

February 21, 2013

Testimony in support of House Bill 2233

Many laws are created to protect citizens from the abuse of power from agencies and officials or any entity who could and have abused their power and control over American citizens. House Bill 2233 would correct several of these issues in the court system.

When my daughter attempted to report tried to report her concerns regarding the safety of her son due to horrible damage to the 3 year old boy's finger without any medical care while in the father's care and she also tried to report her concerns when a 4 month old baby girl died while in the father's care due to what Children's Mercy described as "the baby's inability to thrive in the home environment". A court appointed therapist who did extensive psych evaluations on the father and mother testified that he saw no drug abuse by the mother and that mother could take care of her children without any assistance but that the father could NOT take care of his son without assistance due to a mental deficiency. (The father was convicted of domestic violence four times during the CINC case.) When the mother reported these concerns to the court regarding the safety of her son, Court officials stated that her reporting these concerns were just the mother's attempt to cause problems for the father and that it was an example of why the father could not effectively parent their son if the mother was in the child's life and, therefore, the mother's rights should be terminated. The mother's visitations with her son were terminated and her parental rights were terminated. House Bill #2233 would prevent this from happening.

During the 2 1/2 years of my grandchildren's CINC case, the court appointed attorney for the children never spoke to the children even though the children were old enough to express their wishes to the GAL. The GAL never returned the mother and my numerous phone calls and refused requests for the GAL to call us regarding the children.. However, we would see the GAL, before every hearing, talking off to the side with other court officials discussing the case. The GAL refused requests by mother and grandmother to talk with the parent before or after court hearings.. The mother and I "cornered" the GAL after one family planning meeting and told him many of our concerns but he did nothing to address these concerns. The GAL did not attend numerous family planning meetings for the children. In a court hearing I heard the GAL turn to another court official and ask for information about the case which should have been decided by the GAL. I also saw the GAL having meeting with the caseworker from KVC without parents present. Not coincidentally, The GAL would ALWAYS have the same recommendations as all the other court officials. The GAL would discuss the case with everyone in the court except the children whom he was supposed to represent and the parents. House Bill #2233 would stop this from happening.. .

When parents and their children are brought into a CINC case, they are not allowed to see any reports, recommendations, psych evaluations, documents, etc., presented to

the court as evidence by court officials. . This prevents the parents from exercising their rights to confront their accusers. BEFORE court hearings during meetings between the judge and other court officials in which parents were not allowed to be present, decisions are made by the judges before parents are allowed to present their evidence or even have a hearing. to present their case in court. The only evidence the judge would see to base this decision are reports and recommendations from court officials given to the judge. before the hearing.. There have been cases, when the judge as made a decision before a hearing based only on these reports. In some cases, after a closed door meeting between judge and court officials without parents present, the judge would have the parents' attorney advise the parents that the judge had already made a decision to sever the parents' rights but if the parents would voluntarily relinquish their rights, the parents would have a better chance of getting their children back in the future. But if the parents won't relinquish their rights voluntarily, the judge has decided to sever their rights (before any hearing) and then parents would never see their children again.. Due to unbearable pressure and fear, some parents will relinquish their rights on just the possibility that they will get their children back later on.

In many, many, numerous CINC cases, even though allegations are deemed unsubstantiated, the children are still being removed from their homes. My two grandsons were removed from my home on allegations that were unsubstantiated by SRS. . I was refused adoption of my grandsons by KVC and my requests for the basis of their decision was refused by caseworkers and their supervisors. One of my grandsons was adopted by a foster home that was turned in for child abuse of my grandsons and my other grandson was given custody to the convicted domestic violence abuser father.. This was done by the judge on the recommendation of KVC . Children should not be removed when the allegations are unsubstantiated. Bill 2233 would address this.

The removal of children from their homes has a long lasting and far reaching effect on these children who are removed from their families unnecessarily and unsubstantiated. Studies have shown that when children are removed from their homes and their family, the children experience separation anxiety, experience stockholm syndrome, and suffer from post-traumatic stress syndrome, the same as soldiers who have been in wars experience. After my grandsons were removed from my home, 11 family members had to go into therapy, including the boys' three siblings and including the two grandsons who were placed in foster care, 3 and 4 years old, when they had never needed therapy before. Children are not resilient, they are the most fragile human beings on earth. House Bill #2233 would hopefully stop the unnecessary trauma perpetrated on children.

In another case, a four year old boy was placed in a hospital for mental problems for a week due to the results from being removed from his home. After the foster mother testified at the capitol in front of a committee regarding unethical treatment of children by officials. By the time she returned home, she had lost her foster care license.

Willful, intentional, unethical and immoral actions by caseworkers, judges, , court officials, etc., are perpetrated on parents in CINC cases more often than you realize. When parents lose their children based on closed reports and evidence and meetings they are not allowed access to, the parents' are being denied their civil rights.. Caseworkers, judges, court officials, etc., do not always follow the letter of the law but allow their own personal opinions to influence their decisions and recommendations. Until we have open courts where all allegations , all evidence and all meetings are completely accessible to the parents and the "veil of secrecy" is lifted, parents and children will never receive real justice.. These officials will not stop this unethical behavior towards parents unless it is specified in a law, as it is in Bill #2233.

I am asking on behalf of loving parents and beloved children, please pass House Bill #2233.

*Thank you for your time and respectfully submitted,
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