

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF KANSAS
KANSAS CITY DIVISION**

M.B. and **S.E.** through their next friend)
Katharyn McIntyre, **R.M.** through his next)
friend Allan Hazlett, **C.A.** through his next)
friend Allan Hazlett, **E.B.** through his next)
friend Allan Hazlett, **J.P.** through her next)
friend Allan Hazlett, **Z.Z.** through her next)
friend Ashley Thorne, and **M.A.** through his)
next friend Ashley Thorne, for themselves and)
those similarly situated,)

Case No. 2:18-cv-02617-DDC-GEB

Plaintiffs,

v.

Laura Howard in her official capacity as)
Kansas Department for Children and Families)
Secretary, **Dr. Lee A. Norman** in his official)
capacity as Kansas Department of Health and)
Environment Secretary, and **Laura**)
Howard in her official capacity as Kansas)
Department for Aging and Disability Services)
Secretary,)

Defendants.

DECLARATION OF LEECIA WELCH

I, Leecia Welch, do hereby declare:

1. I am the Senior Director of Legal Advocacy and Child Welfare at the National Center for Youth Law (NCYL). I represent Plaintiffs in the above-titled action. I submit this declaration in support of Plaintiffs’ Summary of and Responses to Submissions Received in Response to Notice of Proposed Class Action Settlement, and in further support of Plaintiffs’ Unopposed Motion for Final Approval of Class Action Settlement. I have personal knowledge of the facts stated in this declaration and, if called to testify, could and would testify competently thereto.

2. Plaintiffs' counsel has posted a copy of: (1) the parties' Settlement Agreement; (2) the Notice of Proposed Class Action Settlement; (3) the Court's September 9, 2020, Order; (4) Plaintiffs' Unopposed Motion for Final Approval; and (5) Plaintiffs' Motion for Attorneys' Fees and Expenses on the websites of both the National Center for Youth Law (*see* youthlaw.org/case/mb-v-howard-settlement/) and Kansas Appleseed (*see* kansasappleseed.org/mbvhoward.html).

3. In accordance with the Court's September 9, 2020, Order, I have provided Defendants' counsel with a copy of objections, support, and other comments received during the notice period regarding the proposed Settlement Agreement, as well as information relating to individuals who wish to appear personally and speak at the final approval hearing.

4. Between October 9, 2020, and the close of the notice period on December 7, 2020, Plaintiffs' counsel received thirty written submissions from stakeholders concerning the parties' proposed Settlement Agreement. Plaintiffs received one additional submission that a stakeholder had sent to Defendants. Of these thirty-one stakeholders, eleven submitted comments in favor of the parties' Settlement Agreement, seventeen were neutral (meaning they expressed neither explicit support for nor disagreement with the Settlement Agreement), and three expressed concerns in some manner about the Settlement Agreement. Only one, in the neutral category, identified himself as a member of the Class. Twelve indicated that they would like to speak at the January 22, 2021 final approval hearing.

5. After the close of the notice period, Plaintiffs received four additional written submissions. All four concerned individual families and none of them commented substantively on the Settlement Agreement. I have consulted with counsel for Defendants, and the parties agree that, even though these comments were received after the deadline, they should be accepted and considered by the Court.

6. In addition to the written submissions, thirty-five additional individuals contacted Plaintiffs by email or phone during the notice period concerning issues related to the Settlement Agreement. Eight requested and received a copy of the Settlement Agreement. Eight had

questions about the Settlement Agreement. Twenty-five reached out about individual cases or situations. Several people contacted Plaintiffs for more than one of these reasons. Plaintiffs' counsel promptly responded to each of these individuals.

7. Three additional individuals have contacted Plaintiffs via phone or social media since the close of the notice period, each concerning their individual case or situation and/or seeking information about the Settlement Agreement.

8. A true and correct copy of each of the following documents is attached as Exhibits A-C, E-M, U, and BB-DD.

- a. Exhibit A: Email from Bonnie Biggart
- b. Exhibit B: Letter from Lauren Bonds, ACLU Foundation of Kansas
- c. Exhibit C: Letter from Dr. Grey Endres
- d. Exhibit E: Letter from Marilyn Harp, Kansas Legal Services, Inc.
- e. Exhibit F: Letter from Jill L. Mall
- f. Exhibit G: Email from Jay Pawlak
- g. Exhibit H: Email and statement from Ashley Schwach
- h. Exhibit I: Email from Jessica Shepherd
- i. Exhibit J: Letter from Tara D. Wallace
- j. Exhibit K: Letter from Dana J. Winkler
- k. Exhibit L: Email and speech from Kimberly Allen-Thompson
- l. Exhibit M: Email from Renee Beste
- m. Exhibit U: Letter from Mary Moyer
- n. Exhibit BB: Email from Maureena Summers
- o. Exhibit CC: Letter from Charles H. Apt III
- p. Exhibit DD: Email from Brenda Jolley

9. Plaintiffs are concurrently moving to file the unredacted versions of certain submissions under seal. A redacted version of each of these emails and letters is attached as Exhibits D, N-T, V-AA, and EE-II.

I declare under penalty of perjury that foregoing is true and correct.

Executed this 14 day of December in San Francisco, California.

A handwritten signature in black ink, appearing to read 'Leecia Welch', written in a cursive style.

Leecia Welch

Exhibit A



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: Foster Care Reform

Leecia Welch <lwelch@youthlaw.org>
To: Kansas Case <kansas_case@youthlaw.org>

Fri, Dec 4, 2020 at 8:27 PM

----- Forwarded message -----

From: **Bonnie Biggart** <biggart.bonnie@gmail.com>
Date: Fri, Dec 4, 2020 at 8:12 PM
Subject: Foster Care Reform
To: <fostercaresettlement@kansasappleseed.org>, <lwelch@youthlaw.org>

To Whom It May Concern,

I am writing this letter to support the Foster Care Reform Case. I have worked in Residential Psychiatric facilities for 16 years, and been advocating for improved treatment of youth for the entirety. Throughout my professional career I have personally witnessed atrocities toward children daily in the foster care system. These systems are detrimental, inadequate, and in desperate need of reform. The harms that children in this system encounter are truly harrowing. I believe the proposed bill significantly addresses some of these concerns, and implementation should be pursued promptly.

It is my hope these changes will push things in the right direction. I've often observed children in residential being passed from one unstable and unsafe environment to another without question. Unfortunately, these instances are not exclusive to Kansas, but a broader systemic issue that spans across the United States of America. The leadership of Kansas to implement Trauma Informed Care for meaningful systemic change that empowers individuals, and our wider communities is a welcome inspiration for the entire country.

During my time with youth across the midwest I've encouraged open and honest sharing of the profound struggles encountered during their short lives. Provided with conditions of perceived stability, children begin to reveal experiences that elucidate the desperate need for systemic change. Their stories have included abuse from family members and clinical staff, being over medicated by mental health facilities, being passed around from placement to placement, and being victims of sexual violence while witnessing negligible enforcement of consequences upon their abusers. These examples are only a sample of atrocities that children have felt safe to share with me. Bringing people with familiarity of these struggles, including former children of foster care, into the evolutionary process of implementing policy reform is necessary, encouraged and incredibly important. This settlement addresses common issues for systemic change by clearly defining requisite requirements to

follow-through over a longer period of time as necessary to solidify genuine intentions for reform. Though meaningful change will understandably take time, any lack of consistent follow-through due to insufficient funding or official oversight would be a hindrance to overall progress made.

As mentioned already, I have been advocating for better treatment of youth in the system for a long time. Perspective is bleak when you understand how difficult it is to lead a successful life as a child of the current system. Statistics illustrate with alarming clarity how pervasive these issues are. As it is now, the system is harmful for children, with consequences perpetuating well into adulthood. Social services across even seemingly unrelated areas are overburdened by this weight. Fruition of this reform case is the first opportunity for meaningful change I've observed for the betterment of these children's lives. This is a chance to make real change, heal many generations, elevate entire communities, and strengthen a largely disenfranchised community of valuable people.

It is our principal duty as protectors of children to strive for better conditions despite the opposition of circumstance, always. If we continue to dismiss this vulnerable population, our current mental health crisis will exceed epic proportions. I hope you see the value in making these proactive changes, and will do your best to honor the lives of these children in Kansas and beyond.

[Hide quoted text](#)

Be Well,
Bonnie Biggart

"The old are to protect the young, not endanger or exploit them." -Kimya Dawson

--

Leecia Welch (*Pronouns: she / her / hers*)
Senior Director, Legal Advocacy and Child Welfare
National Center for Youth Law

1212 Broadway, 6th Floor, Oakland, CA 94612
Phone: (510) 835-8098 ext. 3023
Fax: (510) 835-8099



Exhibit B

December 6, 2020

Hon. Daniel D. Crabtree
United States District Court
500 State Avenue, Suite 628
Kansas City, KS 66101



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Kansas

PO Box 917
Mission, KS 66201
(913) 490-4100
aclukansas.org

Susan Estes
President

Nadine Johnson
Executive Director

Brad Stuewe, M.D.
Treasurer

Leslie Bissell
Secretary

James Bell
Amii Castle
Robert Eye
Mark Johnson
Lon Lewis
Raymond Rico
Annie Tietze
Board of Directors

Dear Judge Crabtree,

I write on behalf of the ACLU Foundation of Kansas to express our support for the proposed class settlement in *M.B. v. Howard*, Case No. 18-cv-02617-DDC-GEB. This settlement is a win for Kansas children and its requirements are essential for the protection of their civil rights.

The state of Kansas has an affirmative duty under the Fourteenth Amendment of the United States Constitution to protect children in the foster care system from harm. The reports of children spending the night in foster care agency offices and being subject to multiple home placements per year reveal that the state is falling short of its obligations. The proposed agreement ensures that Kansas will fulfill its constitutionally required duties by creating benchmarks and appointing a neutral party to evaluate its progress.

The agreement provides for measurable outcomes that will ensure Kansas children in the foster care system receive stable, appropriate placements as well as access to trauma and mental health services. Approving this agreement is a necessary first step in guaranteeing the safety and health of Kansas kids.

We appreciate you taking the time to review this letter and your service to this state.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lauren Bonds", written over a horizontal line.

Lauren Bonds
Legal Director
lbonds@aclukansas.org

Exhibit C

Sunday, December 6, 2020

To Whom It May Concern,

My name is Dr. Grey Endres. I am a lifelong Kansan who was born in Wichita, Kansas in 1963, and presently lives in Lenexa, KS. I have a bachelor's degree in Community Health Education from the University of Kansas, a master's degree in Social Welfare from the University of Kansas, and Doctorate in Social Welfare from the University of Southern California. I have worked with traumatized children and their families since 1986 including residential treatment, inpatient psychiatric care, and in-home private practice. My Doctorial thesis was focused on the Grand Challenge of ensuring the healthy development of all children given the fact that child welfare is failing to protect the children it is mandated to serve.

In 2018, Kansas DCF failed more than 50% of the federal standards of the child and family services review (CFSR.) These included safety, engagement, timely permanency, and stable placements. For example, according to Shorman's (2018) Kansas children were in an average of 9.9 homes over 1000 days. That is more than double the CFSR standard. And in 2019, that number increased to 10.4 moves. It is well documented that multiple foster placements cause additional harm (Pryce, 2018). Each move for a child in child welfare creates loss, life altering trauma, multiple school disruptions, and increases their adverse childhood experiences score (ACES.) The United States does have not a "child welfare" policy that provides supports for the universal well-being of children, but instead a "child risk response system." (Chapin and Lewis, 2020, p. 350.)

Please take a moment to consider what would happen if your favorite restaurant failed 50% of their health and food regulations? Unfortunately, it is business as usual for Kansas child welfare. DCF is a failed outdated business model.

After having reviewed the settlement dated 7/8/2020, I am in full agreement with the proposed practice improvements, and outcomes. However, is it enough? What happens when the settlement runs its course and the court's jurisdiction expires? It is my professional opinion that these changes will only create first order change rather than second order change. Second order change is change that creates opportunities for new growth or new pathways. In addition, it is irreversible as compared to first order change which is doing more or less of something.

