



DCF Legislative Testimony

March 11, 2024

TESTIMONY OF: Secretary Laura Howard Department for Children and Families

TESTIMONY ON: HB 2628 - Requiring the secretary for children and families to release certain information related to a child fatality when criminal charges are filed alleging that a person caused such fatality

Chair Warren and members of the committee. Thank you for the opportunity to provide testimony in favor of House Bill 2628 which addresses DCF's ability to release information to the public in the event of a child fatality.

As the Secretary for Children and Families I have made transparency one of my top priorities. I believe that transparency and accountability are essential to the work that goes on in the child welfare system. Government functions better when it is out in the open and can be held accountable by the public. This is especially true in sensitive situations involving children. I requested House Bill 2628 as I believe it will be another important step towards increasing transparency at DCF, while still preserving important confidentiality safeguards

Specifically, HB 2628 proposes an additional criteria under which DCF can release information to the public in the event of a fatality of a child. The current statute, which is confusing to the media and public, requires DCF complete its investigation and make a finding of abuse or neglect before any case information may be released to the public. For many reasons, there may be delays in the ability of DCF to make a finding of abuse or neglect. Most commonly, DCF might have paused its work during the course of a law enforcement investigation. HB 2628 would amend statute to allow for the release of information by DCF upon the filing of criminal charges against a person alleging that person caused the child fatality.

There are additional safeguards in the current statute that govern what information can be released and through what procedures. The information to be released, in response to an open records request, would be limited to:

- Age and sex of the child
- Date of the fatality
- A summary of any previous reports received involving the child and the findings of such reports.
- Any department recommended services provided to the child.

HB 2628 would amend K.S.A 38-2212(g)(3) to allow DCF to release information upon the filing of criminal charges alleging that a person caused a child fatality. In some cases, this will allow DCF to release information sooner and in all cases, this will ensure DCF, and the criminal justice system are aligned and able to release publicly relevant information on these situations consistently and in a timely manner.

I ask for your support for House Bill 2628. This bill is an important part of DCF's stated goal of increasing transparency while maintaining important confidentiality safeguards. Child fatalities are serious incidents that communities must grapple with, and it is important the public has access to the information HB 2628 addresses as a matter of public trust.