongside subsequent developments, including multidisciplinary team investigations and child advocacy center protocols.
- Explained that current practice already involves parallel investigations, with DCYF handling the civil aspects of child safety and law enforcement handling potential criminal conduct. She referenced RSA 169-C:38-a as establishing the framework for multidisciplinary teams and explained that these teams follow established protocols developed in coordination with the Attorney General's Office and the Children's Alliance.
- Described how cases are handled collaboratively, including shared interviews conducted by trained forensic interviewers to minimize trauma to the child. She emphasized that the goal is to ensure both child safety and proper criminal investigation, and that the amendment reflects these established practices rather than changing them.

- Senator Altschiller asked whether the bill would interfere with the work of multidisciplinary teams, particularly in relation to the added language on page one, lines 24 through 26.
 - Susan Larrabee responded that it would not interfere, explaining that current practice already involves notifying law enforcement orally, followed by written communication, and coordinating next steps jointly. She stated that the language aligns with existing protocols and does not disrupt collaboration.
 - Senator Altschiller asked whether the bill would affect DCYF’s ability to conduct minimal facts interviews or the child advocacy center process designed to ensure that children are interviewed only once by trained professionals.
 - Susan Larrabee responded that it would not, confirming that the bill does not interfere with minimal facts interviews or the established practice of conducting a single forensic interview in coordination with law enforcement and other professionals. She emphasized that these practices remain consistent with best practices for working with traumatized children.
- Senator Abbas asked about the requirement that reports be made verbally, noting that while verbal reporting makes sense in emergencies, it may be beneficial to allow written reporting as well.
 - Susan Larrabee responded that the requirement for oral reporting by telephone or in person has long existed in statute and is consistent with current mandatory reporting systems, which rely on phone-based intake. She acknowledged that this may not fully reflect modern communication methods but noted that it aligns with how reports are currently handled.
 - Senator Abbas followed up by asking whether she would support a friendly amendment allowing written reporting options.
 - Susan Larrabee responded that she does not object to the idea but suggested that law enforcement agencies may be better positioned to speak to any practical challenges, including issues with contacting on-duty officers in smaller departments without 24-hour coverage. She noted that even under current practice, there can be difficulty reaching an officer immediately in some cases, particularly for non-emergency reports.