



Strong Families Make a Strong Kansas

House Corrections and Juvenile Justice

February 18, 2014

Testimony on:

HB 2696

Presented by:

Brian Dempsey

Director of Prevention and Protection

Kansas Department for Children and Families

Chuck Knapp, Deputy Secretary of Operations & Public Affairs
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Testimony of:

Phyllis Gilmore, Director of Prevention and Protection
Kansas Department for Children and Families
Topeka, Kansas

Testimony on:

HB 2696 – Child in need of care code; Supervised visits by family member when child is seriously injured

Chairman Rubin, Vice-Chair Gonzalez, Ranking Member Pauls, and Members of the committee:

Good afternoon Mister Chair and members of the committee. I am Brian Dempsey, director of Prevention and Protection (PPS) for the Kansas Department for Children and Families (DCF). I appreciate the opportunity to testify today in a neutral position on House Bill 2696.

HB 2696 affords one or more family members a minimum of one supervised visit with a child who requires emergency medical care or hospitalization or who is otherwise seriously ill or injured within 24 hours of a child being placed into custody. A court may prohibit the supervised visit if it determines it is not in the best interest of the child.

Children may be placed temporarily in custody either through law enforcement (Police Protective Custody (PPC)) or through a court ex parte order. This temporary custody period lasts a maximum of 72 hours, excluding weekends and holidays. Law enforcement utilizes PPC in emergent situations and is absent court involvement. PPC may terminate without court involvement or a county or district attorney must file a Child in Need of Care (CINC) petition seeking further court orders regarding custody.

DCF understands and supports children in emergent scenarios as contemplated by HB 2696 require family's presence, when appropriate. Unfortunately, instances may involve family members as perpetrators of abuse toward the child. Medical and mental health providers may be best to determine the appropriateness of familial contact in emergent situations, in working with law enforcement.

DCF, when involved, works with medical and mental health providers and law enforcement to ensure the best interest of children are met, including ongoing familial contact, when appropriate. However, the court is not always involved in emergent situations. DCF requests law enforcement, when PPC custodian, be authorized to prohibit a supervised visit if they determine, after consultation with medical and mental health providers, it is not in the best interest of children.