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On Behalf Of:
Committee: House Committee On Early Childhood and Human Services
Measure, Appointment or Topic: HB4059

I want to respond directly to the framing that ODAA's proposed redlines "strike a balance" and that maintaining the status quo protects vulnerable children.

Our recommendations in HB 4059 are grounded in both qualitative lived experience and quantitative outcome data. The DA position, as articulated here, does not reference outcomes, research, or evidence of system effectiveness. Despite decades of data documenting harm produced by the current approach. Maintaining existing practice is not a neutral position; it is an endorsement of outcomes that are already known and measurable.

The current system does not protect Black families from bias and racism in reporting, investigation, or decision-making. Caseworkers do not need to prove harm to initiate removals, only to allege it in a report. Even when misrepresentation or error is later acknowledged, the harm to the family is rarely undone, and accountability is almost nonexistent. The system operates as though racism is a hypothetical concern rather than a documented reality. Yet the data across the continuum of involvement from hotline calls, removals, length of stay, and termination of parental rights all show consistent racial disproportionality that cannot be ignored.

The concept of "threat of harm," as currently written and applied, is dangerously subjective and expansive. It allows for removals based on speculation rather than imminent risk, and once a parent is deemed a "threat" based on past circumstances, that label becomes nearly impossible to shed. In practice, there is no clear standard for what constitutes sufficient evidence of safety or protective capacity. The threshold shifts, families remain separated, and reunification becomes increasingly difficult even when circumstances have materially changed.

While the system is purportedly designed to offer interventions to prevent removal, there is no meaningful accountability mechanism to ensure this occurs. Families are rarely asked what supports they need, and there is no requirement that evidence-based prevention strategies be attempted or documented prior to removal. This results in removals being treated as a first-line response rather than a last resort, in direct conflict with best practice.

There is substantial evidence that these approaches harm children through unnecessary separation, attachment disruption, and trauma, yet those outcomes are routinely ignored when fear-based narratives are invoked to halt reform. "But children

“will die” is used to shut down evidence-based, equity-centered solutions, even when current practices demonstrably fail to improve safety and, in many cases, make families less safe.

If these reforms are blocked, we must have an immediate and concrete plan for how Black families will be protected from a system that has repeatedly failed them. Maintaining a harmful status quo without mitigation is not a defensible position.

History offers cautionary examples of systems that justified harmful practices in the name of protection, only to later acknowledge the damage done when power was exercised without accountability or evidence. We should be guided by outcomes and best practice, not by fear, inertia, or institutional tradition.

“The worst of all tyrannies is that which is done for the benefit of the oppressed.”

If ODAA is genuinely interested in collaborative, good-faith engagement, families who have been directly impacted can provide testimony or speak to the workgroup. Their experiences reflect real-world outcomes of current practice and deserve to be heard in this process.

Respectfully,
Tori Algee