



## *End discrimination based on sexual orientation and gender identity*

Neutral In-Person Statement of Thomas Witt  
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HB 2468, Kansas foster youth bill of rights  
House Committee on Children and Seniors

March 16, 2022

Greetings Chairwoman Concannon and committee members –

Equality Kansas is the leading LGBT advocacy organization in our state. We have had a full time presence in the statehouse since 2006, and in that time one of our main priorities has been protecting the LGBT community from discriminatory legislation, and the inclusion of sexual orientation and gender identity in Kansas statutes prohibiting discriminatory practices.

Today this committee is looking at two closely-related bills: this bill, HB 2468, the “Kansas foster youth bill of rights,” and HB 2469, the “Kansas foster parents bill of rights.” While HB 2469 includes a provision protecting foster parents from discrimination, HB 2468 contains no protections from those most vulnerable in the child welfare system: the children themselves.

Kids in the foster care system need the protections you’re considering for foster parents. Of all the stakeholders in the system, it’s the children who have no agency and no input into their foster placements.

A 2019 study<sup>1</sup> published in “Pediatrics,” the official journal of American Academy of Pediatrics, found that 30.4% of youth in foster care identify as LGBTQ.

LGBTQ youth are more likely to suffer from consistent harassment and abuse in foster care, juvenile justice settings and homeless shelters. From ChildrensRights.org: *“At times, [LGBTQ youth in foster care] are subjected to dangerous efforts that falsely claim to change their orientation or gender identity, including so-called “conversion therapy.” These incidents are particularly pervasive with transgender youth, whose very identities are rejected in state care, and who, when bullied and abused, are often criminalized for acting in their own self-defense.”*

A 2014 study published by the Williams Institute<sup>2</sup> found that approximately 40% of homeless youth identify as LGBTQ, and that 78% of LGBTQ youth were removed or ran away from foster homes, and 56% chose to live on the street, rather than in a foster care placement, because they felt safer there.

All Kansas youth in foster care deserve to be treated with dignity. No child, regardless of their innate characteristics, should be subjected to discrimination by the foster care system merely because of who they are. Kids in foster care have already had their lives upended through no fault of their own. The last thing these young Kansans need is to be condemned, harassed, bullied, or disparaged by the adults in the system whose responsibility it is to provide them with a safe, nurturing home in their time of extreme need.

<sup>1</sup> LGBTQ Youth in Unstable Housing and Foster Care, Laura Baams, Bianca D.M. Wilson and Stephen T. Russell, Feb 11 2019

<sup>2</sup> Wilson, B.D.M., Cooper, K., Kastanis, A., & Nezhad, S. (2014). Sexual and Gender Minority Youth in Foster care: Assessing Disproportionality and Disparities in Los Angeles. Los Angeles: The Williams Institute, UCLA School of Law.

HB 2469 provides discrimination protections on the basis of “religion, race, color, creed, gender, marital status, national origin, age or physical handicap.” We ask that you amend HB 2468 to include these protections, with the addition of sexual orientation and gender identity. With that amendment, Equality Kansas will work with the proponents for passage of this very necessary bill.

All children in the foster care system deserve to live free of discrimination, and that includes the LGBTQ kids.

Thank you for your time and attention. I am available to stand for questions.