



Kansas
Department of Social and
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Children and Family Services

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Testimony of:

Brian Dempsey, Deputy Director of Children and Family Services
Department of Social and Rehabilitation Services
Topeka, Kansas

presented to:

The Hon. Mike Kiegerl and Honorable Members
of the Kansas House Committee on Children and Families:

SRS testimony on HB 2137

Chairman Kiegerl, Vice-Chair Wolf, Ranking Member Gatewood and Honored Members:

I am Brian Dempsey, Deputy Director of Children and Family Services with the Kansas Department of Social and Rehabilitation Services (SRS). Thank you for the opportunity to provide testimony in opposition to HB 2137.

HB 2137 creates the Protective Parent Reform Act (PPRA) amending statutes governing custody and visitation orders concerning children under the jurisdiction of the court as children in need of care or pursuant to a domestic relations dispute. SRS has concern about the cost of implementing some provisions of the bill.

Specifically, HB 2137 amends K.S.A. 38-2226 which concerns investigations of suspected child abuse or neglect by requiring that the investigator be trained to conduct such an investigation and that any interview by videotape be performed by a person trained to conduct such an interview and, if available, a child advocacy center as described in K.S.A. 38-2227. HB 2137 also amends K.S.A. 38-2230 concerning preliminary inquiries by SRS to determine whether a child may be in need of care to require that investigations of suspected child abuse or neglect include a criminal background check of both parents and any other suspect.

Currently criminal record checks are rarely purchased for maltreatment allegations. HB 2137 requires at least two record checks for each maltreatment allegation investigated. Approximately 17,865 reports are assigned for maltreatment each year. Assuming a cost of \$17.50 per record check, the cost of the record checks would be \$625,275. In addition, if the person has lived in another state, an out-of-state check would be needed at a cost of \$25.00 per check. Approximately 10 percent or 1,786, of the reports are estimated to require an out of state criminal history check. The cost of the out-of-state record checks would be \$89,300. The total cost of the record check is estimated to be \$714,575.

The requirement that all interviews be videotaped with require the purchase of video equipment for that purpose. One digital video recorder is approximately \$550. It is assumed one camera per judicial district (31 cameras) would be sufficient, for a total cost of \$17,050. No maintenance or replacement cost is included.

Finally, SRS has concerns that the PPRA would significantly alter the role of the guardian ad litem, currently an attorney appointed to represent the child's best interests. Under PPRA, any attorney appointed to represent a child would be prohibited from considering or informing the court of the child's best interests. The child would have the responsibility for directing the attorney's work.

Thank you.

Brian Dempsey
Deputy Director, Children and
Family Services