



Please Vote YES on HB23-1043

Sponsors: Rep. Lindsay & Pugliese, Sen. Ginal & Rich

Issue:

Colorado's laws can prevent relatives and kin from providing care for their relative child when that child is involved in a child abuse/neglect case, because the laws are too restrictive, do not consider people's ability to change, and may perpetuate systemic racism resulting in inequity for people of color.

Solution:

Limit the convictions included in the list of crimes that prohibit placement and create more limited timeframes for certain convictions. Specifically, this includes:

- Removing misdemeanor convictions
- Adding timeframes for other felony convictions
- Continuing to prohibit kin with sex abuse related convictions from being considered as an emergency kin placement option

Even with these changes to statute, a thorough assessment of the kin, home and situation will occur before placement occurs to ensure a safe situation for children and youth. These changes to statute will ensure and increase safe placements of children with kin while reducing trauma for children, preserving safety, and sustaining familial ties that can increase positive outcomes for children involved in dependency and neglect cases.

Background:

Relatives and kin provide care for children in need of out-of-home care in child abuse and neglect cases. The Federal Family First Prevention Services Act prioritizes these types of placements over foster and congregate care.

The Children's Code (C.R.S. 19-3-406 & C.R.S. 19-3-407) outlines a variety of crimes and timelines that prohibit relatives and kin from caring for children. Current state law for emergency and non-emergency placement for kin is more restrictive than the federal law for licensed foster parents, including indefinite time frames that do not recognize a person's ability to change.

These indefinite timeframes result in children being placed into foster care and congregate care which increases their trauma. For example, a caseworker is looking for an emergency placement for a youth. Her aunt and uncle are willing to be a placement, however an emergency background check says that the uncle cannot be a placement. A fingerprint background check of the uncle showed he had a drug conviction from 2011. A drug conviction with no subsequent criminal history prevented a youth from being placed with relatives and caused the child to be placed with strangers separated from family and familiar supports.

Please Support HB23-1043

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