The settlement does not address why or how these problems exist. The failure of child welfare is held in place by several norms including adultcentrism. Gibson (2014) and Turnell (2012) both surmise that child protection services have a default setting that they are the experts of their client's lives. Chris Petr, retired Ph.D. chair at the University of Kansas School of Social Welfare, refers to this practice as adultcentrism. It is the practice of failing to see the child's or parent's world view. It disenfranchises the families served and leads to high staff turnover. Petr (1992) explains that it can be exceedingly difficult to address and correct given that most child welfare workers would argue that they are providing best practice. Petr (2018) shared that this has become even more difficult given the shift from family centered practice to the current focus

on child safety (C. Petr, personal communication, October 3, 2018). Adultcentrism is held in place by the need to rescue the child, unconscious bias, blinding following “old” practices, and the notion that confidentiality supersedes transparency.

The proposed settlement is just the tip of the iceberg. If Kansans woke up tomorrow with a child welfare system that was focused on the universal well-being of children; DCF would reject adultcentrism, would see clients as their own experts, would be grounded in a trauma informed human centered care, and would be focused on prevention rather than treatment.

Respectfully Submitted



Dr. R. Grey Endres DSW MSW LSCSW LCSW
Licensed Clinical Social Worker, Husband, Father, and Kansan

References

Chapin R., and Lewis M. Social Policy for Effective Practice: A Strengths Approach. Fifth edition. Routledge: 2020.

Gibson, M. (2014). Narrative practice and the signs of Safety approach: Engaging adolescents in building rigorous safety plan. *Child Care in Practice*, 20(1), 64-80. doi: 10.1080/13575279.2013.799455

Petr, C. (1992). Adultcentrism in practice with children. *The Journal of Contemporary Human Services*, 73(7), 408-415.

Pryce, J. (2018) The long history of separating families in the US and how the trauma lingers. *The Conversation*. Retrieved from <https://theconversation.com/the-long-history-of-separating-families-in-the-us-and-how-the-trauma-lingers-98616>

Shorman, J. (2018) Kansas DCF Failed to Meet 16 Standards for Child Safety, Well-being Over Past Year. *Wichita Eagle*. Retrieved from <https://www.kansas.com/news/politics-government/article217510690.html>

Turnell, A. (2012). The Signs of Safety: Comprehensive Briefing Paper. Retrieved from <http://signsofsafety.net>

Exhibit D



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: In Support of proposed Settlement for my 2 grandchildren in Kansas foster care system

Soraya Morales Nuñez <smoralesnunez@youthlaw.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Mon, Dec 7, 2020 at 10:37 AM

----- Forwarded message -----

From: **Leecia Welch** <lwelch@youthlaw.org>
Date: Sun, Dec 6, 2020 at 7:08 PM
Subject: Fwd: In Support of proposed Settlement for my 2 grandchildren in Kansas foster care system
To: Kansas Case <kansas_case@youthlaw.org>

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: December 6, 2020 at 4:17:15 PM PST
To: fostercaresettlement@kansasappleseed.org, lwelch@youthlaw.org
Subject: In Support of proposed Settlement for my 2 grandchildren in Kansas foster care system

I am sending my statement for [REDACTED] and [REDACTED] both of my grandchildren who are currently in the Kansas Foster Care System. I am enclosing statements from family members. My signed copy is attached with the statements. I live in [REDACTED] and I can be available to testify via Phone due to Covid Restrictions.

Sincerely

[REDACTED]

--
Soraya Morales Nuñez (*Pronouns: she / her / ella*)

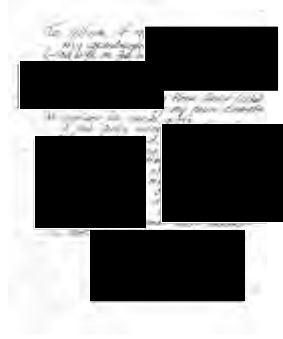
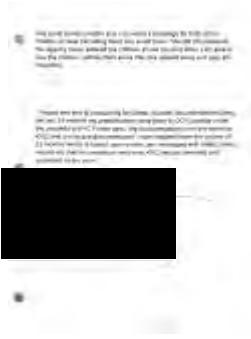
Litigation Assistant
National Center for Youth Law
1212 Broadway, Suite 600
Oakland, CA 94612
Phone: (510) 835-8098
Fax: (510) 835-8099



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15 attachments

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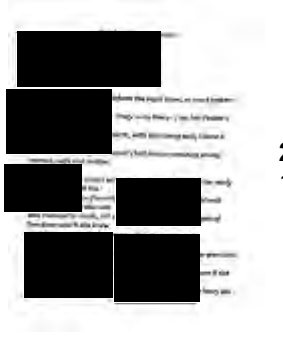
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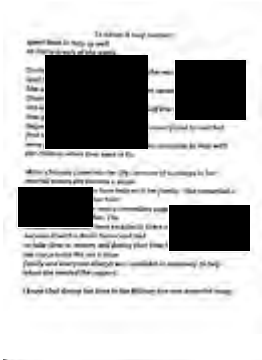


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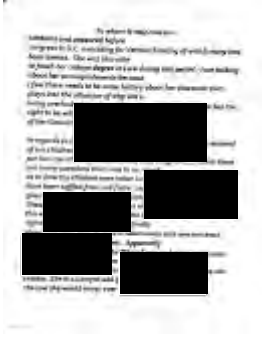


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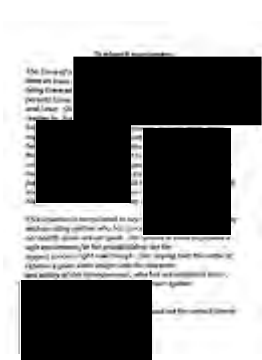
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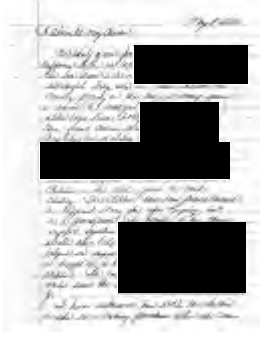
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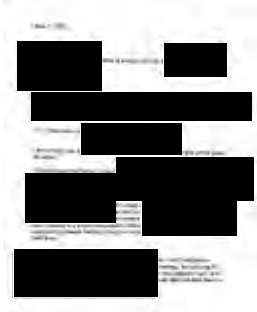
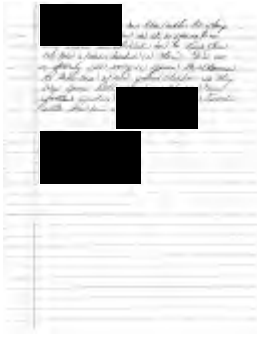


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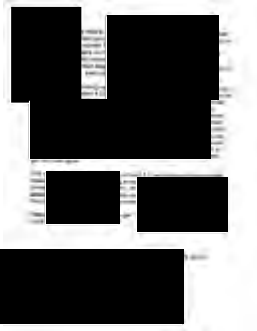


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December 5th, 2020

To Whom It May Concern,

I am writing to you as a mother, as a grandmother, as a disabled veteran who was the [REDACTED], a [REDACTED], [REDACTED], [REDACTED] for over 20 years specializing in helping combat wounded veterans and specializing in helping over 400 Navy Seals with their compensation benefits upon being discharged from the military. I was born in [REDACTED] Kansas until I left for the military to serve my country honorably and further as a civil servant in the State of [REDACTED] to serve honorably in assisting the men and women who were injured in the military.

I am writing to you on behalf of my grandchildren, [REDACTED] and [REDACTED] both of them born [REDACTED] who were taken into DCF custody in April 2019 in [REDACTED] Kansas.

I am writing because of an obligation of two agencies in the State of Kansas DCF and KVC under the umbrella of DCF that have continually failed to protect the mental health and welfare of my grandchildren and have not owned up to their obligation to assist family members in reunification. Both agencies have refused to allow the children even the basic mental health emotional need in foster care which is communication via a phone call with a parent when reunification is the goal set forth by the court. Even a **prisoner** is entitled to a phone call yet both of my grandchildren are consistently **denied a phone call with a parent** through the services of KVC.

Both Agencies have failed to administer the children's Case Plan according to Federal and State laws that provide the State of Kansas with funding for Title IV-E (42 U.S.C. 671 (16)). Both agencies continually ignore their own Policies and Procedures set forth by the new laws written in January 2020 in the State of Kansas for the welfare of foster children.

These basic laws are structured and set forth according to the case plan that allow the family to have continuous mental health care services, safe foster care placement from abuse, siblings to not to be seperated and continuous involvement with family members. Both of my grandchildren's **case plans** have not been submitted in a timely manner and have not been signed according to the law set forth in regulations. Furthermore, these case plans have not been sent to family members according to the law. These case plans have lacked adequate mental health services for the family, for the children, inaccurate information.

As the children's maternal grandparent and an outstanding citizen of the United States of America I am writing on my behalf of several Statues and Laws in the State of Kansas that have failed to recognize my rights as a grandparent by sending me significant information pertaining to the children's case even after I have established myself as the grandparent.

I am a grandparent that has participated in my grandchildren's lives since birth. I was present when both children were born in [REDACTED] and I have always supported and helped both of my grandchildren. Yet DCF in the State of Kansas failed in even trying to locate me or acknowledge the maternal mother's request to contact me during the process of removing the children from her home.

At the time of the childrens removal April 2019 the maternal mother [REDACTED] gave the DCF case worker [REDACTED] my name and my phone number. She specifically requested that DCF [REDACTED] get incontact with me and this **NEVER happened**.

Four months later in August 2019 the same DCF case worker [REDACTED] completed a Notice of DCF Department findings on 8/20/2019 following up on her investigation for the original removal report she wrote on 2/11/2019. DCF Department findings by [REDACTED] state both parents are **unsubstantiated** and this DCF case worker failed to send this crucial documentation to the Court, District Attorney, Child Placing Agency

and the parents. This report was sent only to the maternal mother after she went to DCF in [REDACTED] Kansas and requested it only to receive it February 2020. This report has never been brought up in court and is constantly overlooked as if never has been written.

Under DCF Kansas Department for Children and Families PPS Policy and Procedure Manual 2020. Department findings for children that have been removed is listed in **2502 Allowable Case Findings, 2540 Notice of Department Findings**. These policies and procedures by DCF have clear guidelines and specific dates that are supposed to be followed by a caseworker. In Addition they specify when Department of notice findings are to be completed and how this important documentation is to be handled and distributed to all parties involved in the welfare of the children involved in the case. This was not accurately done by the DCF caseworker. The guidelines and submission of the Department Findings under this policy have been completely ignored by all agencies in my grandchildren's case.

Another concern of mine, the handling of the removal of both children by DCF which is very traumatic.

The way my grandchildren were originally removed from their home with several police officers that came into the home after the front door was opened by the maternal mother. DCF [REDACTED] [REDACTED] had a court order and several police officers with her. However she never came to the door or handed the maternal Mother [REDACTED] the court papers. Instead one of the police officers announced the court order after he forced [REDACTED] [REDACTED] down in her home.

[REDACTED] was trying to get intouch with me during this incident of removal and instead of connecting to me her phone went to record and all of this is documented. You can hear a police officer force her down in her home, slap her while she is yelling, "Don't touch me, why are you touching me, no you can't touch me, why are you

touching me. Help me, get off of me, get off of me, you're attacking me. I didn't do anything, get off of me, get off of me." Both children witness this happening. They witness their mother then become frantic not understanding what happened or why they were being removed from the home.

Is it necessary for the children's mental health and well being for DCF to have so many police officers deployed to have two children removed there home when there is no threat? Then to have the DCF case worker stand outside the premises with the court ordered papers not explaining why she was there or handing the documents to the parents immediately when they opened the front door? Instead it was several police officers who knocked on the window and the door and entered the premises not the DCF case worker.

Why did so many police officers enter the premises and not explain what was occurring until after the maternal mother was put on the ground by a police officer in front of her two children shouting we have a court order? Why did DCF [REDACTED] ignore maternal mothers request to have the grandmother contacted immediately? Is this type of forceful removal and abuse in the best interest and well being of the children by a DCF case worker and the [REDACTED] police Department? Can you imagine what kind of mental anguish my grandchildren incurred?

DCF failed to provide adequate mental health and behaviour health for both children after they were dramatically removed from the home. DCF then continued to fail in mental health and behaviour health after both grandchildren were placed into the first foster care placement. Then emergency removed from this foster care placement due to mental and physical abuse from the foster care provider which the family later found out that this foster care parent was a DCF employee.

