

HR-58

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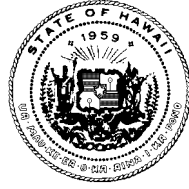
Testimony for HHH on 3/29/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
nanci kreidman	domestic violence action center	Support	Written Testimony Only

Comments:

Support

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DEPARTMENT OF HUMAN SERVICES

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March 28, 2022

TO: Honorable Representative Ryan I. Yamane, Chair
Committee on Health, Human Services, and Homelessness

FROM: Cathy Betts, Director

SUBJECT: HCR64/ HR58 - REQUESTING THE JUDICIARY CONDUCT A STUDY ON THE NECESSITY OF MANDATORY REFERRALS TO THE DEPARTMENT OF HUMAN SERVICES FOR INVESTIGATION OR INTERVENTION IN ALL CASES OF ALLEGED DOMESTIC ABUSE INVOLVING A FAMILY OR HOUSEHOLD MEMBER WHO IS A MINOR OR INCAPACITATED PERSON.

HEARING: Tuesday, March 29, 2022, 10:00 am
Via Videoconference, Conference Room 329

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this resolution, offers comments, and defers to the Judiciary.

PURPOSE: This resolution requests the Judiciary conduct a study on the necessity of mandatory referrals to the Department of Human Services for investigation or intervention in all cases of alleged domestic abuse involving a family or household member who is a minor or incapacitated person.

The current mandate to refer to Child Welfare Services acts as a deterrent for parents who file for a temporary restraining order (TRO), as petitioners fear their children will be taken from their care; perpetrators often use the threat of child custody against victims. Filing a TRO is a proactive step toward creating safety for children; individuals experiencing domestic violence should not be "punished" with unnecessary CWS involvement for taking this protective

step. In addition, the current automatic referral to CWS overburdens the CWS system for the already overworked staff.

DHS defers to the Judiciary as to their ability to conduct a study on the necessity of conducting mandatory referrals. However, the Department will work with the Judiciary to provide it with information to complete the study.

Thank you for the opportunity to provide testimony.