

**Written Neutral Testimony to Senate Committee on Public Health and Welfare:
SB 145 Requiring Immediate Notification of a Report of Abuse or Neglect to a Law
Enforcement Agency
February 12, 2025**

Chair Gossage, Vice Chair Clifford, Ranking Minority Member Holscher, and Members of the Committee, I am writing as the Child Advocate with the Kansas Office of the Child Advocate, as a neutral party for Senate Bill No. 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. The Office of the Child Advocate (OCA) acts as a neutral, independent agency to ensure Kansas children and families receive adequate coordination of services for child safety and wellbeing. OCA receives and responds to complaints regarding state agencies, service providers, and juvenile courts that adversely affect the health, safety, and wellbeing of children. Through case and systemic recommendations, OCA seeks impact for best practices, policies, and law.

OCA supports timely and relevant communication pathways between Department for Children and Families (DCF) and law enforcement agencies to ensure child safety and best support families and communities as a whole.

OCA recognizes the volume of concerns reported to both DCF and law enforcement and efforts to streamline practices, particularly when there is child safety at stake and reason to believe a crime has occurred. OCA is concerned that the language in SB 145, as introduced, is overly broad and may unintentionally create administrative practices that slow the process and opportunity for timely investigations in those most critical child safety cases, as well as unintentionally impact family engagement in prevention support services. OCA would support SB 145 as a proponent with the additional language to clarify that DCF notify law enforcement only in those assigned cases for investigation when the report reasonably leads one to believe a crime occurred or if additional evidence is received to reasonably believe a crime has occurred.

OCA also encourages additional language to ensure that K.S.A. 38-2210 through 2213 are complied with timely by both DCF and law enforcement, including minimum communication timeframes and joint investigation efforts. OCA has received numerous cases involving efforts and investigations conducted jointly by DCF and law enforcement. A primary component includes a lack of clear pathway for communication. In such cases, either the DCF was not informed of relevant law enforcement history and efforts or conversely. The lack of a clear pathway leaves a child vulnerable. Additionally, it has created lengthy delays significantly impacting decisions and outcomes as to determinations as to that child's best interest. OCA has

made the following recommendations in response to specific case findings as to DCF policy and practice:

- OCA recommends DCF clarify PPS 2511 to include receipt of police reports as a reason for delay and include a timeframe for completion after requested documents are received (see example language below).
- OCA recommends DCF review policies 2511 and 2531 with staff to ensure understanding and compliance – specifically the requirements to document the reason for delay on the PPS 2011 and for supervisor review while waiting for requested documents.
- OCA recommends DCF evaluate policies 2010, 2210, 2511, and 2531 to provide additional clarification and direction for investigations completed in partnership with law enforcement, including determining a lead agency and requirements for frequent communication between agencies at regular intervals throughout the investigation.
- Suggested edits for DCF PPM 2511
DCF PPM 2511 Case Finding Decision Points for Family Reports
D. Time frame:
A case finding shall be made within 30 working days from the date the report was accepted for assessment unless a delay is requested by law enforcement, a county or district attorney, the court, health care professionals, mental health professionals or for similar exceptional circumstances documented in the case file. Failure to receive medical or mental health information *or police reports* which has been requested from professionals or other relevant person may be considered an exceptional circumstance justifying a delay in finding. If requested information is not received, the PPS supervisor will review the information every 60 *calendar* days to determine if additional time should be allowed and document such decision in the case file. A CPS specialist may be designated for the PPS supervisor's absence. *A case finding shall be made within 10 working days after the end of documented exceptional circumstances and/or the receipt of requested documents.*

In summary, OCA would support SB 145 as a proponent with the following considerations:

1. Additional language to clarify that DCF notify law enforcement only in those assigned cases for investigation when the report reasonably leads one to believe a crime occurred or if additional evidence is received to reasonably believe a crime has occurred.
2. Additional language to ensure that K.S.A. 38-2210 through 2213 are complied with timely by both DCF and law enforcement, including minimum communication timeframes and joint investigation efforts.

OCA appreciates your time and attention in recognizing the importance of ensuring timely and informed joint investigation efforts by DCF and law enforcement, prioritizing child-centered safety.

I am pleased to stand for questions at the appropriate time.

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