I wrote to several constituents in the State of Kansas (with no written response sent back to me) that included the Governor of Kansas and the Secretary of DCF acknowledging my relationship to my grandchildren and my concerns that DCF did not locate me (even though I am listed as an

emergency point of contact at my grandson's school, and the children live in a home I purchased in [REDACTED] for them, that home and has my name on the deed) that DCF did not list me as a point of contact on the documentation that was submitted to the Court prior to the childrens removal. Moreover my rights were violated under KSA 2018 Supp. 38-2286 requires **substantial consideration of a grandparent who requests custody, which must be included in the record. If the court places the child in the custody of the Secretary for placement (rather than the grandparent) the law requires substantial consideration of a grandparent who requests placement in the evaluation for placement. If the grandparent is not selected, the Secretary must prepare and maintain a written report with specific reasons for the finding (none of this was done according to this statue under Kansas Law)**

In addition, under **KSA 2018 Supp. 38-2235 allows the court to serve a copy of the petition on all parties and interested parties in attendance of the temporary custody hearing. Grandparents are sent a copy of the petition by first class mail. I have never received any petitions by first class mail.**

Interested Parties and attendance at Court proceedings, **in addition to receiving notice of hearings under KSA 2018 Supp. 38-2241 gives parties and interested parties the right to present oral or written evidence and argument, which I have presented oral and written argument. (I have never received any notice of hearings until May 29th 2020 after a new attorney was hired for [REDACTED] replacing the court appointed attorney) Grandparents are interested parties in CINC proceedings and have participatory rights, subject to the court's restriction on participation if it is in the child's best interests.**

According to several laws set forth by Kansas Statutes the State of Kansas has continually overlooked my rights as a grandparent to [REDACTED] and [REDACTED]. It has now been over one year and half that my grandchildren have been removed, a disposition hearing was scheduled on March 2nd 2020 and canceled. A permanency hearing set for April 27th

2020 that I attended via phone conference I was never provided a formal notice of this permanency hearing by the Kansas Court system.

- Kansas Department for Children and Families Title IV-B Child and Family Services Plan Submitted to U.S. Department of Health and Human Services dated June 28th 2019 page 67. "The SCTFPP, CIP staff and DCF staff met and reviewed the CFSR Final Report and K.S.A. 38-2265 which requires notice of permanency hearings be provided to the following individuals: the children's grandparents at their last known address. **The SCTFPP determined if the individuals listed under K.S.A. 30-2265 are not provided notice the permanency hearing cannot proceed.** I was not provided an official notice for this permanency hearing. Furthermore during this permanency phone hearing the review of the case plan was not addressed accordingly. The case plan hasn't been properly signed according to the laws. Nothing has been addressed in court as a Grandparent what my continuous involvement has been with my grandchildren for the past 16 months flying back to Kansas every month since June of 2019, travel recently stopped after my mother passed away August 2020 and travel restrictions due to Covid-19. The DA and GAL tried to ask for my granddaughter to proceed with an adoption. Never addressing the pending abuse case with a DCF foster parent.

I have been involved with the childrens case every step of the way adhering to all necessary requirements set forth by the agency KVC contracted through DCF. Yet this agency is trying to sabotage me as a grandparent after my concern with abuse in foster care, concern when the children didn't have adequate mental health care, concern when the children did not have a placement in place in January 2020.

DCF and KVC continually fail to acknowledge Laws or Statues in the State of Kansas that would give me substantial consideration as a grandparent. Agencies that ignore any and all requests of the ICPC be implemented and once implemented the children be with me and not in Fostercare Placement especially since these agencies refuse to offer services to the parents. This is a violation of my rights as a grandparent in accordance with the laws and Statues in Kansas.

How many other grandparents would spend thousands of dollars flying to Kansas every month since the childrens removal, (except for now due to Covid-19) to have visitations if I didn't care for the children's mental health and well being? I was originally granted full unsupervised overnight visitation when I would fly to Kansas where the children would stay with me at my grandparents home up until December 2019 when KVC failed to have anything set up for the children to have a 30 day visit with me, failed to have another foster placement for the kids set up since the foster placement that had the children were having a baby. I had the children two weeks, I had the children's red books and all their belongings and not one time did KVC Supervisor [REDACTED] notify me of the case worker [REDACTED] that I worked with from June 2019-December 2019 quitting the middle of December. They never contacted me about what I was to do with my grandchildren.

Instead KVC made up lies after I called the maternal mother and asked her to contact KVC to see who the new case worker was since I no longer had a point of contact at KVC. I needed to know what I was to do with the children. Instead of assisting the family KVC supervisor sent the children 60 miles from [REDACTED] and placed them in [REDACTED] Kansas in January 2020 and never notified any family members what was happening to the children. The KVC supervisor tried to cover up the agency mistake and put the blame on the family by saying the children were staying with me at the home I own (the one the maternal mother lives in) when I am in Kansas. Which is false. If the supervisor went back to the children's case file they would see that the children have always stayed with me at my grandparents farm, the same residence that was approved with a walk through of the home by a previous KVC caseworker [REDACTED]. Furthermore this KVC supervisor accused me of trying to take my grandchildren to [REDACTED]. Which is false. I flew into Kansas every month and worked on the appropriate ICPC with the State of [REDACTED]. Not once did I ever try to take my grandchildren to [REDACTED]. This same KVC supervisor restricted my visitation saying I am a flight risk and I had to have supervised visitation with my grandchildren. Accused me of disrupting the second Case Plan when in fact I have been one the first Case Plan

meeting as a succession to the children's reintegration. This KVC supervisor [REDACTED] should have known this because she was working for DCF and her name is on the original case plan that approved me as a successor. [REDACTED] quit DCF and started working as a KVC supervisor in August 2019. How could she not know the children's case when in fact her name is listed several occasions. It is very disheartening that these agencies would go to such extremes not assisting and helping families.

Since January 2020 KVC has never had an Ice breaker meeting set up with the children's parents or a family member with the new foster homes in [REDACTED]. KVC put restrictions on me as the Maternal Grandparent and said that I had to be supervised during my visitations with both children. I am only allowed to have a two hour visit when I fly into Kansas according to this agency.

Since January 2020 I have had 2 supervised visitations at the KVC office in [REDACTED]. I have had no visitations through KVC with my grandson. I have had 4 supervised visits with my granddaughter from June to August 2020. I was told by KVC when I flew to Kansas in June 2020 for the Summer that I was only allowed one visitation per month with my granddaughter. I never had these restrictions put upon me from June 2019 - December 2019. In fact I attended case plan meetings, I had facetime visits with my grandchildren, I had unsupervised visits when I flew into town, I was working on the ICPC and the plan was the children to come to California. Everything shifted once the KVC case worker [REDACTED] quit and the KVC supervisor [REDACTED] stepped in. Extreme restrictions were placed upon me because of what I reported in December of 2019 being concerned with the inadequacy of what was happening to my grandchildren through this agency not having appropriate placement, adequate mental healthcare or following through with the ICPC or a 30 day visitation.

Can you imagine as an outstanding citizen who served honorably in the military, who worked in a high level position in [REDACTED] to have an agency in charge of the health and well being of your grandchildren go beyond all measures of humanity to cover up abuse they caused your grandchildren,

try to lie about your character and reputation that is solid. What is the real truth behind this agency in deception? I had a background investigation done on my granddaughter's current caseworker she was in prison for falsifying documentation. Case worker after case work is hired then let go.

How is the current KVC supervisor of my grandchildren's case that was a DCF supervisor at the time of the original case plan meeting quit working at DCF and then start working for KVC not know this case when I approached her in December 2019 about my grandchildren not having a placement, not following through with ICPC, not have anyone from KVC notify me what I will be doing with the children since the children were removed from [REDACTED] and [REDACTED] foster placement? This KVC supervisor said she didn't know anything about the case, she never had my contact information? How is that possible when her name is on everything? How is that possible when I was approved for visitation, the home I stayed in Kansas in was approved for visitation, the case worker [REDACTED] that worked directly under her signed off and approved for the children to be removed from placement and stay with me for two weeks in December of 2019?

I have spent thousands of dollars flying to Kansas, taking classes in [REDACTED] for ICPC. My two older sons and my daughter in law all have done background investigations, interviews with social workers in [REDACTED] so we could work as a team for the children to be in [REDACTED] until DCF and KVC will start helping the parents with reintegration.

This has not been the case. Instead DCF and KVC continue to do everything to not provide the parents with any substantial family mental health support or assistance especially since this family lost a baby and instead of helping the family with mental health services DCF removed the children. The agency documented the loss of the baby as still born due to drug use. DCF did not obtain the medical records. I obtained the medical records and the baby was lost during an emergency c-section at surgery which caused the placenta to burst. Baby lost his life, mother almost lost her life and had to have multiple blood transfusions. The hospital discounted any drug use and if the hospital was concerned or thought loss

of the baby was drug use a social worker or DCF would have been called in November of 2018.

Both parents lost a child and any relapse that occurred after this loss then family members should have been notified to assist and or services should have been set up and provided to the parents by DCF.

Further mental health trauma occurred after the loss of the maternal mothers [REDACTED] baby. The maternal mother's grandmother [REDACTED] who is a huge support in her life and the children's life in Kansas was diagnosed with Acute Myeloid Leukemia and died August 9th 2020. Both great grandchildren were allowed to see her before December 2019. After my grandchildren were removed from [REDACTED] by KVC and taken to [REDACTED] in January 2020 KVC did not allow the children to have a visitation with her knowing she was dying. [REDACTED] the great grandmother even contacted KVC one of the case workers asking to see the children which was denied. Then this case worker said at a hearing that she felt threatened. It's heartbreaking how a case worker could twist a conversation into wanting to see your great grandchildren again before you die into feeling threatened. I believe it was guilt because the great grandmother [REDACTED] knew this case workers parents for 25 years when they would come into where she worked. Immediately after this phone call this case worker asked to be removed from the case.

I am in disbelief that my grandchildren's lives have gone through so much disruption due to two agencies in the State of Kansas that are supposed to be protecting children's mental health and well being. What has happened to these two children in less than two years in State Custody is so unbelievable, it is so sickening why individuals in the system would lie and cause harm to the children and not allow them family connection is against a child's rights as a United States Citizen.

It is why I have continued to be concerned for the health and well being of my grandchildren who have been severely neglected knowing that laws have been violated, truth has been covered up and truth has been pushed

underneath a table. I have spoken up about the inadequacy of an organization a State Agency that is not abiding by their own policy and procedures that have been set to make families a priority for reintegration that are supposed to help assist parents or family members and don't. My speaking up has restricted my visitations with my grandchildren. Because I speak the truth in my words in a kind peaceful manner. Because I speak the truth in my words from my heart with compassion for the love of my grandchildren. My kindness and truth have been twisted by an agency that is passive aggressive with complete access to a court computer system allowing them to write false allegations to cover up their mistakes. A thorough IG investigation could easily see these mistakes. I have kept tons of documentation to back up my truth.

I am continuing to speak up because I am an outstanding citizen. I am a compassionate soul who loves her grandchildren. I have cried many tears when visiting my grandchildren knowing in my heart they are being carted around in a broken system. I cry tears knowing that my grandchildren have endured such abuse through DCF and have not been provided adequate mental healthcare for what they have gone through. I have prayed that someone will wake up and see how much deception is happening to so many children in the State of Kansas through the foster care that is being covered up by an agency that is supposed to protect children.

The State of Kansas DCF and Governor of Kansas is writing all kinds of wonderful policies and procedures to look good to obtain Federal Funding, to appease legislation but doesn't follow through with the procedures they put down in writing and deliver what they say to all the stakeholders that want change to occur in the foster care system. A whole system in the State of Kansas is clearly broken, a system that refuses to listen to the families who have children in foster care. I say the whole system because my grandchildren's GAL has never met the children. The DA will not follow up on the DCF abuse case. The Court system will not send notifications of hearings to maternal grandparents. Court appointed attorneys only show up the day of a hearing to meet the parents who just had their children taken away. Paid attorney that no show on date of hearing motion.

In the eyes of the System it doesn't matter that I have submitted several accurate documents in support of my grandchildren. It doesn't matter that I am listed on the very first case plan meeting as a succession for reintegration for the children. The system DCF/KVC have acted like this never existed and refuse to send me a copy of anything. The system never has me sign a copy of any meetings I have attended that require my signature and that I be given a copy by law.

