

House Hearing on HB 2149 – Testimony of James C. Rosendale 2-2-21

Thank you, Madam Chair, and members of the committee. My name is James C Rosendale. I reside at 1658 W Windrose Ct in Haysville, Ks. My wife and I have parented three biologic children before entering the world of foster parenting. We have fostered numerous children over the last 4 years, and have now adopted four of those children to be our own. It was during this adoption process we found ourselves caught up in a situation which brings me here today to rise and speak for the passage of HB 2149.

Foster homes in our great state work tirelessly to provide a stable home and family life for these most vulnerable children. They work through licensing requirements, multiple visits from workers, often multiple physician and mental health visits, and numerous calls attempting to organize school life, home life, and all the other requirements of the foster system. We trust the agencies responsible for the children to screen them prior to coming to our homes thereby ensuring we continue to provide a stable and safe environment for each of the children entrusted to us.

At times, the children's legal past interactions have left challenges unknown to the parents in these homes until a line is crossed or circumstances change. When discovered, the immediate reaction to these findings can shred the very stability the parents have worked tirelessly to provide, and give way to additional trauma to these already traumatized children, and us as parents. When these situations arise, as they did in my family, I would hope the secretary of children and families would have the authority to review the individual situation before attempts to separate homes are enacted. Further, foster homes need the help of these agencies to help our children work through these challenges to find means of expungement, or other mitigation methods so they do not derail these children before they even reach adulthood.

We had our four adopted children placed in our home, one boy in September 2017, two boys in December 2017, and our girl in July of 2018. We completed the adoption of one of our boys in February

of 2019, then the other two boys in April of 2020. After that finalization, we had to perform a background check of the two boys, in accordance with the law, due to their age, and before being allowed to adopt our little girl.

We had been in the hospital with our girl for a little over a week. Upon returning home, we opened a letter from the State DCF office, telling us, after reviewing one of the boys' records we adopted in April, one was found to have a legal finding against him, a Person Felony, "Aggravated indecent liberties with a minor" that was pleaded down to a Class B misdemeanor, "Physical contact in rude, insulting, angry manner" from 2014 when he was 11. Due to that finding, and us still having a foster child in the home, our boy would have to move out of the home immediately.

I remind you; all of the children had been together in the home for two-and-one-half years at that point, without incident or issue raised by anyone in the foster system or DCF. The letter further indicated a very short timeline in which to come into compliance with the letter, or our daughter would be removed from the home. This situation further complicated our home situation as, because our adopted son was now a member of our home, he could no longer live with us because we were a licensed foster home. It also created a potential we could no longer foster due to this situation triggering the personal offence clause which would disqualify us as a foster home. None of this made sense as all the kids had lived together in our home for two-and-one-half years by this point. We had instantly gone from a family of 6, to potentially losing one of the children we had grown to love; the child we had not yet adopted, or the child we had just adopted.

As this was not found until Friday evening very late after returning from the hospital, there was no answer at DCF offices. Calls to our worker also were not available as they were not on call. We did reach the on-call person for St Francis Ministries that weekend and presented the letter, and the situation to them. This began a very challenging week of phone calls and emails in hopes to mitigate the

situation. In the end, we were able to have the case reviewed and the adoption of our daughter was allowed to proceed, and our son could remain at the residence.

Had this bill been in place, all of the anxiety caused by the letter could have been avoided. The situation could have had proper review to ensure a mistake had not been made in the initial placement, and ensure the safety of the children in the home. The situation of the child in the middle of the situation could also be reviewed and considered, along with the input of current workers, teachers, and school administrators. Passage of this bill will give common sense review and safety assurances to the homes in our great state, and help us continue our goal of helping point these children to a bright future.

Also, we would have welcomed the support, help and direction of the agencies we worked with helping us and our son to work through the difficult and often challenging process of expungement or other legal processes available to bring closures to these situations. We would have welcomed the assistance so these past finding do not derail our kids before they reach adulthood. We need assistance from those who frequently walk these paths to guide us, who have no concept or idea of where to start, navigate a course through the legal process. I would ask the members of the committee to consider other measures available to provide this help for our foster homes, helping to provide hope for a brighter future to our next generations.

As a foster dad, I urge the committee to consider the immediate passage of HB 2149 to help bring an end to situations in which we found ourselves, our children, our family, and our home. Foster home life is challenging enough without the fear that something like this may bring spring up and bring an abrupt end to all we have fought so hard to do for our kids. Thank you for your time and attention today.