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January 27, 2020
House Committee on Corrections and Juvenile Justice
Opposition testimony on HB 2445
Christie Appelhanz, Children's Alliance Executive Director

Chairman Jennings and Members of the Committee,

My name is Christie Appelhanz, and I am the Executive Director of the Children's Alliance of Kansas. The Alliance is an association of 17 private, non-profit child welfare agencies. Thank you for the opportunity to provide opposition testimony on HB 2445, which would allow children who run away to be placed in a juvenile detention facility for 24 hours. We know the status quo is not adequate. I have never met a child welfare professional who wanted to detain a child unless there was no other option to keep the child safe. We need to consider alternative solutions that are in the best interest of children.

Three Goals of Child Welfare – Safety, Permanency and Well-Being

Social workers and other child welfare professionals will continue to face struggles daily as they attempt to achieve the core goals of any child welfare system: safety, permanency and well-being. When a child runs away, two of the goals are in direct conflict as we try to balance safety and well-being. We know missing children are at risk of sexual exploitation, substance use and gang culture while those in a secure environment are more likely to be kept safe. At the same time, spending time behind bars can be a traumatic experience at any age but is particularly destructive for the well-being of young people. A locked facility implies wrongdoing on the part of the youth and fails to recognize children are brought into care through no fault of their own. We are deeply concerned about a child welfare system that criminalizes the victims. HB 2445 pits safety against well-being and asks policymakers to choose between the lesser of two evils.

What Is in the Best Interest of the Child?

The question we need to be asking is not if we should detain children. In child welfare the question always should be what is in the best interest of the child. Children are taken to detention by law enforcement because it is available 24 hours a day, 7 days a week – not because it is best practice. Secure care is always be preferable to detention. By secure care I mean a place where there are no bars on the doors, a place where youth can be comfortable

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and a place where therapeutic treatment is provided. It is a place more like foster care than a jail. **Not nearly enough secure care facilities currently exist in Kansas nor the staff trained to meet a child's need for safety while we plan for a safe, stable and nurturing placement.**

Designing a System to Meet the Needs of Youth

The best option is to design a system where we do not need detention to keep youth safe. When we reformed our juvenile justice system in Kansas, communities did not build the capacity for the immediate admission of our children. We have spent too much time since then pointing fingers trying to determine if this is a child welfare problem, law enforcement problem, local government problem or state government problem. We all have a role to play. We respectfully suggest solutions that provide for physical safety without sacrificing a child's need to feel safe:

- Request the Department for Children and Families study the need for secure care facilities in Kansas.
- Explore the feasibility of requiring local governments to contract with a secure care provider.
- Create a plan to invest in the expansion/creation of new secure care providers in Kansas.
- Invest in the child welfare workforce, foster families, placement options and evidence-based programming to help address the problem HB 2445 attempts to solve.