In the eyes of DCF it doesn't matter that the parents requested an ICPC be started back in August 2019 which was approved by the first Judge so the children could stay with me until the agencies could figure out what the best course of action would be with all the parents involved in reintegration. Behind the closed doors of DCF this ICPC didn't even get started by the State of Kansas until November 2019 and only after the request was made from the second foster care family stating they couldn't care for the children anymore due to a baby on the way and that they wanted to release the children to the maternal grandparent due to the positive relationship the children had with me and my relationship with my grandkids since birth.

Unfortunately this did not occur because DCF/KVC continued to keep the ICPC in a lost folder. This is only one of several inconsistencies that has happened with these agencies. I have been privy to several inconsistencies with the contracted agency KVC that operates the State of Kansas Foster Care program under the umbrella of DCF. I have also been privy to additional inconsistencies with DCF and the maternal mother of the children.

Needless to say it is very disheartening to witness and experience so many discrepancies from both agencies at the expense of two young children ages 3 years (who turned 4 years old in April), and 7 (turned 8 years old in foster care). I am a firm believer in policy and procedures especially since I worked for the [REDACTED] for many years as a [REDACTED] for the State of [REDACTED]. When an agency has policy and procedures written and don't adhere to their own standards I

wonder how many Federal Laws the State is not complying with that receive funds under US Government Federal programs for the foster care services?

As the maternal grandparent my rights have been violated, doors have been shut that never allowed the children an emergency 30 day visitation in December 2019 until the completion of ICPC in [REDACTED] which is near completion through County of [REDACTED]. Even the Social worker in [REDACTED] said I should request this visitation which I did. How is it that DCF/KVC will allow my granddaughter to go out of state to Texas on a vacation with a foster care family without the consent of the parents and not allow her to go out of state to visit her maternal grandparent at the request of the parents? This is what happens behind closed doors at KVC that know one is privy to. A KVC case worker lied to the foster family saying that the maternal mother said it was okay for them to take her daughter out of state.

Secret cover ups have occurred by DCF/KVC agencies that have not administered Case Plan according to Federal and State laws that provide the State of Kansas with funding for Title IV-E (42 U.S.C. 671 (16)). Furthermore, both agencies continually ignore their own Policies and Procedures set forth by the new laws in 2020 for Kansas welfare of foster children.

My concern is why both of these agencies that are responsible for so many children in the foster care system in the State of Kansas don't take the necessary steps and actions set forth by all stakeholders to help reintegrate families under the Families First Act by assisting families with programs, phone calls, visitations for success?

Not hinder families with a color code system that is set up and implemented by one agency KVC that the courts rely on to administer testing. A system that is flawed with operator input. Several occasions this agency has failed to input in a timely manner a parent's signed agreement into the system before a court hearing which further caused the parent to

not adhere to the color chart system. Not adhering to the color chart system delays visitations and KVC uses this system as a tool to withhold phone calls between parents and children. Furthermore if a parent showed up to take a drug test at the agency KVC and because the caseworker failed to implement the paper work into the system the parent is immediately turned away. Case worker operator error or lack of doing the job correctly now caused a parent to fail the color code chart because they couldn't take a drug test. Of course the caseworker will not say they were at fault they will say it is the parent. This happened to [REDACTED] and operator error on behalf of the agency was brought up in court.

How can this color code chart be the only reliable source of documentation and evidence for a parent to succeed or fail that has substance abuse or mental health issues? Is this really ethical? Or a violation in the Code of Ethics when a case worker fails to input this information in a timely manner and then refuses a client to take a test?

Why hasn't the State of Kansas reviewed operator error in implementing signed agreements into the color code system? Especially since there is a high caseworker turnover from quitting or being removed from cases at KVC which is every couple of months. Especially with newly hired case workers like two of them that have been recently assigned and then removed in my grandchildren's case. Was the removal due to little or no adequate training or pass down from one case to the next? What type of training are these case workers receiving? What type of credentials are they supposed to have to be a professional caseworker in charge of children's lives that the court relies upon? Why is there such a high turnover in case workers in KVC? I lost count how many case works my grandchildren have been assigned.

Another concern is since when has a family lost all parental rights if the court has not deemed them? Yet an agency such as KVC under the umbrella of DCF decides that once they have obtained a child into the foster care system under their umbrella the parent has automatically lost all rights and has no say in the children's health and well being. Has lost

phone privileges or the privilege of knowing where their children have been placed because they failed to follow through with this color code system? This information is not in the policy and procedure manual of KVC under parental rights which is alarming.

I have personally witnessed my grandchildren to be continually placed in situations by a KVC case worker that constitute the same law set forth by the State of Kansas under Abuse, however nothing is done to a contracted agency that places children in abusive situations it only applies to parents for abuse. My grandchildren were abused in their first foster care placement for two months by a DCF employee that is supposed to be a foster care parent (isn't this a conflict of interest?) How can a person from the same agency DCF that takes children away from their homes turn around and physically abuse children that were never physically abused? This is what happened to my grandchildren. An investigation was conducted in July 2019, an interview was conducted on my grandson September 2019, a certified doctor called in autorites for the marks on my grandson. A detective submitted his findings in February of 2020 to the DA's office and the DA still has not followed through with this report nor has DCF or KVC looked further into what abuse occurred. This is because it is a DCF employee and DCF is ignoring and covering up this horrific abuse that happened to my grandson from their own agency.

This is only the beginning of what my grandchildren have had to endure under the care of KVC for the last 16 months. Why hasn't DCF followed up on what is happening in the agency they contract? I will explain a few details and I have hundreds of factual physical documents listing several inconsistencies with this agency I could present if needed.

What really broke my heart is the last series of events that have happened to both of my grandchildren in the few months that lead me to writing this letter in hope that someone in charge of these programs in the United States will have compassion and understanding what is happening to children in foster care. What is happening when agencies are not abiding by the laws set forth by 14th amendment rights that guarantees all citizens

“equal protection of the law.” That agencies are supposed to be helping children reintegrate and not be separated from family members or abused in the system.

The mental health and wellbeing for both children have been severely limited. My grandson had a mental health worker come to foster care home for family therapy only KVC cut off services after I came to town and reported that the mental health care worker constantly canceled and she never reported the children sleeping on a box spring not a mattress. That the childrens clothes were several sizes too big, inappropriate, my 3 year old granddaughter at the time was held down to have her hair cut while she was screaming. That this foster care parent, a **DCF employee**, was physically abusing my grandson and making him wear a white shirt with no underwear . The mental health worker contracted through DCF failed to report the physical abuse I reported to her so I took my grandson to his Pediatrician who contacted authorities. To make matters worse after the emergency removal of my grandson and granddaughter both children were never treated mentally for this abuse that happened to them after all this took place.

Second incident occurred when KVC under the umbrella of DCF allowed the foster home in [REDACTED] to have my grandson emergency removed and separated from his sister. Feeling that DCF once again failed to protect my grandson again from harm I made a report on 4/13/2020 and I notified DCF National Crime information Center intake number [REDACTED] concerning the welfare and being of my grandchildren being separated, my grandson being given to a supposed biological father knowing that I couldn't have my phone call with my grandson because the foster placement said my grandson was throwing up after his first overnight visitation with his Dad. During this fiasco the foster care family said my granddaughter was fine. I found out from DCF on the phone that the foster family said my grandson was being exposed to stuff sexually by his mother when in fact my grandson had not seen his mother or allowed to talk to her on the phone because KVC would not allow her to. The only person KVC allowed him to see was with the new biological father he didn't even know.

I have never received any information back from DCF what happened to this report.

DCF/KVC failed to have adequate mental health intervention set up to prepare my grandson to meet his biological father who is a multiple convicted felon, especially since he only met the biological father one time in his 9 years of life. The biological father is not listed on the birth certificate and never showed up to Kansas Courts to establish legal paternity or pay back child support. KVC had him take a paternity test that is not valid due my grandson's name which is listed incorrectly on the paternity test. Also KVC did not test the maternal mother which Kansas Law states all parties should be tested at the exact time. This was not done.

Instead after less than 5 two hour supervised visits with his supposed biological father KVC emergency removed my grandson from foster care in Kansas City and placed my grandson with him knowing after his first overnight visit he threw up and then was accused of inappropriate behavior. After several weeks in this foster care placement my grandson never expressed any inappropriate behavior not once not concerned they always said he was great. I knew something was wrong when I spoke to my grandson the day before he was removed and he told me he loves his sister and will miss her. The next day disruption in the home, separating the children and KVC emergency removal sent him to stay with the supposed biological father.

My grandson has only seen his sister one time since March 2020. I was able to see my grandson and I found out that since the removal from the foster care he was not in any schooling or online schooling from March - June 2020. He can not speak to me without his biological father interrupting telling him what to say. He is not in any Mental Health counseling. I was not given the aftercare case workers phone number I had to do research to locate my grandson. My grandson has not spoken to his biological mother who has not lost her parental rights.

Third is the most disheartening unimaginable situation I never would've thought a human being could do to a 3 year old child that was separated from her brother. KVC and the foster family made a choice not to allow my granddaughter to speak to her brother or me after this disruption occurred knowing all of our weekly conversations were about her 4th birthday coming up. Instead on her 4th birthday she wasn't allowed to talk to anyone. Can you imagine the emotional and mental anguish my little granddaughter was feeling?

Three days after her 4th birthday the same foster care placement took my granddaughter to [REDACTED] Psychiatric Hospital to be admitted to a Psychiatric mental hospital, relinquished her and she was left for 5 days in the care and custody of the Psychiatric Hospital. All of this happened during the COVID-19 CRISES with no family members notified until after the fact.

It is not a coincidence that my granddaughter and grandson were both immediately separated once the Governor of Kansas declared that all school children were to stay at home due to COVID-19. The children were in this new placement in [REDACTED] for about 8 weeks with no problems until this official government order was put in place. From that point on many allegations were set against my grandson that resulted in his removal away from his sister (prior to this placement my grandson has NEVER done what the agency and foster family is accusing him of doing). As the maternal grandparent that had a weekly phone call with the children was then contacted by KVC after my grandson's removal that all phone calls would be on hold. That a new case worker was in place and that my granddaughter was "Great" in the current placement according to the new case worker at KVC. I felt this was incorrect and my intuition was right.

Less than two weeks later my granddaughter was admitted to a psychiatric ward after her 4th birthday and then released at Easter to be placed in another home and not be placed with her maternal grandmother on an emergency basis at the request of a 30 day visitation by the maternal grandmother due to the nature of what had occurred at the last foster care

placement. Especially since the previous foster family (two females) one of the females was an officer of the law and potentially dropped her off at the psychiatric hospital and left her.

My granddaughter has never been in a psychiatric ward or had severe mental issues prior to being placed at this Foster care home. Especially at 4 years old. NEVER.

According to the Kansas Department for Childrens and Families Title IV-B Child and Family Service Plan Submitted to U.S. Department and Human Service June 28, 2019 on page 156, 159 N. Services for Children Under the Age of Five. Kansas Children under the age of 5 are not placed in congregated care or Psychiatric Residential Treatment Facilities. Yet my granddaughter was placed in a psychiatric treatment facility at the age of 4 by Foster placement and KVC.

I believe a crisis is happening to my grandchildren in foster care, I believe many other other children are also experiencing this type of abuse from this contracted agency KVC through DCF in the State of Kansas because of a pending Federal Lawsuit against the State of Kansas.

I ask that when you read this information about my two grandchildren [REDACTED] and [REDACTED] that you read it with compassion from your heart and how you would respond if you were a grandparent in my shoes during this time in our Nation with COVID-19?

Kansas has had 2 judges now on this case, over 13 hearings and an agency KVC that is acting on behalf of the best interest of the children's health and wellbeing that places . . . Has had one documented foster home for abuse by a DCF employee resulting in an immediate removal from placement. Both children placed removed from [REDACTED] Kansas and placed in another foster home in [REDACTED] that after two months of placement immediately had the children **removed during COVID-19** based upon false allegations against both children which accused one child intentionally doing something inappropriate and immediately placed with a biological

father that is a convicted felon in which the paternity test is not legal due to grandsons name listed wrong and only having less than 5 visits and only meeting this person once in 9 years of life. Shortly after the immediate removal of the grandson the same foster care home decides to place the 4 year old granddaughter in a psychiatric mental institution a couple days after her 3rd birthday and text the maternal grandparent the child is "GREAT"? When neither of the children had any problems EVER at their previous foster care placement for 5 months? Not only did they place granddaughter in a mental institution once, they took her back again until another foster care family picked her up. KVC never notified any family members what had occurred. Both children have now been split up, separated and have only had one visit with each other in 9 months. The State of Kansas Families First specifically does not want children to be seperated.

