

Safe Passage for Children of Minnesota

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Chair Champion
Minnesota Senate Bldg., Room 3401
St. Paul, MN 55155

Co-Chair Pinto
5th Floor Centennial Office Building
St. Paul, MN 55155

Co-Vice Chair Hoffman
Minnesota Senate Bldg., Room 2111
St. Paul, MN 55155

Co-Vice Chair Knudsen
2nd Floor Centennial Office Building
St. Paul, MN 55155

Re: HF 2436/SF 2669

Dear Chair Champion, Co-Chair Pinto, Co-Vice Chair Hoffman, Co-Vice Chair Knudsen, and Members of the Legislative Task Force on Child Protection,

We write on behalf of Safe Passage for Children of Minnesota and a coalition of frontline professionals with experience caring for children who have been victims of abuse. While we believe that foster children staying with kin is optimal when safe, we are concerned that proposed changes to kinship foster care eligibility could endanger children who are already traumatized.

In 2021, a group of us, including Chief Justice Kathleen Blatz, negotiated changes to foster parent eligibility with proponents of more flexible licensing standards. Many restrictions relative to lesser crimes were removed, while restrictions for significant crimes were kept. This bill's recommendations advocate for changes that would weaken these previously agreed upon requirements. It raises significant concerns because the primary purpose of foster care placement—whether with relatives or others—is to ensure the safety and well-being of the child.

We oppose the following clauses of SF 2669:

Removing Specific Violent Crimes from Permanent Disqualifications: Remove assault in the first degree from the list of permanent bars and add it to the list of 5 year bars for background studies affiliated with a family foster setting.

Our concerns: The crime in question is an offense for which the courts have found, beyond a reasonable doubt, that the offender committed a violent act. A conviction of First-Degree Assault involves causing great bodily harm to a victim, which may include a high probability of death, serious disfigurement, or the permanent or protracted impairment of a limb or organ. Individuals with a history of violent crimes often exhibit traits like difficulty with impulse control and aggression, which increase the risk of abusive behavior. Children

removed from an abusive situation deserve a stable environment and should not be placed with someone who has demonstrated significant criminal behavior.

Reducing Disqualification Periods for Termination of Parental Rights (TPR): Modify the disqualification period for a prior involuntary TPR/TPPLC from 20 years to 7 years when an individual is a relative of the child in foster care.

Our concerns: *The termination of parental rights is a serious process, not taken lightly by the courts and except in rare circumstances results from significant parental abuse and/or neglect. Even “voluntary” TPRs may be pleas that were made because the individual was told that a decision by the court for an involuntary TPR is imminent. A child being removed from an abusive home is already traumatized and should not be placed with someone who has previously committed significant abuse to a child. The change from a permanent bar to a 20-year bar happened only a few years ago.*

Adjusting Felony Disqualification Periods: Modify the five-year automatically disqualifying felonies provision to begin with the date the crime was committed versus conviction.

Our concerns: *Shifting the starting point to the date the crime was committed may mean that the legal proceedings are still ongoing and, in some cases, that the person convicted is still serving a sentence.*

As these proposed changes are considered, it is essential to ask: Are these changes in the best interest of the child? Would you want your child or relative placed with someone who has been convicted of assault in the first degree?

Thank you for the opportunity to provide feedback on these proposed changes to the foster care license system. We trust that you will prioritize the safety and well-being of Minnesota’s most vulnerable children in your decision-making process.

Signed:

Elizabeth Bergman

Co-founder of Family Enhancement Center

Gerard Bodell

CASA Minnesota Board President

Maggie Carney, RN

Retired Child Abuse Case Manager at
Midwest Children’s Resource Center
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Jamie Greshowak

Legislative Lead Grand-USA-MN

Tory Hart and Josephine Josephson

Father and Step-mother of Eli Hart who, tragically, was killed by his mother

Margie Hogan, M.D.

Retired pediatrician, Hennepin County Medical Center

****Lisa Hollensteiner M.D.**

Retired Emergency Department Physician
Board Chair of Safe Passage for Children

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Former Hennepin County District Court Judge and Minnesota State Senator

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Mike Tikkanen

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Carol Wichers, MA

Retired Social Worker and Marriage and Family Therapist

*** Member of 2014-2015 Governor's Task Force on the Protection of Children*

