



DCF Legislative Testimony

February 11, 2025

TESTIMONY OF: Tanya Keys, Deputy Secretary Department for Children and Families

TESTIMONY ON: SB 145 Requiring immediate notification of a report of abuse or neglect to a law enforcement agency and providing for law enforcement agencies to request resources from the secretary for children and families.

DCF | SB 145 | SECRETARY'S NOTICE IN JOINT INVESTIGATIONS

Chair Gossage and members of the committee. Thank you for the opportunity to provide neutral testimony on Senate Bill 145 - Requiring immediate notification of a report of abuse or neglect to a law enforcement agency and providing for law enforcement agencies to request resources from the secretary for children and families.

This bill adds two requirements to K.S.A 38-2226 regarding joint investigations. First, language requires that the secretary immediately notify law enforcement for joint investigations. Additional language is included that the jurisdiction of the notice is where the alleged abuse or neglect occurred or the residence of the child who is the subject of the report so that law enforcement agency may investigate whether a crime occurred. Regarding jurisdiction, DCF Policy 1410 instructs assignment of investigation where the child resides with notice provided to the law enforcement agency where the incident occurred. Notice may be provided to the residence county as well as the incident county law enforcement agency. Second, language is also added for the secretary for child and families to share resources related to investigating reports of abuse or neglect to facilitate a joint investigation or an investigation of a potential crime.

Currently, joint investigations between DCF and the appropriate law enforcement agency or agencies are mandated by statute (K.S.A. 28-2226(b)) when a report alleges serious physical harm to, serious deterioration of or sexual abuse of the child, and action may be required to protect the child. In addition, DCF Policy and Procedure Section 2210 require that reports assigned alleging a methamphetamine lab in a home where children are present or reside, shall be forwarded to law enforcement for joint investigation.

Through DCF Policy and Procedures, the Kansas Protection Report Center determines if a report of child abuse or neglect meets the criteria and documents the decision for a joint investigation. The local DCF office upon receiving the assigned report indicating a joint investigation is required, is responsible to notify the local law enforcement for the joint investigation and shares information concerning the report and other information as requested, such as prior involvement with the agency, if indicated. Per policy, law enforcement agencies should be involved from the initial contact whenever practical and consistent with child safety; however, DCF policy does not currently reflect the words or terms immediately notify. DCF meets its statutory responsibility when a request is made and documented for law enforcement assistance. Further, DCF shall not delay the initial safety determination and/or required protective action to prevent (further) abuse if law enforcement does not or is unable to respond to the request for joint investigation. If law enforcement is not involved in an investigation or assessment conducted by DCF and information later indicates abuse or neglect which is required to be reported to a law enforcement agency, the report to the law enforcement agency shall be made without delay.

The agency is neutral on the bill as written because we are uncertain about how the term resources is defined in the latter sentences emended. This legislative bill does not impose any fiscal impact unless there is a further definition of "sharing of resources" to indicate something other than investigative reports and information of the agency's prior history with a family.

Thank you for the opportunity to provide neutral testimony on Senate Bill 145.