I ask that if you are a State or Federal Agency, that you deploy some type of internal investigation, deploy an Inspector General to review any official documentation on this case and perhaps other 100's of other cases in KVC custody in ██████████ Kansas to witness what discrepancies are taking place at this location in Kansas. This is an injustice to the welfare and humanity of children's lives when a maternal grandparent that has an outstanding character and has continuously been involved and willing to be a part of these children's lives for their safety, for their health and well being not be given that privilege in a timely manner.

That parents involved in the case are not given appropriate guidance and programs to help them overcome challenges and succeed with reintegration according to the **Families First Federal ACT under Title VII Families First Prevention Services Act/ Subtitle A - Investigating and Prevention and Supporting Families** and current laws set forth by **DCF Policy and Procedures as of January 1st 2020 in the State of Kansas that require case plans to be followed by current guidelines that Federal Guidelines are appropriately addressed for written case plans that allow states to receive foster care maintenance payments. Which**

are currently not being administered by DCF or KVC in the State of Kansas for my grandchildren.

I am enclosing witness statements from my relatives that adhere to my character as a distinguished individual who loves their grandchildren and has consistently been involved with both children since birth. One of the statements is from my mother [REDACTED] who recently died from Acute Myeloid Leukemia August 9th 2020. At my mother's bedside in the ICU she could barely breathe and I recorded a message for both of the children to hear her telling them she loved them. She did this because the agency never allowed the children to see her and when I am able to see the children I will let them know that she passed away and play the recording.

Please feel free to contact me for further in depth documentation during the last 19 months my grandchildren have been in DCF custody under the umbrella of KVC Foster care. My documentation is not the same as KVC and it is factual documentation I have obtained over the course of 19 months which is based upon emails, text messages with dates, times, names etc that in comparison with what KVC has documented and submitted to the court.

V/R

[REDACTED]

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V/R

[Redacted signature]

[Redacted address]

To Whom it may concern
My granddaughter [REDACTED]
Lived with me for over 2yr. She got a job
At Wendys with [REDACTED]. They got close
and she got pregnant with [REDACTED]
[REDACTED] and his family NEVER wanted anything
to do with [REDACTED]. They knew [REDACTED] lived
with me. They drive by my house everyday
NO CONTACT, NO CARDS, gifts

I took [REDACTED] twice to see [REDACTED]
work and she said, boy [REDACTED] boy is
growing, I told her that was her grand
not [REDACTED], my other granddaughters boy.
[REDACTED] got out of prison and came
to church to see me. I told him your
family has NEVER contacted, me, [REDACTED]
OR [REDACTED] to be any part of his
life. Why now. He needs to take
drug treatment and follow through
so does his mother [REDACTED]

Thank You

[REDACTED]
Great Grandmother

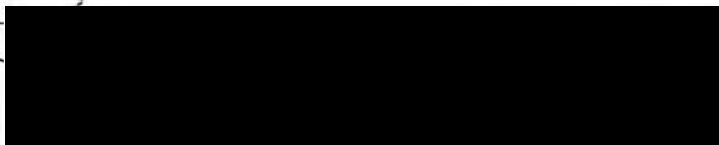
May 1 2020

To Whom it may concern:

I am writing this letter on behalf of my cousin [REDACTED]. My name is [REDACTED] and have been very close to [REDACTED] all our lives. I can remember when [REDACTED] was born and I had a conversation with her daughter [REDACTED] about her wanting to have a relationship for her son with his father. And that is was very important for her to have this for [REDACTED] because she didn't have a relationship with her own father, but he never did. My cousin is the only one who has helped to support these children thru their lives. She has provided a home for them to live in and helped with all their other needs. I feel the best place for [REDACTED] children [REDACTED] [REDACTED] would be with their [REDACTED] and aunts + uncles in [REDACTED]. At the age of 18 [REDACTED] [REDACTED] in the navy and spent a career of it. Only to retire and get her law degree and did this all while she herself raised 4 children of her own on her own. She is one of the strongest women I know. I would hope the court would consider her before

anyone else that these children
could stay with our family. They
are loved very much. It is heart
breaking to see what is happening
with them now.

Sincerely,

A large black rectangular redaction box covering the signature area.

To whom it may concern:

Date: May 23, 2020

Re [REDACTED]

To Whom It May Concern,

I am writing this letter to inform the legal team, or court system about my knowledge

of [REDACTED] is my Niece. I am her Father's Sister. I have known

[REDACTED] since the day of her birth, with that being said, I have a fairly good knowledge of seeing her grow from a small child into an amazing young woman, wife and mother.

[REDACTED] excelled in school when she was young. Through her early education up until the time of Graduation from High School. [REDACTED] not only did well academically but also was well rounded in music, art and took advantage of all types of functions which she knew would prepare her for her career after she graduated.

[REDACTED] choice was to join the Military, which she did. She went into the Navy and after

was assigned to her home base in [REDACTED] I am not sure if she was in [REDACTED] first

but know her home base was in [REDACTED] While in the Navy she

To whom it may concern:

**spent time in Italy as well
as many area's of the world.**

**During the period of return from Italy she was married. Marriage
lead to her first son [REDACTED]**

She and her family then welcomed their second child. [REDACTED]

Shortly after [REDACTED] was born

**she was deployed during the Persian Gulf War on ship. During
that period her Mother and Father**

**helped with the children. [REDACTED] always never failed to see that
first and foremost her children**

**were provided for. I at that time was also available to help with
her children when they were in Ks.**

**Many changes came into her life, because of a change in her
marital status she became a single**

**mother who needed to have help with her family. She remarried a
second time and had her third**

**chld [REDACTED]. Her father was a tremedous support to her children as
an amazing Grandfather. The**

children excelled and have excelled in there own lives. [REDACTED]

became ill with a Brain Tumor and had

to take time to recover and during that time her children were still

her top priority. We are a close

**family and everyone always was available in someway to help
when she needed the support.**

I know that during her time in the Military she was awarded many

To whom it may concern:

citations and appeared before congress in D.C. advocating for Vetrans Funding of which many had been denied. She was also able to finish her college degree in Law during this period. I am talking about her accomplishments because I feel there needs to be some history about her character that plays into the situation of why she is being overlooked as a logical Grandparent Guardian, who has the right to be with and over see the care of her Grandchildren [REDACTED]

In regards to her daughter, [REDACTED] and the removal of her children from her home and being put into the State Of Kansas Foster Care Program.....I think there are many questions that need to be raised as to how the children were taken out of the home, and why they have been suffled from one foster care giver to another and then taken from the [REDACTED] Area to [REDACTED]. These children are only 6 and 3 yrs old when this went on!! [REDACTED] during this time was trying to get visitation rights as a Grandparent and was finally given that only, only to have it taken away and now not even allowed to see or talk to them. Apparently somewhere down the line the "State" was under the impression that [REDACTED] "the grandmother", was trying to illegally take these children to [REDACTED], which is where she resides. She is a Lawyer and if anyone knows the law she would never ever violate that.

To whom it may concern:

The issue of her owning the house that [REDACTED] lives in has never been an issue as far as [REDACTED] being there when she comes to Kansas. [REDACTED] is staying at our parents home that her father, my sister and I own. She has never had the children at the home [REDACTED] resides in. [REDACTED] did get visit her children when [REDACTED] came to Kansas, but only while being supervised. I know that [REDACTED] wants her grandchildren with her in [REDACTED]. She is worried about their care and she has every right to have custody of them. The [REDACTED] system has been able to qualify her home and living area in order for her to do just that. If [REDACTED] could she would move back to [REDACTED] area but, she has a young son by her last marriage his father and her want him to stay in [REDACTED].

This situation is complicated to say the least, [REDACTED] is also dealing with an ailing mother who has cancer and her health issues are not good. Her options in order to provide a safe environment for her grandchildren are her biggest concern right now though. I am hoping that this letter of reference gives some insight into the character and ability of this strong woman, who has accomplished much , to have a option of being heard by the court system in regards to custody rights.

I am [REDACTED] and if you need me for contact please

To whom it may concern:
reference your requests to [REDACTED]

Sincerely,

[REDACTED]

May 8, 2020

To Whom It May Concern:

On behalf of our family, I am writing a reference letter on behalf of [REDACTED]. As her Aunt I have witnessed what a wonderful lady she is. She served her Country proudly in the Navy for many years & raised (4) beautiful children. Her (2) older boys have both graduated College & have great careers ahead. [REDACTED] after completing her military career put herself thru College & earned her Law Degree.

[REDACTED] would like to move her grand-children [REDACTED] & [REDACTED] to [REDACTED] until her daughter is able to raise her children & the state gives her back custody. The children have been passed around to different homes for safe keeping but as a grandparent she would like to be there support system. Her (2) older sons would also help out. [REDACTED] has always helped in supporting [REDACTED] financially & taught her a home to stay and with the children, she has come back to [REDACTED] or make sure the children are being taken care of.

I have witnessed her with the children & she is a caring grandmother when she comes

to [redacted] she has been able to stay
in my parents home as it is vacant &
the state has allowed her to keep them
out here & have checked on them. We as
a family she may be given the chance
to take care of her grand children as they
are secure with family. If you have
further question you may get in touch
with me here in [redacted]

Thank you

[redacted]

May 1, 2020

From:

[REDACTED], Retired (34 years of service with the state of [REDACTED])
[REDACTED]

Re: [REDACTED] Case # [REDACTED] &
[REDACTED] Case # [REDACTED]

To : Honorable Judge, [REDACTED]

I am writing you today with deep concern and sadness of this entire case situation.

I have known this family, Grandmother [REDACTED] & [REDACTED] for over 20 years, and I was present at the hospital for each of the child's birth and in that time have been thru good times and many hard times.

[REDACTED] being a very involved mother/Grandmother, is living each day to do all that is needed to help where help is needed. [REDACTED] always showing and giving all that is needed with love & concern for her Grandchildren & daughter has always put them as a priority. [REDACTED] has been retired & a known respected military person in the [REDACTED] community, always helping many in the Navy Seal Community to regain their lives.

I know things have been a rough road with [REDACTED] and I also know that she is finally getting the help [REDACTED] has been asking, for so long for [REDACTED]. [REDACTED] has met every requirement that was asked of her, and while [REDACTED] has not only suffered emotional abuse she has also been a victim of physical abuse.

██████████ repeatedly tried to get the DNA male of ██████████ to take a DNA test knowing that this was his child, ██████████ refused, along with never paying or giving any kind of support financially or emotional for this sweet boy ██████████. As years went on it became abandonment, It was know to all that he did not want to have anything to do with this beautiful boy. Knowing that this child existed, ██████████ & his mother never gave any kind of recognition to him, even when seeing them in the town.

██████████ & ██████████ belong with their family, ██████████ the Grandparent who has always been in ██████████ & ██████████ life, a life ██████████ & ██████████ loves to be a part of, all assumptions made were just that assumptions. ██████████ loves those kids with all her heart, being a grandmother myself I could only imagine the pain she is feeling for those kids. This system in Kansas has failed these kids and will need help to recover from all the misplacement. The nightmare begins, this Male, named ██████████ stated as fathering a child never challenged or tried to see, it is called **Abandonment**, it makes you wonder, could it be he spent so many days away in Jail, or both reasons, cares nothing for ██████████ just the money it may bring him. Please with all that is good these sweet children deserve Grandmother, & mom to help get life back again.

This system seems to be very corrupt and it is very obvious that the best interest of these kids are not being recognized, but instead causing more damage than anyone could imagine. Mr. ██████████ fathering male, has **abandoned** ██████████ and on those reasons alone, ██████████ needs to have his life back with Grandmother or his mother who has abided by all request.

Please I beg of you, let these kids get their life back with the people they know to be their loved ones.

I sign my name , and state that all that is written is true and correct

██████████
██████████

[REDACTED]

To Whom It May Concern,

I'm writing this letter on behalf of my mother, [REDACTED] and my niece and nephew [REDACTED] and [REDACTED]. Over the last several months it has become increasingly apparent that while in the foster care system under KVC, the children's mental and physical needs aren't being taken into consideration. It is my wholehearted belief that they should be within our families care and we've consistently shown the support and emotional vigor in doing whatever it takes to make sure that [REDACTED] and [REDACTED] are being taken care of.

