



DCF Legislative Testimony

March 31, 2025

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

TESTIMONY ON: Information on law enforcement protective custody and 24/7 staffing

DCF | Topics for the Joint Committee on Child Welfare System Oversight

Chair Gossage and members of the committee. Thank you for the opportunity to provide testimony on two topics - law enforcement (police) protective custody and DCF 24/7 staffing.

Police Protective Custody: Background

Reports of suspected child abuse or neglect or a family in need of assessment are made to the Kansas Protection Report Center (KPRC) via the toll-free number 1-800-922-5330, fax, mail, or web intake. The KPRC receives reports of alleged abuse, neglect, or family in need of assessment 7 days a week, 24 hours a day. In SFY 2024, there were 70,940 reports of suspected child abuse or neglect or a family in need of services received by DCF. Of these reports, 70,940 reports received, 13% (about 9,200) are received from a law enforcement agency; however, not all reports from law enforcement involve a circumstance in which a child has been taken into police protective custody (PPC).

Highly summarized, when DCF receives a report that law enforcement has taken a child into police protective custody (PPC), policy requires the report is assigned for a same day response Monday through Friday or assigned for a same day response in the morning of the next business day if received 24/7 on an evening, overnight, weekend or state holiday. (Figures 1 and 2.)

Figure 1, Examples of report assignment of a DCF protection specialist when PPC occurs

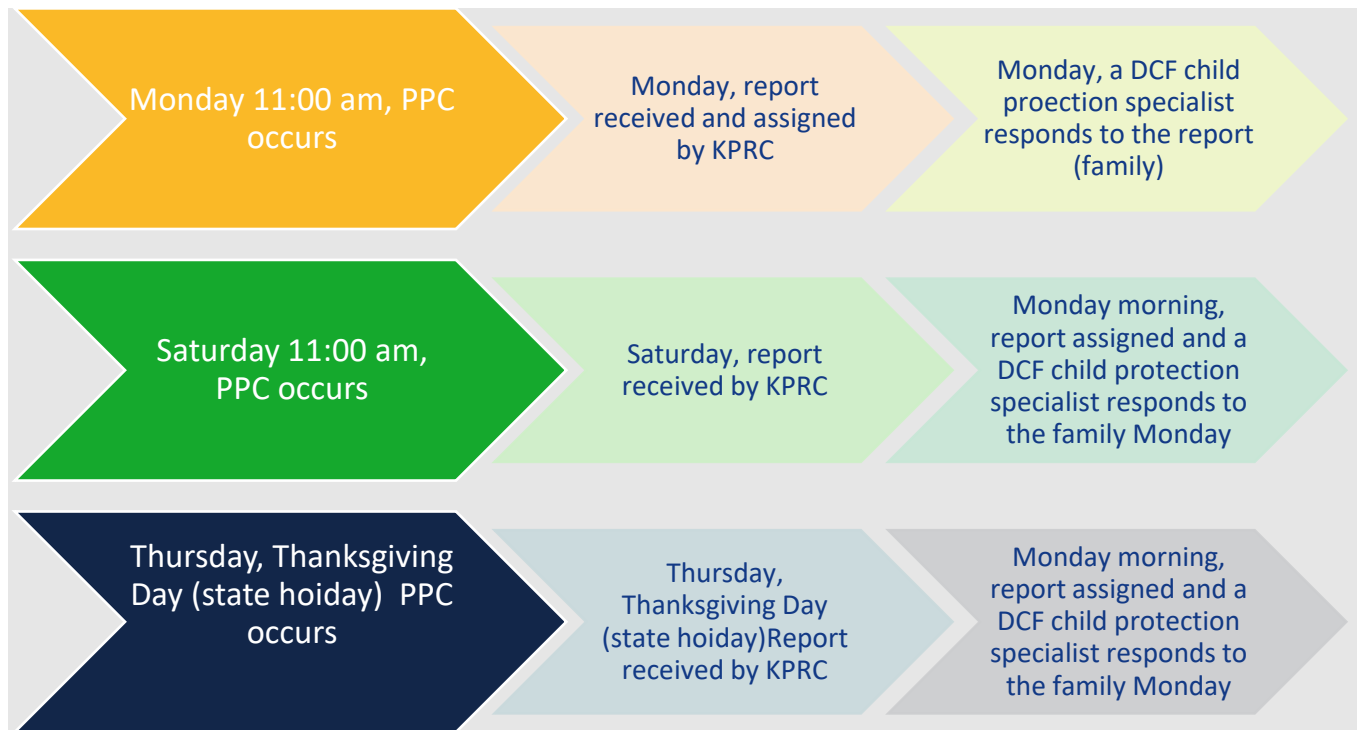


Figure 2. DCF policy examples of reports which shall be assigned for same day response

