

## MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson Greg Smith at 10:45am on Thursday, February 12, 2015, 346-S of the Capitol.

All members were present except:

Senator Jeff King – Excused

Committee staff present:

Lauren Douglass, Legislative Research Department

Robert Allison-Gallimore, Legislative Research Department

Natalie Nelson, Legislative Research Department

Suzanne Nelson, Kansas Legislative Committee Assistant

Jason Thompson, Office of Revisor of Statutes

Conferees appearing before the Committee:

Representative Marc Rhoades, 72nd District, Newton, KS;

Senator Mary Pilcher-Cook, 10th District, Shawnee, KS;

Dr. David Anderson, Founder, Safe Families for Children (SFFC);

Andrew Brown, Sr. Fellow, The Foundation for Government Accountability;

Sue Smith, LMSW;

Kate and Randy Barth, a Placement Family;

Kathryn, a Placing Parent;

Senator Forrest Knox, 14th District, Altoona, KS;

Others in attendance:

[See Attached List](#)

### **Hearing on: SB148 — The safe families act.**

Vice-Chair Greg Smith opened the hearing on **SB148**.

Jason Thompson gave an explanation of the provisions of the bill and answered questions from committee members.

Representative Rhoades gave testimony in support of the bill. He explained his desire to be involved in a greater way with troubled families and kids in his district, and then learned about Safe Families. He believes the program has the potential to impact several areas of child neglect and maltreatment, which will benefit Kansans by reducing Child Protective Service (CPS) caseloads, generating cost savings, and creating stronger families. ([Attachment 1](#)) He referred to a bar graph on a handout showing over 17,000 kids have been helped since 2007. ([Attachment 1a](#)) He also spoke about some proposed amendments to Kansas legislation contained on another handout. ([Attachment 1b](#))

Senator Mary Pilcher-Cook gave testimony supporting **SB148**. She was happy to support a process that would mend and fortify struggling families with volunteer community support. ([Attachment 2](#))

## CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:45am on Thursday, February 12, 2015, 346-S of the Capitol.

Dr. David Anderson testified supporting **SB148**. He explained how he founded the program in Chicago in 2003 and how it has spread to 32 U.S. states, Canada, England, Scotland and Wales. He explained why the process works and showed how the growth in placements and host families have strongly increased over the past six years. ([Attachment 3](#))

Andrew Brown presented supporting testimony. He related the details of both the House and Senate bills, the cost savings, and what the law is intended to do and what it does not do. He also told the committee that the intent of the bill is prevention and it directly addresses situations that DCF cannot, whether because they legally cannot get involved, or simply because the family is struggling in silence and hasn't yet come to the attention of DCF. ([Attachment 4](#))

Sue Smith, LMSW, gave testimony supporting **SB148**. She has helped lead and develop Safe Families for Children in the Topeka area. She related that homelessness, eviction, housing transition, mental health instability, hospitalization, pregnancy and delivery, employment, lack of child care, domestic violence, and unsafe living environments are just some of the crises that families face that can put their children at risk, but not require them to be removed from their biological families. She noted that the longest placement had been 75 days, but the average is 21 days. ([Attachment 5](#))

Kate and Randy Barth testified in support of **SB148**. They are a volunteer placement family. Over the past 15 months they have hosted nine children in their home, some for just a few days, while others have been there for a few months. They have ranged in age from two days old to 4 1/2 years old. They see themselves as providing extended family support to families who have no other support. ([Attachment 6](#))

Kathryn, a placing parent who wished to remain anonymous, gave supporting testimony about her positive experience with the program. She had no one to leave her older daughter with while she was giving birth to a second child. She was matched with a family who provided support and their friendship has grown while they have continued to support her family, even though her circumstances have greatly improved. ([Attachment 7](#))

The proponents stood for questions from the committee on various aspects of how the program works and their personal experiences with founding, leading, developing, volunteering, and benefiting from using the program.

Vice Chair Smith directed the committee's attention to one submission of written-only testimony:

Phyllis Gilmore, Secretary, KS Department for Children and Families submitted written-only testimony in support of **SB148**. ([Attachment 8](#))

There being no other questions, comments, or testimony, the Vice-Chair closed the hearing on **SB148**.

## CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:45am on Thursday, February 12, 2015, 346-S of the Capitol.

### **Hearing on: SB158 — Establishing a CARE family program for foster care.**

Vice-Chair Smith opened the hearing on **SB158**. Jason Thompson gave an overview of the bill, and answered several questions from the committee.

Senator Knox gave oral testimony supporting the bill. He told the committee that there is one shining star in the Child in Need of Care (CINC) system and that is the CASA volunteer. This person is the only one who knows the child, has followed the kids through the system, but even the CASA volunteer only sees the child once a month. The foster parent is the only parent the child has in his everyday life. Children in the foster care system are there for extended periods, many for years. While there are certainly good foster homes, there are not enough of them. When potential foster parents find out the rules and requirements of the present system because as they move toward certification, they learn that they are handicapped by the system in their ability to affect positive outcomes for these children. They are treated like babysitters, just people doing childcare for the money.

**SB158** is initially envisioned as a small pilot program, that may, in time, attract many families across the state to step up and provide for the needs of many children in state custody. It is a home centered plan as opposed to an institutional-centered program and puts ordinary people in a position to help their neighbors. ([Attachment 9](#))

Senator Knox answered questions from members of the committee relating to various aspects of the proposed program, the funding, and his proposed amendment to start the program as a voluntary program.

JoVoli Clark, teacher and foster mother provided written-only testimony in support of **SB158**. ([Attachment 10](#))

Written-only opponent testimony was submitted by:

- Megan Monsour, Adoption Attorney, Wichita, KS ([Attachment 11](#))
- Connie J. Mayes, LMSW, Wichita, KS ([Attachment 12](#))
- Germaine C. Hall, LMSW, Andover, KS ([Attachment 13](#))

Written-only neutral testimony was submitted by Phyllis Gilmore, Secretary, KS Department for Children and Families. ([Attachment 14](#))

The hearing on **HB158** was closed.

### **Possible action on bills previously heard**

There was no action taken today regarding bills previously heard.

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:45am on Thursday, February 12, 2015, 346-S of the Capitol.

The meeting adjourned at 12:10pm. The next scheduled meeting will be Monday, February 16, 2015 at 10:30am.