

3-18-2019



March 18, 2019

Mister Chairman and Members of the Committee,

My name is Christine Tiddens. I am with Idaho Voices for Children, a nonprofit that serves as a voice for kids in policy discussions. We are here today in opposition of House Bill 170. Our concerns about the bill stem from three main points: (1) the proposal does not place a priority on children, (2) the proposal could interfere with the State's responsibility to protect children from abuse and neglect, and (3) the proposal does not reflect the feedback we are hearing from individuals and communities involved in foster care.

- 1) We believe that the health and well-being of kids must be a top priority in every legislative discussion. Children are our most vulnerable population, and their voices can be easily left unheard, especially if they are too young to speak up, isolated from their community, or are being mistreated. When we forget to prioritize kids, when we neglect to take time to listen, and when we become complacent and let things slide, the outcome can be the loss of a child's life. We are concerned that House Bill 170, and the intent behind it, is not focused on the best interest of children and does not put kids first.
- 2) It is our collective responsibility to ensure the safety of children in Idaho, and we are all charged with reporting suspicions of child abuse and neglect. Idaho has tasked the Department of Health & Welfare with immediately following-up on these reports to assess whether a child is, in fact, being abused or neglected. Any legislation that adds steps that interfere with this duty puts children in harm's way. For example, if the Department is delayed from assessing a child's safety in their home, law enforcement will have to be called to assist, resulting in delayed response times, escalated conflict, and more children removed from their homes during assessments.

More often than not, kids aren't removed from their homes during and after an assessment. This does not mean, however, that the reports were found to be baseless. The Department social workers often provide support to families so that removal is unnecessary. For example, a visit from a social worker may uncover a freezing house with empty cupboards; they can provide resources to a local food bank and assistance with paying an electric bill. Instead of increasing fear, distrust, and confusion upon first contact – as House Bill 170 would do – we want to encourage families to participate in assessments so that needs can be identified and families can be connected with resources to keep kids safe at home.

- 3) Idaho's child welfare and foster care systems are complicated, with multiple components, interests, and moving parts. Policies should not be rushed forward, as they could have unintended consequences and cause more harm than good. To fully investigate gaps within the system and opportunities to create positive change, policymakers should take time to listen to youth, families, advocates, the courts, and law enforcement and consider relevant research and evaluations, such as recent reports from the Idaho Office of Performance Evaluation and the new Citizen Review Panels.

There are multiple groups already collaborating on advancing real solutions. For example, last month's Foster Care Awareness Day at the Capitol brought together hundreds of people from a variety of backgrounds, all committed to improving child welfare outcomes. Participants had the opportunity to share education and first-hand experiences with legislators.

About Foster Care in Idaho

Last year, the Idaho Department of Health & Welfare received 23,599 referrals from the public regarding concerns of abuse, neglect, or abandonment of children. When a referral is received, it is assessed and prioritized for response. Referrals involving a life-threatening and/or emergency situation require an immediate response, in which the Department coordinates action with law enforcement. All other reports require a safety assessment by the Department within 24 or 72 hours. Last year, the Department conducted over 10,000 of these safety assessments. Most of the assessments resulted in families receiving referrals to services to address concerns or meet specific needs they have.

Seventeen percent of referrals are determined to meet the statutory definition of child abuse or neglect. When this determination is made, the Department informs families - in writing - of certain rights, including their due process rights to appeal the substantiation. A child can only be removed from the home by law enforcement or by court order. Last year, 1,292 children entered foster care in Idaho. Almost half (47 percent) of these children are under the age of five. Last year, there were a total of 1,104 licensed foster families.¹

In 2017, almost three-quarters (72 percent) of Idaho's children in foster care were safely reunited with their birth parents or extended family, and 16 percent of these children were adopted. Five percent of the youth aged out of the system, meaning that they turned 18 while in foster care. Of the children returning home, 96 percent did not experience a repeat occurrence of maltreatment within six months.²

Foster care has been a topic of discussion at the Idaho Legislature in recent years, with an interim committee convening in 2017 and 2018 to study the foster care system.³ Subsequent reports by the Idaho Office of Performance Evaluations, as requested by the committee, evaluated the child welfare system as a whole⁴ and court representation for children and youth in child protection cases.⁵ Significant findings of the two reports include:

- Gaps in placement services, program capacity, organizational culture, and system-level oversight prevent the state's child welfare system from performing at the high level of expectation set through policy making and program design processes.
- Organizational culture is undercut by a constant feeling of crisis. Social workers described a detrimental cycle of priority and compromise.
- A worsening shortage of foster parents threatens the fidelity of the child welfare system.
- Idaho's Child Protective Act requires court-appointed representation for children and youth who are the subjects of child protection cases. Gaps in representation have occurred, and the state does not have a way to validate all children and youth are being served.

On February 28, 2019, the Child Protection Legislative Oversight Committee, a special legislative committee convened to provide review and oversight for the foster care system in Idaho, met for the first time.⁶ The committee discussed the Idaho Office of Performance Evaluations' findings and heard a presentation from a group of youth impacted by foster care.

¹ Idaho Department of Health & Welfare, 2018. "[Facts, Figures and Trends](#)."

² KIDS COUNT, 2018. "[Idaho Data Center Indicators](#)."

³ The [Foster Care Study Committee](#) was established in [House Concurrent Resolution 19](#), 2017.

⁴ Office of Performance Evaluations, 2017. "[Child Welfare System](#)."

⁵ Office of Performance Evaluations, 2017. "[Representation for Children and Youth in Child Protection Cases](#)."

⁶ The [Child Protection Legislative Oversight Committee](#) was established in [Senate Bill 1341](#), 2018.