My family is a tight unit, we help each other, we look out for each other, and my mother is the matriarchal glue that holds it all together. It saddens me that a maternal grandparent that has consistently shown up for court dates, has been part of reintegration plan from the beginning, and has consistently been biding by the rules set out by KVC be denied basic grandparents rights to have unsupervised visitation. I believe this is a personal blow directed at my mother and not something setup to be within the best interest of the children. What's alarming is the fact of how often there's a lack of communication when my mother has flown to Kansas every other month to be with the kids. While she was there, she met with KVC, came up with a work plan, and had the kids in a loving and structured environment (which is exactly how my siblings and I were raised). More importantly, she has consistently been able to take the kids (weeks at a time) previously with no questions from the kids' current foster family or KVC when these visitations occurred.

I'm only a uncle, but I love the kids and I can't sit back as they are thrown around in a system that's denied them their basic mental and physical needs, denied them of love and structure, and consistently miscommunicated with their mother, [REDACTED] and their maternal grandparent, [REDACTED] when reintegration was the plan from the beginning. This is a system that threw them into a foster home that abused them, forcefully introduced a biological parent to [REDACTED] when contact hadn't been made in his entire 8 year life, and consistently denies them even a phone call with their mother when that's been established in the case plan. Why put two innocent children through that when their loving family is ready and willing to take and care for them?

How can a system deny visitation when we have an ICPC and are actively in the process of bringing the children to [REDACTED] Which was approved by KVC until they had internal structure shakeups (various people quit). How can a system say they are about family and reintegration, but constantly miscommunicate? This case has consistently been mishandled and it's sad that the children are the ones who suffer most from these chaotic decisions.

At the end of the day I want the children to be able to be with their family, not split apart and stuck in a system that doesn't care for them and until then our family will keep fighting to make sure that they can have some stability throughout this ordeal.

Thanks for taking the time to read this.

Sincerely,

[REDACTED]

Exhibit E

KANSAS LEGAL SERVICES

712 S. Kansas Avenue, Suite 200
Topeka, Kansas 66603
Telephone (785) 233-2068
Fax (785) 354-8311

JENNIFER A. STEVENSON
President, Board of Directors

MARILYN HARP
Executive Director

November 25, 2020

Kansas Appleseed Center for Law and Justice, Inc.
Attention: Teresa A. Woody
211 East 8th Street, Suite D Lawrence, KS 66044

Dear Interested Parties:

We have been requested to make comments on the settlement proposal between DCF and attorneys for children in foster care under 18-CV-2617, captioned as *M.B. and S.E., through their next friend Katharyn McIntyre, et al., v. Laura Howard, in her official capacity as Secretary for the Department for Children and Families, et al.*

KLS represents children in the foster care system as a court appointed Guardian ad Litem in 9 Kansas counties, 5 Judicial Districts. In that role, we have seen many of the issues our clients face as set out by this litigation. We are hopeful that this settlement will result in a better situation for these children.

The basics of the settlement seem appropriate to us, as they meet the most crucial issues facing our clients. Dealing with the repeated change of residence and mental health care are crucial needs. We applaud the settlement for addressing these issues.

Having made the decision to outsource these services, we understand the DCF will only be as successful in this matter as their contractors allow them to be. DCF will have to determine the path to compliance, whether that be more funding (or stable funding as the number of children are reduced) or a system of costly financial penalties for non-compliance.

We are hopeful that as DCF works to implement this settlement, the agency will look at some issues we identify that will help these children.

Regarding mental health services – we hope that DCF will embrace the opportunity for keeping children involved with current mental health services, despite a change of placement. Tele-med has been embraced during the pandemic. This should be encouraged for foster care children, where a relationship has been established with a therapist. These children can benefit from stable mental health services, which are hard to find in many parts of Kansas. Even if this means providing an internet connected tablet to the foster parents, that is less costly for the system than driving the child back to an established mental health provider, and much better for the child.

The second mental health issue that we want to highlight is the frequency with which children are moved from a placement without their medication going along with them. Often, this is controlled substance medication. It seems that the contractors have taken the position that they trust their staff with children, but not with



Kansas Legal Services

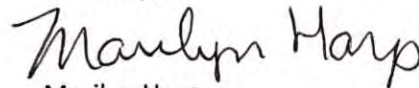
We are legal aid in Kansas, providing equal access to justice for the most vulnerable Kansans.
kansaslegalservices.org

controlled substance, prescription medication. At least, the transport company needs to be made aware to ask for the specific prescription medication that the child is taking and move it along with the child. The first responsibility of the contractor agency when a child is moved should be to insure that the new foster placement is aware of the need for the prescription medication, the dosage/frequency of the medication and has a sufficient quantity of medication for two weeks. A change of placement along with the effects of the immediate removal of a needed controlled substance medication can certainly have the effect of changing the behavior of the child and causing a new placement disruption.

Finally, we would hope that the neutral selected by the Court will create and share, with District Court Judges, Guardians ad litem, foster families and, perhaps, older foster children, a mechanism for reporting situations that should be investigated by the neutral. This piece of accountability is needed for the neutral to be certain that reports come to them from beyond the very agency and personnel that are being monitored.

We appreciate that we have been asked for comment on the settlement. We believe it is measurable. We believe will hold the agency accountable for creating more than just a better situation than the one the child was pulled out of.

Sincerely,



Marilyn Harp
Executive Director
Kansas Legal Services, Inc.
712 S Kansas Ave, Suite 200
Topeka, KS 66603
785-233-2068
harpm@klsinc.org

Exhibit F

December 2, 2020

To whom it may concern:

As you consider the information being put forth, I feel my experiences and information can help shine a light on the importance of your decisions. I am a foster parent, adoptive parent, and social worker. I have 17 years experience as a professional, and collectively 10yrs as a foster parent. From 2015-2020, I provided homes for over 80 children in state custody. Some for a day, some a night, some several nights, and 5 for over a year.

I have been instrumental in providing information for the lawsuit because it is vital to the safety of our children's mental and physical health. The trauma the system creates for these children moving them from place to place, not finding proper placements, not having a placement at all, is unnecessary in most cases. These children are further traumatized and have less self esteem each time they are moved or spend a night, as they call it, "couch surfing."

Their belongings often lost, including important medications. Mental health and physical health needs are not addressed in timely manner, if at all. Even when they are set up, appointments are often missed because they are not in stable placements. I had a child who had a medical procedure scheduled, however she was on one-nights. The day prior to the procedure, the case worker found her a placement that was hours outside of the area, and cancelled her appointment. The child was devastated. Shocking that her next placement didn't last a day.

They miss school. I have had kids, of all ages, who have missed months of school. I have reached out to schools and found that no one from the state or agencies have even attempted to make arrangements. This puts children so far behind their peers that it takes years to catch up, which often ends in no high school graduation, much less any further education. There is also no push, much less any laws, to get children in care to complete high school.

They are in the system too long. Too often these children are in the system for years, even when the agencies know they have no intentions of returning children to their biological families early in the process. This guarantees they will most likely have multiple placements, which perpetuates the trauma and negative behaviors. I have had children who have had 5+ placements, and that is not uncommon. With each placement, is more loss – not only of people, but their belongings, and their ability to trust and bond to the next placement.

The children are the last person considered in any details regarding THEIR lives. It is a parent/agency focused system. The workers from the bottom to the top are undereducated, undertrained, and often use personal vendettas against foster parents to make decisions that are in direct conflict of their best interest. Children are moved because a worker gets upset with a foster parent, or because the children have "too much of a bond" with the foster parents. This is healthy for the children. Often it is a miracle they have bonded with anyone due to the neglect &/or abuse they have suffered prior to coming into care. There are foster parents who want children and children who want to be in their homes, yet the

agencies find reasons and even send the children to group homes when a single family foster home is an option.

This lawsuit is the first step to safeguarding our children. They deserve better. They need your help to ensure their futures are brighter and they are provided the best possible care from the agencies who are in place to provide that care.

Sincerely,

Jill L Mall, LSCSW, Adoptive/Foster Parent

Exhibit G



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: REF: M.B. V. HOWARD CLASS ACTION SETTLEMENT

Foster Care Settlement <fostercaresettlement@kansasappleseed.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Mon, Dec 7, 2020 at 9:25 AM

----- Forwarded message -----

From: **James Pawlak** <epicthunder812@yahoo.com>

Date: Sun, Dec 6, 2020 at 8:11 PM

Subject: REF: M.B. V. HOWARD CLASS ACTION SETTLEMENT

To: lwelch@youthlaw.org <lwelch@youthlaw.org>, fostercaresettlement@kansasappleseed.org <fostercaresettlement@kansasappleseed.org>

I, Jay Pawlak, residing at [420 KANSAS AVENUE](#), in the municipality of REXFORD, in the COUNTY of THOMAS, in the STATE of KANSAS, would like to express my full agreement with the Settlement Agreement in favor for the Plaintiffs. I believe the State of Kansas, Department of Family and Children Services, has not had the oversight that it needs to function for the betterment of the individuals it was designed to assist. It would seem that DCF needs its own "PINELAND DECREE" to further enhance the welfare of those in need, no matter what those individuals needs are.

I respectfully submit this for United States District Judge Daniel D. Crabtree, presiding at the Robert J. Dole Courthouse, Kansas City, Kansas.

Please accept this email and my contact information as my electronic signature on this date, December 6, 2020. Please feel free to contact me for any clarifications.

Respectfully,

Jay Pawlak
[420 KANSAS AVENUE](#)
P.O. BOX 89
REXFORD, KANSAS

67753

EpicThunder812@yahoo.com

316.253.8231

Exhibit H



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: Class Action Settlement

Soraya Morales Nuñez <smoralesnunez@youthlaw.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Mon, Dec 7, 2020 at 10:02 AM

----- Forwarded message -----

From: **Leecia Welch** <lwelch@youthlaw.org>
Date: Sun, Dec 6, 2020 at 7:07 PM
Subject: Fwd: Class Action Settlement
To: Kansas Case <kansas_case@youthlaw.org>

Sent from my iPhone

Begin forwarded message:

From: Ashley Schwach <ashley.schwach04@gmail.com>
Date: December 6, 2020 at 5:55:57 PM PST
To: lwelch@youthlaw.org
Subject: Fwd: Class Action Settlement

----- Forwarded message -----

From: **Ashley Schwach** <ashley.schwach04@gmail.com>
Date: Sun, Dec 6, 2020 at 7:53 PM
Subject: Class Action Settlement
To: <fostercaresettlement@kansasappleseed.org>, <lwelch@youthlay.org>

Hello,

I am writing to request to speak at the hearing or (if that is not possible due to complications with COVID-19) simply to submit my comments concerning the case. I would like to speak on behalf of the plaintiffs in the case. My statement is attached. Please let me know if I will be able to speak at the hearing or if my statement will just be read. Thank you so much.

Stay Well,

Ashley Schwach

1108 Valley Drive, Paola, KS 66071
Telephone Number: 913-256-8330
Email: ashley.schwach04@gmail.com

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Soraya Morales Nuñez (*Pronouns: she / her / ella*)
Litigation Assistant

National Center for Youth Law
1212 Broadway, Suite 600
Oakland, CA 94612
Phone: (510) 835-8098
Fax: (510) 835-8099



BLACK LIVES MATTER

 **Class Action Settlement - Ashley Schwach - 2020.pdf**
77K

Class Action Lawsuit Settlement

Ashley Schwach's Statement: Support for the Plaintiffs

To be read in court by Ashley Schwach or to be submitted as a statement.

