



# House Children and Seniors

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## **SB 162**

Presented by:

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**Testimony of:**

Rebekah Gaston  
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Kansas Department for Children and Families

**Neutral Testimony on:**

SB 162

**Chair Concannon, Vice Chair Humphries, Ranking Member Ousley and Members of the Committee:**

Thank you for this opportunity to present neutral testimony regarding 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. (One of the investigator positions recently became open; we are interviewing this week to fill the position.)

Investigators complete daily tasks to attempt to locate the absent or runaway 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.

The department publishes the secretary's daily absent and runaway children report on its public website. The daily A & R Report includes the children's ages, genders, length of time missing, and status (absent or runaway). The report also includes information when children are located. Please see the attached A & R Report from March 14, 2019.

The secretary will also provide case-specific information in a closed setting to legislators, in accordance with state law. Pursuant to K.S.A. 2018 Supp. 38-2212(d)(1), the secretary will arrange for members of certain standing committees to review case specific information like name and location of absent or runaway foster children. After signing a confidentiality agreement, the following standing committees will receive access to this information:

- House and Senate Judiciary
- House Corrections and Juvenile Justice
- House Appropriations
- Senate Ways and Means
- Legislative Post Audit
- Any joint committee with authority to consider children's and families' issues

Finally, DCF releases demographic information to the local news media of the county where a child becomes absent (except in rare cases when releasing the age and gender of an absent child would violate federal confidentiality laws).

As introduced, SB 162 included language that would have required DCF to publish information related to children's identities in newspapers in violation of confidentiality laws. 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 is committed to transparency and will continue to ensure that this information about absent and runaway children and teens is shared in a timely manner. We are requesting that the bill be amended to allow our current transparency procedures continue, and that reports about Child Welfare Systems Task Force recommendations be required quarterly.

Thank you for the opportunity to address this important issue. I am happy to answer your questions.