



Senate Public Health and Welfare

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SB 162

Presented by:

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Testimony of:

Rebekah Gaston
Director of Policy and Director of Economic and Employment Services
Kansas Department for Children and Families

Testimony on:

SB 162

Chair Suellentrop, Vice Chair Berger, Ranking Member Bollier and Members of the Committee:

The Department for Children and Families appreciates the work of the committee and is grateful for its interest in protecting the children of Kansas. Thank you for this opportunity to present our testimony opposing Senate Bill 162.

Any time a child welfare case management provider learns that a child in DCF custody is missing from his or her residence, the provider is required by DCF's Policy and Procedures Manual to report this information to DCF within 2 hours of the provider being informed of the child's missing status. Immediately after receiving information that a child in DCF custody is missing, the secretary must notify law enforcement and the National Center for Missing and Exploited Children (NCMEC), as outlined in K.S.A. 2018 Supp. 38-2289.

The Policy and Procedures Manual also requires DCF staff to contact the child's parents or primary caregivers to make them aware of the child's missing status, elicit their assistance in locating the child, and provide frequent updates on search efforts. The court and the child's school are also notified of the child's status. DCF staff are required to make daily efforts to follow up with law enforcement and continue to keep the family up to date on the status of the search.

Currently, DCF has a dedicated investigative unit with two full-time special investigators who work with local law enforcement, contractor staff and other community partners to locate and ensure the safety of children and teenagers who are missing or have run away from their foster care placement.

Investigators complete daily tasks to attempt to locate the missing children and teenagers, including:

- Processing critical incident reports from child welfare contractors. These reports provide important details about the missing teens, including their case manager's contact information, the circumstances surrounding their disappearances, and possible current locations.

- Searching internet sources, including social media, DCF databases, the National Center for Missing and Endangered Children and other databases for possible leads and addresses where a teen may be staying.
- Going out in the field and conducting active surveillance at specific addresses where a teen might be located.
- Taking photographs and calling law enforcement once a teen is located. (Law enforcement recovers the teen and returns them to foster care.)
- Completing documentation and updating departmental tracking spreadsheet.
- Maintaining contact with contractor staff to see if teens have returned on their own.

DCF Secretary Howard receives daily updates on missing and runaway children and teenagers in DCF custody. These updates include the ages and last known locations of the missing children, dates they were last seen, and efforts by DCF to locate each child. This type of information could easily be shared with the governor's office without a statutory change.

The provision requiring DCF to inform the legislature about missing children is not specific. K.S.A. 2018 Supp. 38-2212(d) already provides a process for information from DCF's confidential departmental records to be made available to the members of specific standing house and senate committees, and only in closed or executive meetings. Publishing information in newspapers is in violation of confidentiality laws related to children's identities. The department currently receives approximately \$55 million per year in federal Title IV-E funds related to child welfare that may be at risk if the department violated these confidentiality laws.

DCF recognizes the good intention of this legislation to address some of the very serious issues our state's child welfare system is facing. However, the department opposes Senate Bill 162, as it would violate confidentiality laws and place critical federal funding in jeopardy.

DCF remains committed to serving the children and families of Kansas. I thank you for the opportunity to address this important issue and I am happy to answer your questions.