As a former foster care youth, I can say that I was very fortunate in my experiences. I was lucky enough to be placed in only two foster care homes, both with loving families; one was my grandparent's house, and the other a family who went to my church. However, according to *Boys and Girls Aid*, the average number of homes a foster child will cycle through is 15 homes, four of those placements being in the first year. Youthlaw.org states that "between 50 and 80 percent of children in foster care suffer from moderate to severe mental health problems" yet, due to the shifting nature of the placement homes, many of these children may never have the proper access to resources to help them. In addition to this, Hg.org states that John Hopkins University conducted a study and found that "children in foster care are four times more likely to be sexually abused than other children, not in this setting" and "children who are in group homes are 28 times more likely to be abused". I'm sure there are more statistics I can list off all showing higher proportions of neglect, abuse, mental health problems, and general loss of any sense of permanency while in foster care. However, the bottom line is this; reducing the number of placement changes and making sure they receive the proper mental health services is something that can significantly improve the lives of many foster care children. Speaking from my own experience, having some sense of stability in my home is something that helped me to do well in school; I didn't have to be focused on where I would be sleeping the next night. However, not as many children are as fortunate as me. So, the question I will leave you all with is this; What could possibly be a reason to deprive children (current and future) of basic necessities such as access to proper health services and a stable home who have already lost so much in their lives? I believe reform is needed in the system regardless of the Defendant's claims that they are not violating the rights of children. The right to stability and security is violated every time a child moves from one home to another. A step in the right direction is taking measures to make it so instability across all boards is a rare occurrence rather than a regular incident.

Ashley A. Schwach

Exhibit I



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: DCF class action lawsuit

Soraya Morales Nuñez <smoralesnunez@youthlaw.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Mon, Nov 23, 2020 at 9:35 AM

----- Forwarded message -----

From: **Leecia Welch** <lwelch@youthlaw.org>
Date: Mon, Nov 23, 2020 at 8:40 AM
Subject: Fwd: DCF class action lawsuit
To: Kansas Case <kansas_case@youthlaw.org>

----- Forwarded message -----

From: **Jessica Shepherd** <shepherdjess83@gmail.com>
Date: Mon, Nov 23, 2020 at 11:18 AM
Subject: DCF class action lawsuit
To: <lwelch@youthlaw.org>

Hello,

I am writing in support of the class action lawsuit on behalf of all current and future children in the Kansas foster care system. I am a familial foster placement for a child in state custody. My partner is a psychotherapist who has many clients which are minors in foster care. I support the changes proposed in the lawsuit to protect the rights of children in foster care to receive adequate and timely behavioral and mental health support, safe and adequate housing, and to be placed in a stable foster home with minimal placement changes.

My partner has repeatedly witnessed kids be moved from home to home with little justification, further traumatizing already traumatized kids. Those children with behavioral problems (as well as the foster parents who have them) need better professional support from a team working on that child's behalf to give that child a chance at a future. Whatever current government-appointed "team" there is for each child is woefully inadequate and overworked. Nobody is on the same page. The right hand doesn't know what the left is doing. Most of the time, mental health appears to be an afterthought. The opinion of the the child's therapist, if they are lucky enough to have one, is not taken into consideration when changes are made to the child's placement or case goals. The primary goal of reintegration takes precedence over the emotional and mental well-being of the child. Moving children to a new home over and over again can only exacerbate behavioral problems and ensure a grim outcome for their future. The future of Kansas' youth is the future of Kansas. We should all be invested.

Jessica Shepherd
785-969-5731
shepherdjess83@gmail.com
3023 SW Clark Ct
Topeka, KS 66604

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Leecia Welch (*Pronouns: she / her / hers*)
Senior Director, Legal Advocacy and Child Welfare
National Center for Youth Law

1212 Broadway, 6th Floor, Oakland, CA 94612

Phone: (510) 835-8098 ext. 3023
Fax: (510) 835-8099



BLACK LIVES MATTER

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Soraya Morales Nuñez (*Pronouns: she / her / ella*)
Litigation Assistant

National Center for Youth Law
1212 Broadway, Suite 600
Oakland, CA 94612
Phone: (510) 835-8098
Fax: (510) 835-8099



BLACK LIVES MATTER

Exhibit J

December 7, 2020

Honorable Daniel D. Crabtree

District Judge
United States District Court
500 State Avenue, Suite 628
Kansas City, KS 66101

Re: Kansas Foster Care Proposed Class Action Settlement

Dear Judge Crabtree,

My name is Tara Wallace. I am a Licensed Specialist Clinical Social Worker in Topeka. I have a Master of Social Work degree from Washburn University. I am currently pursuing a doctorate in Community Care and Counseling with focus in Traumatology at Liberty University. In just over one month, I will begin working on my dissertation which is takes a historical perspective of the adultification of African American females in the child welfare system. My experience with the child welfare system of Kansas over the last six years was the impetus for this topic.

While in graduate school at Washburn University, I had no intention of pursuing a doctorate, becoming involved with influencing state policy or anything legislative, and definitely not the child welfare system. My first job as a social worker was all of those professional roles in one. I provided therapy and case management to children whose families could not easily access services due to the many obstacles faced by families living in poverty. When I was not meeting the needs of clients and their families, I was focused on understanding how legislative decisions informed the policies which impacted their daily functioning.

In the fall of 2015, I was contacted by an organization expressing concern about the overrepresentation of African American children in the child welfare system. At that time African Americans were approximately 6.8% of our state's population, yet we represented 16.2% of youth in out of home placement, and 23% of children waiting to be adopted. The Department for Children and Families recognized these numbers to be concerning and developed a plan to recruit more African American foster families.

While this may have appeared to be a logical response to a critical need, I believe in building solutions at the root versus applying patches on the surface. Research revealed that African American families represented 10% of the licensed foster homes in the state of Kansas; and in the fall of 2009 a previous report, 'Equity in Kansas Child Welfare and Juvenile Justice System' identified similar, distressing statistics, yet no significant changes were made to improve

the situation for African American children and families in Kansas. When this was brought to the attention of the Department for Children and Families, there was no plan to address why African American children were disproportionately placed in custody, only to continue recruiting African American families to house them.

By this time, I had first-hand knowledge of these conditions because these children were my clients. As a social worker with a private practice, I became their advocate and used my voice to address their treatment at the hands of a child welfare system that made returning to their birth families almost impossible. I challenged the rationale that forced parents to choose between going to work and attending visits with their child simply because the time fit the schedule of their family support worker better. I challenged the mentality of workers who chastised parents for “acting a fool in court” when the worker had never experienced having a child removed from their custody, or any of the mental and emotional trauma associated with such an experience. For the first time, families felt like they were being heard, and I became hopeful.

In 2017, I was asked to serve on the Child Welfare System Task Force, Protective Services and Family Preservation Work Group. Hours of testimony, reports, and personal stories made it clear that the child welfare system was in dire straits, and at risk were the lives of our children. Despite the full recommendations of the Task Force, the child welfare system continues to represent one of the most traumatizing placement options for our children. This is especially true for African American children according to most expert testimony provided to the Task Force. Multiple placements and overnight stays in contractor offices continue to occur without consideration for the physical, mental, and emotional health of children.

One of the most disappointing outcomes from the work of the Child Welfare System Task Force was the ending of the legislative session without action on the Task Force recommendations. The new legislative session resulted in the need to educate incoming law makers about the issues facing children and families. While this represents the natural order of a legislative body, it also represents more time that children continue to experience the harmful effects of a dysfunctional child welfare system. When the trajectory of a child’s life is altered by our inability or unwillingness to demand accountability, we become accessories to their demise.

Temporary solutions are no longer acceptable to address the child welfare crisis. We have an obligation to create a better child welfare system; one that creates safety and stability for our children. It is not just the responsibility the Department for Children and Families to build and maintain this system. It is the responsibility of all Kansans. Therefore, I wholeheartedly support the Kansas Foster Care Proposed Settlement in its entirety.

Thank you for your time.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tara D. Wallace", is written over a light blue horizontal line.

—Tara D. Wallace, MSW, LSCSW, CTF-CBT

Exhibit K

DANA J. WINKLER

Attorney at Law
1621 Harlan
Wichita, Kansas 67212-1842
316-619-3395
djwinkler@cox.net

November 27, 2020

Kansas Appleseed Center for Law and Justice, Inc.
Attention: Teresa A. Woody
211 East 8th Street, Suite D
Lawrence, KS 66044

Re: M.B. and S.E. through their next friend
KATHARYN MCINTYRE, et al.,

v.

Case No. 2:18-cv-02617-DDC-GEB

LAURA HOWARD, et al.

Dear Ms. Woody,

I am a *Guardian ad Litem* for the Sedgwick County Juvenile Court and in this capacity I represent the best interest of a number of children in need of care who are involved in the Juvenile Court system. I have worked in this area since 1999 and am familiar with various changes that have been implemented to try to improve the services available for children and their families during this time. It is with this background that I have reviewed the Settlement Agreement in the above lawsuit.

It has been my experience that trauma occurs to a child before removal from the parental home, at the time of removal, and may also occur during the time the child is out of the parental home. This makes the availability of mental health services extremely important for the well-being of the child. The provisions of the Settlement Agreement with regard to placements and mental health services and establishing goals to minimize and treat the damage in these areas are extremely significant. I have observed the impact of 66 placements on a child before the child is able to be placed in a PRTF for stabilization, and the difference that a long-term placement following the stabilization has made in that child's behavior. This is the type of situation the Settlement Agreement addresses with measured results and outcomes.

I believe it is likely that implementing the Settlement Agreement and making the Practice Improvements it specifies may lead to additional improvements in Child Welfare in the State of Kansas and therefore I ask that the Settlement Agreement be approved on January 22, 2021.

Respectfully submitted,


Dana J. Winkler

Exhibit L



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: Speech

Foster Care Settlement <fostercaresettlement@kansasappleseed.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Mon, Nov 30, 2020 at 6:47 AM

----- Forwarded message -----


From: **Kimberly Allen-Thompson** <kimberlyjallen17@gmail.com>

Date: Thu, Nov 26, 2020 at 1:38 PM

Subject: Speech

To: fostercaresettlement@kansasappleseed.org <fostercaresettlement@kansasappleseed.org>, lwelch@youthlaw.org <lwelch@youthlaw.org>

Hey, I wrote this my senior and I want my voice to be heard.
Kimberly Allen-Thompson
[8457 Carter Street Overland Park](https://www.google.com/maps/place/8457+Carter+Street+Overland+Park,+KS)
(913) 340-6550
kimberlyjallen17@gmail.com

 Changing the Foster Care System.docx

Like a Disney Story

The life I live

Life ain't easy

When times get hard that's when people want to leave

I thought we were supposed to fight together?

We are a team

A family

Well that's what I thought

Do you want to know something?

Or will you look at me differently cause of the ugly past I was in

Will you put it all on me?

Say that's what I get?

Will you feel sorry for me?

The pain I feel is real

People come and go

But "it's life" they say

I can't get over it

My own mother that I love so much and will do most things for put me down

That's pain

Cry because she doesn't believe her own seed

The child she carried for nine months

That she supposed to give her life to

To protect and watch over

That's the pain I weep about at night

I question myself like what did I do to have this pain that I hate

I wish the man that they say is my father was there to take it all way

Can I tell you that story?

This poem is my story, and this story is the worst kind of fairy tale full of broken homes, abuse, and neglect. Hey, even Disney could create a movie out of these stories!

Foster care is a system where you are supposed to have support, be loved, with a place to call home and be cherished. Instead you get a place that is similar to your original home or worse. Youth don't want a home where they are being neglected or abused by foster parents or foster parent's children or other foster children. Some foster children are getting treated like slaves or animals. So, I want to help change how the foster care system is.

In my own "Once Upon a Time" story, my siblings and I have been in foster care for about eight years now. I was in my first foster home when I was ten. My foster parent's biological son used to force me to do inappropriate things with him. My second foster parent would neglect me and talk down to me. My third foster parent really didn't care. My fourth foster parent didn't have any water in the house. And my last foster parents neglected me.

Foster care is a system where children are supposed to get love and support, but they often get the same treatment as they did in their old home or worse. These are fairy tales, folk tales, and nightmares that Disney could make the most adventurous movie out of, and today, 1st we'll sneak a peak at the abuse Snow White endured to focus on the abuse and neglect children often face. 2nd we'll watch Cinderella's clock strike midnight as we examine the problem of

aging out of the system. Third, we'll sing "Hakuna Matata" along with the Lion King as we see how adoption can help children in the system. Finally, just like Mulan rescued her people from the invading Huns, we can protect foster children by changing the system.

