

Good Morning members of the Joint Committee. Our children, Anna and Jamie, would like to thank you for the opportunity to tell you the story about their baby sisters. They hope their story will have a happy and not tragic ending.

How do you explain to a 6-year-old who asked every Santa Claus that she saw this past Christmas for her sister to come home and live with her that she may very well NEVER come home? Do you tell her the truth, that a system that does not care about her or her sister made purposeful decisions in direct violation of Kansas State Foster Care policies to place her sister with a foster family instead of with another family member. Do you tell her it was because they did not want to have to drive 3 hours one way to do a home visit? Do you tell her that no agency in Kansas is willing to or able to fix this situation? How do you tell her that being dishonest and lying is wrong when the system that is supposed to reunify families promotes dishonesty?

What do you tell a 3-year-old when he wants to know why his sister does not live with him because brothers and sisters are supposed to live together?

Our Family has been dealing with TFI Family Services and the Department of Children and Families regional office out of El Dorado for over two years. We are certain that what has happened to us and other families will continue to occur again and again unless the policy and law in the State of Kansas is fully enforced or vital changes are made.

In September 2022, we were contacted by DCF to ask if we would be willing to care for an infant sister of Anna and Jamie, who was taken into State's Custody, we will call her "Baby-Girl". We quickly agreed and were delivered a neglected and very ill six-week-old baby. Within a week, she had to be hospitalized for failure to thrive and complications from RSV. We held that dying child in our arms, we prayed, and we did everything we could to bring her successfully back to health with the help of medical professionals.

What followed started with a lie. Then fabrications to cover up the lie. Followed by coercion and gaslighting. Our purpose was to protect "Baby-Girl" and to retain her relationship with her brothers and sisters. We have come to the realization that the Foster Care System as administered by contracted agencies is fundamentally dishonest in Kansas and that DCF is a cowardly and ineffective organization managing it.

In January 2023, the TFI Family Services case manager lied to the Cowley County Court that visits with the biological parents were proceeding when they had been stopped due to failure to meet case plan goals. This caused a cascade of lies, fabrications, distrust, and their resort to gaslighting to remove the biological sibling of our adopted children from our home and prevent the growing relationship between these children. We will admit to the faults on our part in how we handled the interactions with the case team. However, those faults were addressed, and we agreed to redirect our efforts prior to the events that followed.

In the next two months we were encouraged to lie about our thoughts on the progress of reintegration although we knew as child number six from the same biological mother who had lost the five previous children due to her substance abuse and unaddressed psychological illness this was not the course of action in the best interest of the child in state's custody or her siblings in our home. When we questioned why the case team was agreeable to placing a female infant back with a drug addicted biological father that only wanted his female child and not his male child, this was a high concern to us. TFI Family Services response was that he was a gentle soul and they could never imagine him harming this child. The biological father lived at this time in the same trailer with no electricity, water, or floors that both Jamie and "Baby-Girl" reportedly were born in without medical assistance. TFI Family Services told us at this point that our only job as placement for "Baby-Girl" was only to feed her and provide a warm place for her to sleep at night, that they would be responsible for her future.

We were lied to by TFI Family Services about their plans to change placement. The most egregious assaults on the truth was their coercion of our assigned Kinship Worker to support the position that we were difficult in contravention to her role to be supportive of the Kinship Family and their collusion with and support to the Court Appointed Attorney for the biological father. TFI Family Services gave this attorney full access to what we were told were private internal documents we provided through the grievance process. These documents were used by this attorney to state that we did not support the reunification case plan goal. With the help of the TFI Family Services case team the attorney questioned and ignored the biological relationship between the child in State's Custody with our adopted children so they can more easily justify the change of placement to the Cowley County Court.

Eventually the situation proceeded where our previous experience knew it would be for termination of the biological parents' rights in May 2024. With the help of our legal counsel, we have remained engaged and are currently having sibling visits. At every opportunity since, we have had our legal counsel request change of placement of the child in state's custody back to our home and her biological siblings. At every turn the placement decision was left to TFI Family Services with concurrence by the Guardian ad Litem and the State's Attorney to retain placement with a foster family more compliant to their desires and less concerned about the negative effects this decision has on this child in state's custody and for the effects on her multiple biological siblings who are not in state's custody.

