

House Judiciary Committee

Testimony in support of SB 159

March 17, 2015

My name is JoVoli Clark. I am a teacher, who has been married nine years, a biological mother for 8 years and a foster mother for 3 years. This past July we adopted our foster son who had spent over 3 years in the foster system. Like many children who have been through our home, our son's abuse was preventable and if law enforcement could have had more authority, they might have been able to have intervened and saved him a lot of pain.

Our son came into foster care by way of domestic violence where he was injured at only 5 weeks old. Prior to the incident that placed him in the state's care, there were a long list of domestic abuse calls and police reports of physical violence and alcohol abuse by the pregnant minor. However, under the current law there was not enough evidence to show abuse to the child or to take him out of the home due to danger. Having lived only a few towns away, I actually knew people who knew his birth family and said that there was a lot of concern even prior to his birth and it only increased after.

Due to having to wait until the child was seriously harmed before being able to intervene, my son's teenage mother was drinking, became angry and threw her baby at a car that her boyfriend was sitting in. While both birth parents gave up their rights in less than 7 months of him being in custody, this was an event that shouldn't have happened when there was evidence of serious abuse prior to it.

Our son was very lucky and has no long term damage from his broken leg, but that is not often the story for many other kids who come into state care after long term abuse or neglect. Before our son came to our home, we had two brothers who were not so lucky. The five year old was in good physical health but his 6 week old brother was not. His brother had been born with 4 different narcotics in his system and a hole in his heart. The hospital wouldn't let him go home with his mother until she passed a drug test. After weeks of her trying to get him and failing drug testing he and his 5 year old brother were placed in our home.

They were only with us a very short time, as the court quickly felt they had made a mistake by taking both children. They felt they couldn't prove abuse against the 5 year old and he shouldn't have been taken from the home. I disagree with that ruling and this mother continued to show her lack of maternal responsibility as we would get called by the doctor's office begging us to bring the baby back for his appointments (weeks after the boys were back in the home). Parent's rights shouldn't come before those of the child.

We allow children to stay in homes of known drug, alcohol, physical and other abuses way too long and we often don't intervene until it is too late. Please help our police officers do more to help these precious children who deserve the right to safety.

Sincerely,

JoVoli Clark

LeRoy, Kansas