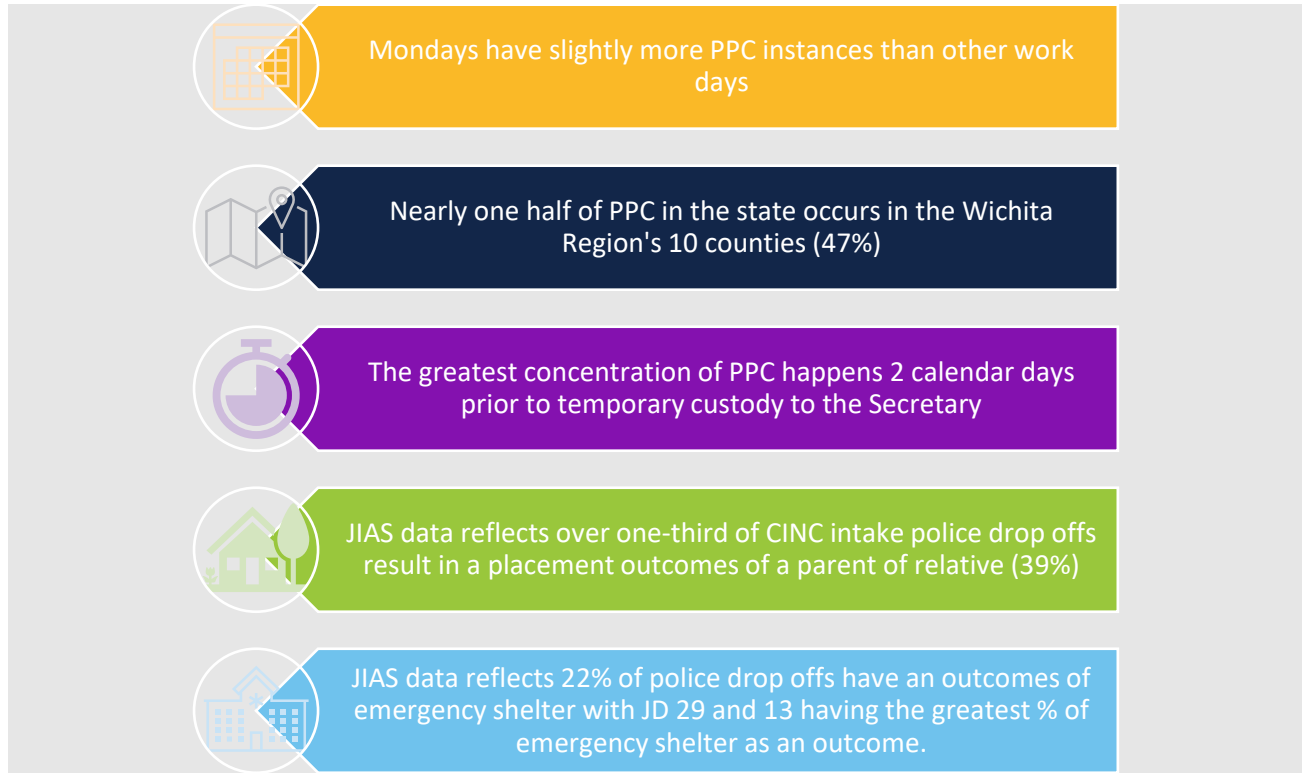
1. Any alleged abuse or neglect of a child under one year of age.
2. Any child with a current injury due to the alleged abuse/neglect.
3. Any child with an illness, injury, and/or condition that requires emergent care AND the caregiver is failing to take the necessary measures to address the concern.
4. Sexual abuse, including human trafficking, of a child with the alleged perpetrator having access and there are no protective factors in place (uses policy appendix 2J as guidance).
5. The child is in a life-threatening situation due to abuse or neglect (current situation) and no protective factors are in place (Appendix 2J).
6. Child is expressing fear of further abuse/neglect upon returning home AND the child is likely to be in danger of a life-threatening situation with no protective factors in place (Appendix 2J).
7. **Child is currently in police protective custody.**

