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Senate Standing Committee on Judiciary

Testimony Supporting SB 158

February 12, 2015

Chairman King,

Thank you for allowing SB 158 a hearing in the Senate Judiciary Committee. I ask for the committee's support for this legislation. I am a strong believer in the legislative process and appreciate this legislation gaining the exposure to many persons from many perspectives, both favorable and unfavorable. Through the process the committee and the legislature often finds real solutions to real problems. And, Mr. Chairman, we have a problem.

I am not willing to avoid the reality of the situation that exists today for children in state custody. Probably everyone on the committee has received multiple pleas from constituents who find themselves victim to the system. SB 158 is an attempt to find a solution to a politically incorrect problem. If we do nothing different we will continue seeing the same results. It's time to think differently and do better.

Children in out of home placement have lost their parents, at least temporarily, and they have lost their security, often permanently. What they need is parents - stable, loving parents. They need a home that will help heal the great trauma they have endured. The foster parent is the only person in a position to fill this need. The state has custody, but is not a parent. The judge has all the authority, but he cannot be a parent to these kids. To him, they are really just one folder in a tall stack of folders. This is what they are to the lawyers, to the department, to the foster contractor, to the social workers. The only shining star in the system, if the child is fortunate enough to have one assigned to him, is the CASA volunteer. To the CASA worker the child is one of just a few folders, and they generally follow the child all the way through the process. Four years later, they know every lawyer, every social worker, every foster parent, every meeting, and every court hearing that the child has encountered. The CASA worker is probably the only person involved who knows the history of this child without looking at the folder, who knows this child. But even he only sees the child monthly. He might be a kind uncle to the child, but he is not the parent. The foster parent is the only parent the child has in his everyday life.

The problem:

Children in need of care, in out of home placement.

Taken, usually suddenly and unexpectedly, from the only home they have known.

Abused or neglected at their home; physically, emotionally, sexually.

Often experienced substance abuse in the home, by the parent(s).

Lost all stability in their lives, all security – now in a strange home with strange people.

Traumatized, in the extreme.

Children in the foster care system for extended periods, many for years. (The feds say too long.)

Children moved from foster home to foster home, often many times while in the system.
Too many children in the system. (According to the feds.)
Not enough foster homes.
Not enough good foster homes. Too many bad foster homes, where kids are abused.

While there are certainly good foster homes and good things accomplished in our present CINC system, most people that are part of the system, that I have spoken with in the last five years; parents who have lost their kids and are working to get them back, grandparents who want to help their grandkids, foster parents who are doing their best, judges, attorneys, CASA workers - just about everyone I have talked to in the system - virtually all agree, the system is broken, or at the very least, serious changes need to happen. And, it needs to happen here, at the legislature.

Everyone agrees that we need many more good homes in which to place these kids. My experience is that most ordinary people, who might be in the position, and even have the desire, to help these kids in need, will not put up with the current system. They will not endure the rules and requirements of the present system, especially because, as they are trained and begin to learn the system, they realize that they are handicapped by the system itself in their ability to affect positive outcomes for these children. They are treated as babysitters, just people doing it for the money.

How to get more families to be foster parents? That is a major problem.

I believe that if families were put in a position where they could really help these children, some families would step up and do all they could. I see many people in our communities who give much time and much money to help those in need. But, they don't last long at efforts that are ineffective.

SB 158 is an effort to put people, CARE families, in a position to be effective in helping children in need. SB 158 gives CARE families more training, more authority, and more responsibility. They will have the basic functions and responsibilities of the real parents, though temporary, caring for the kids until a permanent solution is found. They will be there for the kids, with at least one of the parents not working outside the home. They will be in the home, caring for their needs. They will determine the best way to meet the educational needs of the kids. They will work with councilors to meet the mental health needs of the kids. Of course, all this will happen under the direction of the judge, as has always been the case.

In the CINC system the CARE parents will fill the role of the CASA worker and receive the legal training such workers receive. They will be accountable to the department and the courts, but also to the community, with strong social and community ties.

SB 158 is designed to provide an optimum situation for children who have been deeply traumatized. The home will provide a comfortable, informal, stable, and secure setting - a traditional home with a loving father and mother. Interaction with outsiders will be, as much as possible, in a familial, social setting - as opposed to professionals checking up on them. Every effort will be made to minimize additional trauma to the kids.

Often, CINC kids come from situations involving substance abuse, thus every effort will be made to keep these kids from exposure to addictive substances in the CARE home.

SB 158 is initially envisioned as a small, local pilot program that may well, 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. It puts ordinary people in a position to help their neighbors.

Thank you for your consideration of SB 158.