

CALVIN H. HAYDEN
SHERIFF



DOUGLAS G. BEDFORD
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DUTY HONOR SERVICE

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Testimony to the Senate Committee on Public Health & Welfare January 29, 2021

Chairman Hilderbrand, Vice Chair Gossage, and Members of the Committee:

Our agency participated in “Operation HOPE” conducted in November 2018 along with over 100 federal, state, and other local agencies within Kansas. This operation was led by the U.S. Department of Health and Human Services, Office of Inspector General, Office of Investigations. The purpose of the operation was to ensure the safety and well-being of foster children, and to identify, and eliminate, waste, fraud and abuse occurring within the state administered foster care program. 18 Kansas DCF runaways were located from Sedgwick County, Johnson County, and Wyandotte County, and leads were generated that were forwarded to other states.

The Johnson County Sheriff’s Office opposes **SB 85 - Requiring notification to the governor and the legislature of missing foster care youth**. Our concern is not with the mandate to report a missing child to the governor’s office and the Legislature within 24 hours. Instead our concern is, if passed into law, **SB 85** will be interpreted to supersede DCF policy, which requires immediate reporting to law enforcement if a child is missing.

The current Prevention and Protection Services Policy and Procedure Manual, **Policy 5245 - Responsibilities When Child Is Missing from Placement**, has a publication date of January 21, 2021. That policy mandates reporting “immediately, and in no case later than 2 hours after receiving information on missing or abducted children or youth, to law enforcement authorities.”¹

It appears that SB 85 was introduced to make sure that the governor’s office and the Legislature, as well as the public is notified of a missing child in DCF care. We want to make sure that the codification of a reporting policy is not interpreted to mean that it supersedes Policy 5245. Notification to law enforcement needs to be the top priority in an abduction or missing child case. Runaways, whether from home or protective services, are at an increased risk to experience either sex or labor trafficking. We have had multiple reports of runaway children being exposed to

¹Prevention and Protection Services Policy and Procedure Manual, Policy 5245 - Responsibilities When Child Is Missing from Placement, published January 21, 2021, Kansas Department for Children and Families, accessed January 29, 2021, http://content.dcf.ks.gov/pps/robohelp/ppmgenerate/CFS_PPM2.htm#pps_policies/5000_child_welfare_case_management/5245_responsibilities_when_child_is_missing_from_placement.htm

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trafficking in Johnson County over the last few years. It can happen anywhere. This risk is just one reason that reporting to law enforcement needs to be the priority.

The Johnson County Sheriff's Office is reticent to codify policy since codification cannot be changed to meet a dynamic and/or fluid situation. It can only be changed by legislative action. We are not suggesting that you do not codify this reporting policy. However, if you do, we ask that it be made clear in this bill that law enforcement notification must take precedence over any other notification.

Thank you for allowing us to testify today and I will be happy to stand for questions at the appropriate time.

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