Figure 3: Statutory framework and procedures,

- K.S.A 38-2231 addresses circumstance in which a law enforcement officer shall take a child under 18 years of age into custody.
- K.S.A 38-2232 (1) sets forth to the extent possible, when any law enforcement officer takes into custody a child under the age of 18 years without a court order, the child shall promptly be delivered to the custody of the child's parent or other custodian unless there are reasonable grounds to believe that such action would not be in the best interests of the child. And (2) if the child is not delivered to the custody of the child's parent or other custodian, the child shall promptly be delivered to a **shelter facility** designated by the court; **court services officer; juvenile intake and assessment worker; licensed attendant care center; juvenile crisis intervention center** after written authorization by a community mental health center; or other person. If the child is 15 years of age or younger, to a **facility or person designated by the secretary**; or if the child is 16 or 17 years of age and the child has no identifiable parental or family resources or shows signs of physical, mental, emotional, or sexual abuse, to a facility or person designated by the secretary.
- Further, K.S.A 2232 sets forth when any law enforcement officer takes into custody any child as provided in K.S.A. 38- 2231(b)(3), and amendments thereto, the law enforcement officer shall place the child in protective custody and may deliver the child to a staff secure facility. **The law enforcement officer shall contact the department for children and families to begin an assessment to determine safety, placement and treatment needs for the child.**

Police Protective Custody: Data known to DCF

DCF has data on law enforcement plans (police protective custody) known to DCF and we are familiar with Kansas Department for Correction Juvenile Intake and Assessment Service (JIAS) Intake Placement Outcome data when the reason for law enforcement visit to a JIAS center is for Child In Need of Care (CINC.) Highlights of include:



With DCF source data for children entering the custody of the Secretary, there is capability to look back for those children and see if there was a law enforcement plan (police protective custody, PPC) just prior to that date of custody to the Secretary (Table 1.) As a proxy for likelihood that a child had a PPC instance associated with the subsequent removal date to the Secretary, the date span in the data query was 6 calendar days to closely resemble 72 hours excluding weekends and holidays.

With DCF and KDOC JIAS CINC Intake data, a local case review might provide value and greater insights into the PPC instance and prevention and support opportunities alongside families. Aggregate data from JIAS reflecting a placement outcome of an emergency shelter may have promise of how those shelters can or are currently assisting to prevent further separation of families and temporary custody to the Secretary. Opportunities for further analysis include comparing data across PPC, overall rates or entry into care and a resource map for that jurisdiction given the pathways for protective and temporary custody (Figure 4.)

Table 1: SFY24 PPC plan calendar start day*										
Region	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.	Sun.	Total	Region as % of total PPC	Region as % of all children removed
Kansas City	69	50	50	58	59	12	12	310	12.4%	16.0%
Northeast	40	42	37	39	30	7	11	206	8.2%	13.6%
Northwest	30	36	35	25	31	10	16	183	7.3%	12.5%
Southeast	71	54	67	44	53	11	9	309	12.3%	12.1%
Southwest	50	69	62	61	43	12	22	319	12.7%	17.1%
Wichita	247	228	170	167	216	80	74	1182	47.1%	28.6%
Grand Total	507	479	421	394	432	132	144	2509	100.0%	100.0%

*Data in tables 1-3 are counts of different cohorts or elements, thus do not sum to the same figure.

