

HOUSE COMMITTEE ON CHILDREN & FAMILIES

Hearing Room B Tapes - 31

MEMBERS PRESENT: Rep. John Meek, Chair Rep. Judith Uherbelau, Vice-Chair Rep. George Eighmey Rep. Bill Fisher Rep. Patti Milne Rep. Kitty Pi

STAFF PRESENT: Tom Mann, Committee Administrator Pamela Berger, Committee Assistant

MEASURES HEARD: CSD response - Informational HB 2029 - Public Hearing and Work Session

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation mark report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE , A

CHAIR MEEK: Calls the meeting to order at 8:37 am

Children's Services Division (CSD) Response - Informational

Staff submits a letter written to CSD, from committee members, to respond to at today's hearing (EXHIBIT A) and a letter from Clinton and Ti (EXHIBIT B)

021 KAY TORAN, ADMINISTRATOR, CSD: Responds that at yesterday's hearing it was requested that branch managers not administrators respon

CHAIR MEEK: CSD responded yesterday to another legislative committee; re-caps incidences that occurred and discussion at yesterday's hearing

180 TORAN: In response to Meek, does not yet have the answer to why policies

and procedures were not followed; hope to get that information immediately -in response to Snodgrass, discusses what is the definition of sp rely on the definition of abuse -it is our procedure to talk to the parents first

SNODGRASS: How as a parent, do I know what my boundaries are - when it is O.K. to spank a child?

TORAN: We are concerned about injury to children, not the spanking of a child -a screener determines if an investigation needs to occur

SNODGRASS: Afraid where were we are going with the definition of abuse

TORAN: Discusses the need to define corporal punishment

303 UHERBELAU: Advises committee to move slowly in defining corporal punishment

TORAN: NeighB or made call to Sheriff's department, who then responded -neighB or indicated that this was a long standing problem 360 -in

TAPE 30, SIDE A

-in response to Eighmey, 25,000 cases of abuse are reported each year, 25 percent result in removal

DIANA ROBERTS, CSD: Discusses infrequency of improper removal

TORAN: Police report -would have followed our recommended steps in this case -relative resources -have not received a full release for the W

075 CHAIR MEEK: The Whiteheads are working with the department and are working through issues; felt it would be best that they not appea

EIGHMEY: Disturbed that we are discussing this without full information or full participation by parties -if I would have read this police r

170 CHAIR MEEK: Statutes do define abuse; what CSD is asking for is a definition of corporal punishment

180 FISHER: Each family is different, each is not perfect -would like to know what your definition of injury is -suggests placing emplo

TORAN: We are required to do investigations when an employee does not perform according to standards -reads policy which describes physical

CHAIR MEEK: Everybody is in agreement that CSD should have followed up on this case -we are here to deal with procedural issues

337 REP. JOHN SCHOON, DISTRICT 34: Discusses situation that occurred in Polk

County which was very similar to the Whitehead case -feels that Toran truly looks out for the best interest of the children -considered an " in the house or if you are a single parent

TAPE 29, SIDE B CHAIR MEEK: Child abuse risk factor (See: Exhibit C)

SCHOON: Feels that children being raised in single parent home should not be identified as "at-risk"

UHERBELAU: Are release forms available so that we can have access to CSD records?

TORAN: Yes

UHERBELAU: Have heard a lot of testimony against CSD, would like to have those folks sign release forms so that we can have needed informat

CHAIR MEEK: Have requested staff to look into that

077 MILNE: After numerous calls to CSD, I have yet to see one document although release forms have been signed -need better communicatio

100 SNODGRASS: Cowering; subjective to person's opinion

TORAN: Police officers make judgment calls, see a lot of situations

SNODGRASS: Officers may make assumptions without thorough investigation

TORAN: Suggests bringing in law enforcement to see how they work

EIGHMEY: CSD based their action on a police report; shouldn't be chastising CSD for responding to a police report

MEEK: CAMI funds available for multidisciplinary teams to assess situations -refers to definitions of abuse (See: Exhibit C)

TORAN: This is a gray area -if same behavior happened between two adults there would an assault and battery charge

214 ROBERTS: In response to Fisher, discusses statistics -parents are usually upset and disagree with action when removal occurs, do no

240 REP. MARGARET CARTER, DISTRICT 18: Talks about being a mother of nine children -overwhelming to have a large number of small child

325 UHERBELAU: Previous generations had supportive communities, which we don't have now

CHAIR MEEK: Thanks Toran -why didn't judge question CSD about details prior to issuing order?

TORAN: Can't speak for the judge -they look at CSD as the professionals

400 PIERCY: Comments on parents job and CSD's job

TAPE 30, SIDE B

FISHER: Do you believe these children would be back in the home if it weren't for the legislature's involvement in this case?

TORAN: Cannot answer that

CHAIR MEEK: The amendments for HB 2356 are not ready, will re-schedule hearing

HB 2029 - Work Session

MANN: Updates on HB 2029-1 proposed amendments (SEE: Exhibit B from 2/21/95)

CHAIR MEEK: The intent of adopting the -1 proposed amendment is then to form a work group to draft suggested changes to the amendments

MOTION: PIERCY MOVES THE ADOPTION OF HB 2029-1 PROPOSED AMENDMENTS

VOTE: NO OBJECTIONS

CHAIR MEEK: Asks Uherbelau and Snodgrass to work on confidentiality issue

HB 2029 - Public Hearing

100 ROBERT JOHNSON, ATTORNEY & PARENT: Testifies on HB 2029 -talks about a case he was involved with CSD -would like to see greater ac

BETTY UCHYTIL, CSD: Will look into that

290 MARVA NICKA, GRANDPARENT: Testifies on HB 2029 -CSD does not follow their procedures

325 AMY HEWITT, PARENT: Testifies on HB 2029 -talks about her involvement with CSD -scared of repercussions -there is no CSD accountabi

UCHYTIL: There are 25,000 referrals that require an assessment -there are 8,000 founded child abuse incidents -approximate 25 percent remov

CHAIR MEEK: Asks Uchityl to provide Washington County report when available -would like number of petitions

UCHYTIL: Can ask but that is court information

CHAIR MEEK: Would like to know how may petitions have transpired

TAPE 31, SIDE A

UCHYTIL: We may sign a petition that does not require removal, it would require a court hearing and an appearance to come to court -what we

MEEK: Yes, that also

FISHER: Would like to know how may CSD workers have been disciplined in the

past year and what the discipline action were by category

030 CHAIR MEEK: Adjourns the meeting at 10:30 a.m.

Submitted by, Reviewed by,

Pamela Berger Tom Mann Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - CSD - Letter from Committee to CSD - staff - 1 p B - CSD - Testimony from Clinton & Tina Miller - staff - 3 pp C - CSD - Procedures and