

Testimony of Shannon Dargon, Kansas City, Kansas- An opponent of SB157

March 5, 2020

Dear Chairperson Patton and House Judiciary Committee:

I have seen that SB157 is trying to be passed giving equal rights to each parent. I beg of you to consider that this is not the case in every single situation and that this bill should not continue any further.

I have worked with children, in a preschool setting, for over sixteen years and have seen the effect that divorce and negligent co-parenting has on children. I have also witnessed children so afraid to go to a certain parent's house that they are making themselves physically ill. I ask you how is this fair to a child?

No one, it seems, promoting this bill seems to be concerned about the rights that a child does have even though they are a minor. Just because there has not been documented evidence: due to the abuse being verbal, coercive, mental or even because SRS or CPS is so back logged that they cannot do their job in a timely manner to help rescue these children from their current situation. There are many documented cases in which SRS or CPS have not been able to help families or children due to a lack of supports. Again how is it fair to a child? How is it fair for any child to not have a voice in what they feel comfortable or safe with? If there is abuse in the home, and a parent flees with the children for all of their protection, they get tossed right back into that parent's arms. What is your justification in this?

This bill, in my opinion, uses children for a parent to get what they want.

Is this a bad thing in every single case? It depends. If both parents are equally loving, equally nurturing and equally interested in the best outcome for the children, then yes it very well could be the best situation. However, when there has been documentation of physical abuse on a child, even if it is not one of the children involved in the dispute, NONE of the children should be involved. If a child previously in care of one of these parents and has a restraining order against one of the parents, then none of the children should be involved with that parent. How are the child's rights being represented?

I turn now to the rights of a child. Children's rights were recognized after the 1st World War, with the adoption of the Declaration of Geneva, in 1924. The UN continued this with the adoption of the *Declaration of Children's Rights* in 1959.

Now the child's rights:

- o Children's rights: rights adapted to children
- o Children's rights are human rights specifically adapted to the child because they take into account his fragility, specificities and age-appropriate needs.
- o Children's rights take into account the necessity of development of the child. The children thus have the right to live and to develop suitably physically and intellectually.
- o Children's rights plan to satisfy the essential needs for a good development of the child, such as the access to an appropriate alimentation, to necessary care, to education, etc.
- o Children's rights consider the vulnerable character of the child. They imply the necessity to protect them. It means to grant a particular assistance to

them and to give a protection adapted to their age and to their degree of maturity.

o So, the children have to be helped and supported and must be protected against labour exploitation, kidnapping, and ill-treatment, etc.

For children who come from homes in need of protection, in need of mental stability, in need of a stable standard of care, this bill does not uphold their rights. It is for a parent, who is not happy with the current parenting plan, to try and drag the children through a mess of litigation to get what they want. When a parent is doing this to a child, they are acting as a child themselves. That, as well, does not in any way uphold a child's rights.

We learn to "nurture" from our parents. How can a child learn to develop correctly and safely from a parent that does not support any of the Children's Rights?

You say that SB157 is for the rights of parents. It definitely does not support the rights of parents who are separating themselves and their children from a home that was mentally unstable or even physically abusive.

Please find it in your hearts and morals to not pass this bill. I plead with you to think of the children at risk from this. I plead with you to think of the children you would be putting in harm's path.

Sincerely,

Shannon Dargon

shannondargon@gmail.com

(913) 387-8477