Table 2: DCF Region	<i># Children Removed into Foster Care for Temporary custody to the Secretary</i>	<i># children with a PPC within 6 days prior to custody date</i>	<i>% PPC within 6 days prior</i>
East	663	378	57%
Kansas City	413	142	34%
West	764	410	54%
Wichita	738	503	68%
Total	2,578	1,433	56%

Table 3: Count of days between police protective custody and date of removal into custody of Secretary (where the counts of days was 6 or <.)								
DCF Region	0	1	2	3	4	5	6	Total
East	15	42	100	67	72	63	19	378
Kansas City	2	14	30	35	31	24	6	142
West	16	49	81	96	44	103	21	410
Wichita	11	147	135	73	94	39	4	503
Grand Total	44	252	346	271	241	229	50	1,433

A second source of aggregate data that may provide context to local communities is information obtained from Kansas Department of Corrections juvenile services about their JIAC intake classification of CINC.

In FY 2024, there were 11,422 Intake Events and juvenile intake and assessment services involving youth in Kansas. Of those, 3413 (29%) were listed as CINC youth (as the Intake Classification). The Intake Type essentially defines how the youth either got to JIAS or was referred to JIAS. Of the 3413 CINC youth, there are 2851 that were included in the summary as they were an Intake Type that was either listed as a Police Drop Off or Direct CINC Placement. All the Placement Outcome options from those intake types of police drop offs or direct CINC placement are in Table 4. Statewide deeper analysis of the data from KDOC has not yet occurred; however, the data was shared with DCF Regional Directors for their collaboration conversations with emergency shelters and local law enforcement.

Table 4:

Placement Outcome type from JIAC												
	Attendant Care	DCF	Detention	Emerg Shelter	Foster Care Home	Foster Care Provider	Friend	Group Home	Other	Parent / Guardian	Relative	Totals
1 AT				1	1	3						5
1 LV				11	2	2	1		1	8	4	29
2				4	5				9	27	30	75
3		39	1	2	34	138	4	14	12	81	28	353
4		5		14	9	5	2	5	3	27	13	83
5				10	6			3		1	1	21
6				14	7	13	10		9	44	45	142
7		1	2	28	7	26	13	4	7	39	32	159
8	1	1		82	10	1	3			14	12	124
9		4		34				12		18	10	78
10	1	17	6	6	55	26	1	10	9	56	14	201
11 CR					49	9	9		15	4	25	111
11 LB/CK		1	2	4	15	32	5	17		33	17	129
12			1	13	2	4	4		9	16	18	67
13				100	7		2	14	3	10	8	138
14					5	17	3	2		7	5	39
15/17/23				19		2	10		7		12	50
16				2	18		6	2	6	38	50	122
18		1	2	5					3	1		12
19	1	21			1	3	6		9	13	6	60
20		1		31	1	5	1	1	1	20	17	78
21		1	1	6	5	3	4		11	17	21	69
22					1		2		23		24	50
24				3			4		3	1	1	12
25				2	6	1			8		11	28
26				9	1							10
27		5	2	87	14	8	4	2	9	53	30	214
28				5	3	2	5	6	2	7	11	42
29				101	1	11		2	1	26	9	151
30 SU				26	2				2	12	19	61
30 SCKCCA		3		9			1		5	5	7	30
31			1	8	2		7	22	6	17	43	106
Totals	3	100	18	636	269	311	107	116	173	595	523	2851
Outcomes as	0.1%	3.5%	0.6%	22.3%	9.4%	10.9%	3.8%	4.1%	6.1%	20.9%	18.3%	100.0%