In the spring of 2024, another sibling was born and taken into custody by DCF in Cowley County, this sibling we will call "Bitty-Baby-Girl" was placed immediately with the same foster family caring for "Baby-Girl". The larger biological family was never contacted and TFI Family Services went as far as to tell the foster family not to divulge the relationship between "Baby-Girl", "Bitty-Baby-Girl", Anna, and Jamie to anyone. This is once again in direct violation of Kansas State Foster Care Policies that children should be placed with relatives first. When questioned about this by the biological grandmother, the DCF liaison went as far as to tell grandmother that DCF was not required to notify family if a child has been taken into custody. To add insult to injury the Guardian ad Litem for "Baby-Girl" and the Court Appointed Attorney for "Bitty-Baby-Girl's" biological father are the same person. This created an ethical violation and a conflict of interest. "Bitty-Baby-Girl's" case still has a goal of reintegration.

To provide some concrete points to act on for this committee, we have researched The Kansas State Prevention and Protection Services Policy and Procedures Manual and identify the following...

Section 5237 Sibling Placements and Connections is not clear on when the Child Welfare Case Management Provider is required to evaluate and document sibling splits when a child in state's custody has been placed with a biological sibling that is not in state's custody. In this case, TFI Family Services was able to completely avoid this process and oversight by conveniently failing to record family history provided to them correctly and failing to ensure DNA testing was completed fully.

Section 5234 Relative Home/Placement provides clear guidance for informing and considering placement with grandparents and adoptive parents of siblings and half-siblings that needs to be reinforced. In this case, TFI Family Services and DCF chose to ignore these requirements when "Bitty-Baby-Girl" came into custody by failing to inform the biological grandmother nor us. We only found out about "Bitty-Baby-Girl" through our lawyer completing Jamie's adoption and researching the Cowley County Newspaper legal publications.

Lastly, it is a clear conflict of interest to have Kinship Workers assigned from the same company as the Case Management Team. They are clearly influenced by their employer and can be coerced to lie to and disregard the Kinship Placements assigned to them to maintain their employment.

TFI Family Services with the acquiescence of the Cowley County Court and the DCF Regional Office is prolonging and delaying this case to achieve their desired outcome and punish our advocacy for these children; versus focusing on the needs of the child in state's custody to have a full relationship with her biological siblings and larger family. Our expectation for the future is that "Bitty-Baby-Girl" (aged 1) and "Baby-Girl" (aged 2) will shortly be cut off from their brother Jamie (aged 3), their sister Anna (aged 6), and the rest of their larger family forever with no recourse. Our only possible correction to this situation is if the Cowley County Court hears our arguments and addresses them.

When TFI Family Services, DCF, and the Cowley County Court are done with this case they will never have to think about it again. "Bitty-Baby-Girl", "Baby-Girl", Jamie, and Anna will have this avoidable trauma for the rest of their lives. Kimberlee and I will have to answer for this for the rest of our lives as these children grow and seek answers.

The larger issue of the rampant dishonesty and lack of integrity within the Foster Care System can only be resolved by bringing cases like ours into the light. For each case like ours with participants willing to speak out, there are tens of other cases where the abused have given up or been cowed into silence by the threats and gaslighting of the companies like TFI Family Services. We have been advised that speaking to this committee will surely invite further retribution. At this point we have worked every step of the way through DCF, the Office of the Child Advocate, and even contacted the Governor's Office directly. No one is willing or able to correct the situation for "Baby-Girl", Jamie, and Anna within TFI Family Services or the state government due to the policy and law in place. We will continue to fight in the Cowley County Court for rightful justice to these children. We pray this recounting of our experiences with the Foster Care System in Kansas will spur action on the Joint Committee's part to try and prevent this from happening to other families in the future.

Respectfully,

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