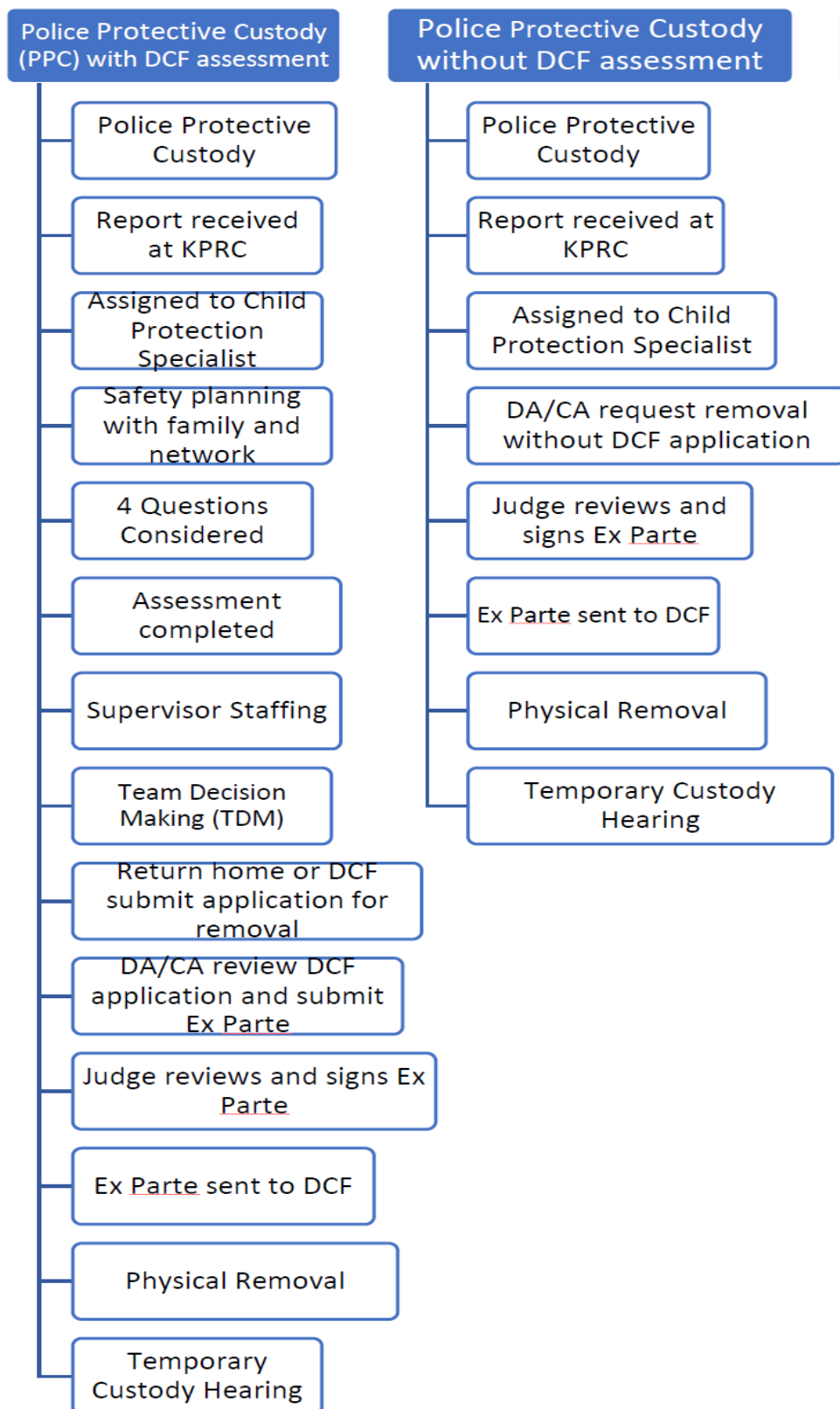


Figure 4

24/7 Staffing

The KPRC call center receives reports of alleged abuse, neglect, or family in need of assessment 7 days a week, 24 hours a day. Reports are made to the Kansas Protection Report Center (KPRC) via the toll-free number 1-800-922-5330, fax, mail, or web intake. KPRC strive to be immediately available to law enforcement officers; however, there are times that a KPRC staff person may not be immediately available by phone if the office initiates contact by phone. In those instances, returned calls are made as quickly as possible. All DCF regions have relationships with law enforcement agencies (Figure 5.) DCF shares after hours contact information, some at the leadership level only and others at a supervisor's and front-line staff level. Figure 5:

Kansas City	<ul style="list-style-type: none"> •Experiences a low volume of after hour calls to supervisors. •Leavenworth and Atchison have more contact regarding PPC.
Northeast	<ul style="list-style-type: none"> •No contact after hours in Pottawatomie, Wabaunsee, Jackson and Jefferson •Brown, Doniphan, Nemaha and Marshall experience frequent contacts after hours to child protection workers asking for guidance in working with a family. •Shawnee County contacts the region's program administrator only in criminal emergency situations such as child homicide. •Contact from Kickapoo Tribal Police occurs to a protection specialist worker for assistance with investigations.
Northwest	<ul style="list-style-type: none"> •DCF Staff contact information is shared for situations that may warrant a call. •Rarely experience an after hours contact from law enforcement.
Southeast	<ul style="list-style-type: none"> •DCF PPS Supervisor and Program Administrator contact information is shared for situations that may warrant a call. •Law enforcement in some counties regularly reach out to a supervisor or program administrator after hours for phone support.
Southwest	<ul style="list-style-type: none"> •In some counties in the southwest, front line staff contact information is shared with local law enforcement •These calls mainly involve continuation of work on joint investigations between law enforcement and DCF and are not after hours.
Wichita	<ul style="list-style-type: none"> •In SG, dedicated Community Support Specialists, employed by Wichita Police Department and Sedgwick County Sheriff's Department. They use DCF agency system Kansas Intake Protection System (KIPS) for information on report history with a family. •EMCU staff in Sedgwick county have "on call" after hours to respond to EMCU detectives for family history with DCF. •Butler and Cowley counties have a DCF contact for any after hours questions

After a meeting and few planning calls with SG county local law enforcement agencies in 2019, DCF began an interagency and data sharing agreement with Wichita Police Department and SG County Sheriff's office for law enforcement agency staff to have user license access DCF's Kansas Intake Protection System (KIPS) and for positions in their agencies called community support positions to support follow up as needed on reports their officers identified as needing support.

Since 2020 in the Wichita Police Department, through federal Child Abuse Treatment Prevention Act funding (CAPTA), DCF funded two Community Support (CS) positions with Wichita PD that cover the city of Wichita with DCF funding until June 30, 2025. The budget included costs for position salaries/benefits, training, travel (mileage), equipment such as computers/phones and office supplies. Starting in SFY2023, the DCF funding structure implemented a step down with the intent for local funding sustainability after contract renewals ended on June 30, 2025.

The purpose is reduced PPC and future contact with law enforcement – responding to families with children at risk of abuse, neglect or otherwise in need of early primary prevention services

DCF Initial contract for 2 specialists SFY 20-22:	DCF Second Contract for 2 specialists SFY23-25
<ul style="list-style-type: none"> ○ 100% in SFY20 - \$163, 895.40 ○ 100% in SFY21 – \$183,012.66 ○ 100% in SFY22 - \$182,617.06 	<ul style="list-style-type: none"> ○ 100% in SFY23 - \$188,915.06 ○ 75% in SFY24 - \$141,686.30 ○ 50% in SFY25 - \$94,457.53

Features of the WPD positions include:

- On call 24/7 but typically work Monday-Thursday 7am-5pm and off Friday-Sunday
 - Afterhours is typically used for history looks up in the DCF KIPS intake system and Odyssey court system, they can assist in person in an emergency, but that is rare
- Families are referred by police officers who have responded to a report in homes that have a child 10yrs or under, exceptions on a case-by-case basis made for families with only older children
- Depending on situation responses range from sending a letter, phone call or in person visit to offer services or resource connection to the parents
- CS' attend community events to make connections with families

Sedgwick County Sheriff's Department

DCF has funded since 2020 through CAPTA funds one Community Support position for Sedgwick County Sheriff's Department until SFY24 when they chose to apply for funding through Family First programming. The Purpose of their grant is to provide services and resources to families, reduce law enforcement contact, increase social and safety network supports, and increase function/resilience toward the goal of reducing child abuse, injury, and fatalities.

The budget included costs for position salary/benefits, training, travel (mileage), equipment such as computers/phones service, office supplies and indirect costs. In SFY24, they used some funds for toiletry kits for an at-risk law enforcement camp for children. Like funds with WPD, starting in

SFY2023, DCF funding implemented a step down with the intent for sustainability planning for other funding. The Sheriff's Department obtained Family First grant funding through DCF beginning SFY24:

DCF Initial contract for 1 specialist SFY 20-22:	DCF Second Contract for 1 specialist in SFY23, then awarded grant through Family First funds SFY 24-25+
<ul style="list-style-type: none"> ○ 100% in SFY20 - \$82,367.02 ○ 100% in SFY21 – \$80,691.66 ○ 100% in SFY22 - \$84,299.34 	<ul style="list-style-type: none"> ○ 100% in SFY23 - \$76,522.12 ○ 100% in SFY24 - \$85,359.00 ○ 100% in SFY25 - \$85,359.00

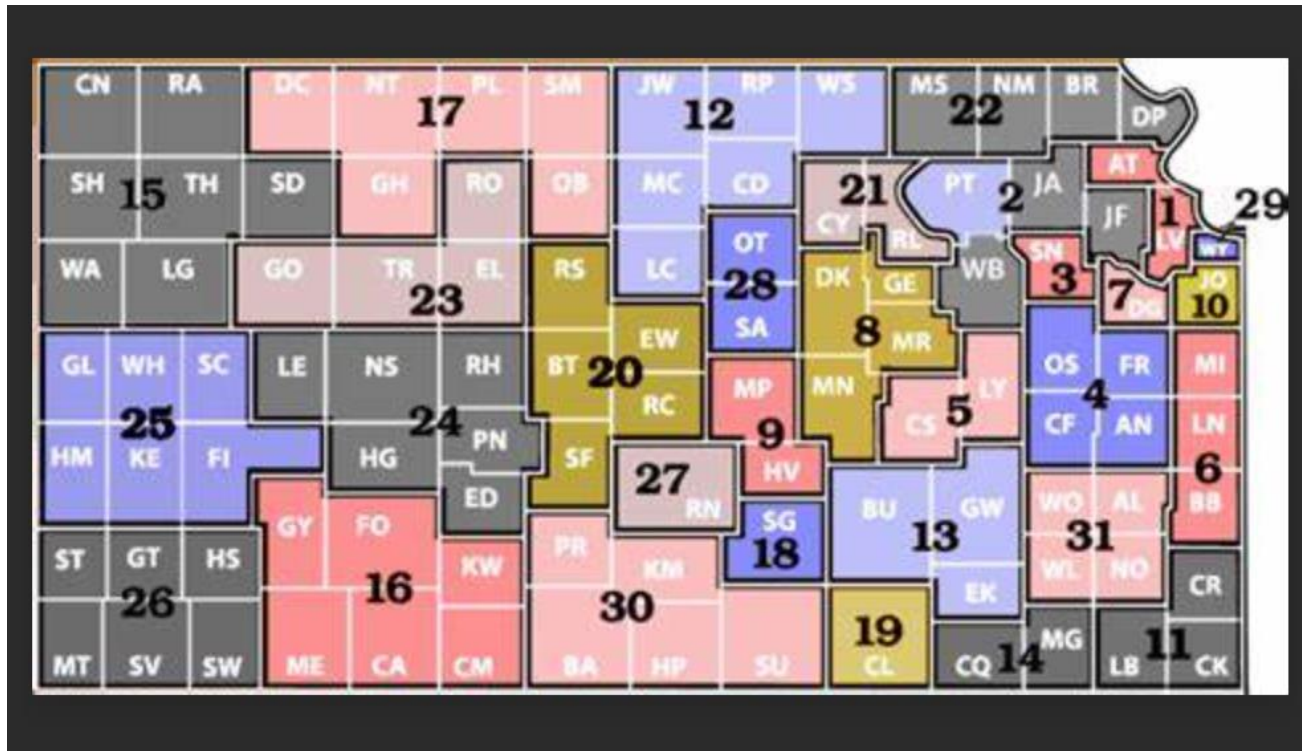
Features of the WPD positions include:

- Staff schedule is Monday – Friday 8am-5pm with contact made to a family within 24 hours of referral.
- Receives referrals from Law Enforcement, and any other community entity
- CS can have access to DCF KIPS intake system and previously used it to search family history of reports to assist officers (prior to SFY24).
- Attends community engagement events
- Serves families with children up to age 18, providing resources and referrals.
 - Referral needs may include substance use in the home, mental health needs, disabilities, additional support services in the community and home, assistance with protection orders with children at risk

Maps for data references follow on the final page. Thank you for the opportunity to provide information.

Reference Maps

Kansas Judicial Districts



DCF Regions