So first, remember how in Disney's "Snow White" the stepmother made her stepdaughter work in the pantry, and then she even arranged for Snow White's murder – if that doesn't qualify for abuse, I don't know what does. Once a child is placed in the system, that child is not always guaranteed to be safe from abuse. In the article "When Children Are Abused by Foster Parents" by Terez Malka on medpagetoday's website, some study statistics claim over 28% of children in state care are abused. An 11-year-old foster child was found handcuffed on the front porch with a dead chicken hung around his neck. A frustrated foster mother talks about how two baby boys were brought to her home abused. One had 18 broken bones and the other had 22 broken bones, not only did she have to deal with the stress of their physical problems but she also had to deal with 22 different welfare workers in 18 months of care, according to the ABCNews article, "Foster Care System Stretched Too Far," by Cynthia McFadden. As these cases show, children can be easy victims. Kids and caseworkers have this mindset that foster parents are loving, giving, generous people but not all are like that, notes the article "Foster Care Neglect, Abuse and Mistreatment Cases." At the website for Injury Lawyers.

Even if foster care kids make it through the system, the next problem reminds me of Cinderella's clock striking midnight. Time's up, and she's losing her glass slipper. Many foster children face a metaphorical midnight as time is up for them when they age out of the system. Aging out is one of the most difficult things for a foster child to experience because they have no one to help when transitioning from foster care to living independently. The following statistics show how difficult it can be, according to a CNN article by Rita Soronen entitled "We Are

Abandoning Children in Foster Care. In the year 2012 alone, 23,439 children were discharged from the system nationwide. 1 in 5 foster children will become homeless after age 18. Only ½ will be employed at age 24 and less than 3% will earn a college degree. 71% of young women will become pregnant by age 21. And 1 in 4 will experience post-traumatic stress disorder (PTSD). These statistics are startling, and we need a better support system for our foster children.

Neal Conan of NPR's "Talk of the Nation" notes that "every year, almost 30,000 kids age out of the foster care system after childhoods when many move from house to house and school to school. For most foster kids, the day they turn 18, they're suddenly on their own, responsible to find a place to live, manage their money, their shopping, their clothing, their food and try to continue their education, all when most of their peers still get help from mom and dad."

Despite the problems of abuse and neglect and of aging out, we can still say "Hakuna Matata" along with Pumba, Timon, and the Lion King as we see how adoption can help children in the system.

Again, statistics help us understand the story here. One out of every 25 U.S. families with children have an adopted child. And adoptions have increased 15% since 1990 and given many people the opportunity to have a family.

Adoption can change a child's life and bring joy to those longing to raise a family. However, adoption can be a long and difficult process. As my siblings and I are going through the process of being adopted now, we're dealing with constant delays. At first when the Thompsons – my adoptive family – were looking to adopt us, there was no caseworker. It took 8 months for the Thompsons to find someone to go through the adoption after two year of trying to adopt us. They had a load of bureaucracy or red tape to deal with. A month before we moved in with the Thompsons is when we found out someone wanted to adopt us. Now we are all adopted.

So, looking back at our Disney stories, Mulan didn't wait to take action. When her family member was in danger, she volunteered to help. She chose to become a part of the army in place of her father. We need to make the same kind of tough choices to help vulnerable kids in foster care.

This is what I advocate: 1st, to avoid abuse and neglect the foster care system needs some change. Foster parents need more training on how to treat children. In addition, to strengthen foster care, case workers need access to the information on extended family for the health history and the relationships. If the case workers had 20 cases or less per worker, they will be able to check to see if the children are being well care for.

Second, the age limit should be 21 for foster children aging out. Because when they get out the system at 18 with no job or no place to stay, then they are more likely to become homeless or pregnant. Some may become drug dealers, prostitutes or become addicted to drugs. The majority of them are on the wrong path. Only 3% of foster children finish college and we want to change those numbers fast.

3rd, our communities need to know more about foster care and how it works because some people may think foster children are bad kids, but these kids do things to survive or to get attention. The community needs to be a safe place for protecting children.

Without these changes, our foster care system will continue to be a nightmare of a fairy tale – Snow White with a murdering guardian, or a story gone wrong like the midnight of Cinderella's ball. Adoption is one solution, so we can say "Hakuna Matata" to adoption. And like Mulan protecting loved ones, we can protect the most vulnerable in our society – children like me who were abandoned by a parent and caught between the neglect of my mother and the neglect of a system that isn't working.

Exhibit M



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: DCF Proposed Class Action Settlement | Comments/Considerations

Leecia Welch <lwelch@youthlaw.org>
 To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Tue, Oct 13, 2020 at 1:13 PM

----- Forwarded message -----

From: **Renee Beste** <reenebeste@gmail.com>
 Date: Tue, Oct 13, 2020 at 12:00 PM
 Subject: DCF Proposed Class Action Settlement | Comments/Considerations
 To: <fostercaresettlement@kansasappleseed.org>, <lwelch@youthlaw.org>
 Cc: Renee Beste <reenebeste@gmail.com>

To whom it may concern,

Thank you for giving me a chance to provide my input into this matter. I've been a foster parent for over 3 years and have done respite and long-term care. During this time I've been able to understand that this system is so broken, less because of the process of it but more because of our society and the loss of accountability from its members.

Based on this document I failed to see if a study had been done as to why children move from home to home so much. I did a quick Google search and with those results and my own experiences, it seems that children's instability in the Foster Care system has less to do with DCF or the agencies that support them and more to do with foster parents and at times biological parents.

We all know that to become a licensed home, we are required to earn certain hours of training credit and keep that training up throughout the year. What is missing is truth with a harsh dose of reality. During training we are focused on what the child goes through and that training is invaluable, we also learn about the needs they may have, what we can do to help. But nowhere in this training (my own anyway), do we give a list of daycares in the area that are open to take children in care, or licensed therapists that can be provided, or backup support on days when the daycare is closed and you need a sitter, or a list of respite foster parents who can help, or how to manage the food stamp program, or even what free resources are available to us. There are little to no resources for foster parents to navigate the first 6 months of this journey. Unless we know what to ask, we aren't provided much. So why do foster families close after 1 year and/or 1 placement? Why are kids bounced around all over the place? Because foster families do not have the right tools to do our job well. If on your first day of your first job, you were brought to your cubicle and there was nothing there, would you know what to ask for? Would you truly understand that you needed 1 pencil or a ruler or whatever tools would make your job easier?

I absolutely agree that all should be done to limit the amount of time children in care are moved from home to home. And to do that, we should prepare and support the homes in all possible ways.

- A Welcome to Foster Care Packet that includes:
 - List of daycares who accept DCF payments within 10 miles of the licensed home.
 - List of therapists for the child (and foster parents).
 - List of respite parents within 10 miles of home. (relationship building should happen immediately).
 - List of support groups available for foster parents.
 - List of Big Brother/Big Sister groups or groups of the like for the child.
 - List of Foster Parent Mentors (retired foster parents) who want to come alongside the foster family to support them.
 - + whatever else you typically provide upon licensing.
- Monthly visits from workers (Case Managers, FSC, CASA) should always be coordinated to one single per month AND include a therapist. The first 30 minutes should be open discussion and the last 30 minute minutes should be a training session on a topic RELEVANT to the child needs and provide training hours to the family.
- Biological parents should have no more than 12 months to work on reintegration. Clear boundaries and a standard plan for each case should be put in place in order to provide the child in care with an end to this very chaotic part

of their life. Leaving kids in care for years is ridiculous and detrimental not only for these children but society. Foster families and their bio children also suffer when placements last years and years - the unknown is not a plan.

- A clear understanding of families who want to adopt from foster care and those who don't should be decided early on in the process and children should be placed with that in mind.
- Adopting from foster care should be pretty straightforward and not drag on for months. Creating a forever home should be top priority, whether that is with bio parents or not.

Thank you for listening to my comments. I hope this provides some positive help in this endeavor,

Renee Beste
8289 W. 116th Street
Overland Park, KS 66210
913.544.6345
reenebeste@gmail.com

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Leecia Welch (*Pronouns: she / her / hers*)
Senior Director, Legal Advocacy and Child Welfare
National Center for Youth Law

1212 Broadway, 6th Floor, Oakland, CA 94612
Phone: (510) 835-8098 ext. 3023
Fax: (510) 835-8099



BLACK LIVES MATTER

Exhibit N

[REDACTED]



[REDACTED]

November 25, 2020

To whom it may concern:

My name is [REDACTED] the mother of [REDACTED]. I am writing regarding some concerns I have. I am reaching out because I would like to have the opportunity to speak at the upcoming hearing. My son [REDACTED] has been removed a few times from my care. They did not have a place to put him, so he had to spend two to three days in the office. They only supplied him with a sandwich for both lunch and dinner. They knew my son had medicine which was prescribe to him for a reason and they failed to give it to him. Once he was place, they failed to provide my son with the proper mental health service that he needed, and yet to provide it.

[REDACTED] has different special needs that he requires and is yet to receive. He has and IEP for his learning disabilities which he is getting. His IQ test also has shown that [REDACTED] only takes things and processes them to up to 11 years of age. They do not take the time to explain or talk with him to where he is able to understand things as he should. There was a time they had nowhere to place him, so they put him in a juvenile detention center for thirty days before they started to look and without medication. His medication is very important and needs to be given as instructed, if he did not need it, they would have not prescribed it for him. My child's medication is are important he is diagnosed with ADD, ADHD, severe depression, impulsiveness, behavior issues, problems with anger issues (temper). They still have not gotten his medication.



The facility in which is in now has staff that allowed my son to be playing with guns and able to purchase vapes and the pods. They are so understaffed that they are having one staff to almost 12 children that are repeat offenders of running from the center. I am very concerned for my son; he was put there for help but is not receiving any that he needs. Thank you for your time for reading this, I hope to hear from you soon.

Sincerely a concerned mother,

[REDACTED]



Exhibit P



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: Attention : Teresa A. Woody

Foster Care Settlement <fostercaresettlement@kansasappleseed.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Wed, Oct 21, 2020 at 8:32 AM

----- Forwarded message -----

From: [REDACTED] <[REDACTED]>
Date: Tue, Oct 20, 2020 at 10:46 AM
Subject: Attention : Teresa A. Woody
To: <fostercaresettlement@kansasappleseed.org>

I [REDACTED], the biological father of [REDACTED] and [REDACTED] (case # [REDACTED] and [REDACTED] object to the Kansas Department For Childrens and Families taking my twins in to the foster care when their mother died at [REDACTED]. I want to support to the court my evidence and speak at the hearing January 22, 2021 at 9am at the Robert Dole Federal Courthouse [500 State Avenue Kansas City, KS.6610](https://www.kscourts.gov/locations/500-State-Avenue-Kansas-City-KS-66101). I'm rejecting the termination my parental rights by Kansas D.C.F at no fault of my own. I [REDACTED] never had a chance at life with my biological twins [REDACTED] and [REDACTED] after their mother [REDACTED] passed away. I [REDACTED] own my own home located at [REDACTED] and went through there KVC caseworkers and two corrupt [REDACTED] public defenders because I couldn't afford a private attorney. All Kansas DCF findings against me are unsubstantiated. I'm not on the Registry For Kansas Child Neglect and abuse. I completed all mandatory court orders, my house passed inspection but never receive full custody of my twins after their mother [REDACTED] passed away. I [REDACTED] the biological father and as an American Citizen have been deprive life with my twins at birth after their mother died which is a violation under the Fourteenth Amendment of the United States Constitution. [REDACTED] is the biological father an seeking full custody of [REDACTED] and [REDACTED] and [REDACTED]

Exhibit O



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: DCF Class Action COMMENT

Foster Care Settlement <fostercaresettlement@kansasappleseed.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fri, Oct 23, 2020 at 8:04 AM

----- Forwarded message -----

From: [REDACTED] >
Date: Wed, Oct 21, 2020 at 2:35 PM
Subject: DCF Class Action COMMENT
To: <fostercaresettlement@kansasappleseed.org>, <lwelch@youthlaw.org>

Good afternoon,

I hope this email finds you well. I wanted to take a moment to describe what happened with our 11 year old foster son the first few weeks he was with us and the events that happened afterwards.

My partner and I are an adoptive only home. We matched with our foster son, who I will refer to as "A" from here on out, several months after completing our licensing. We met in person for the first time as COVID was starting its climb. He moved in a few months later and we were all very excited to begin our journey as a family. When a child comes into a new home, they are to come with their lifebook. This was not the case with A. His previous group home "did not know where it was" and his worker decided not to press them to search for it. They assured us that if they found it, they would send it along. We have never received his lifebook which contains documents about him, personal achievements he made, and more. Like all foster children, A received therapy services and we were told his services would transfer upon finalization of his paperwork to our home. Because A came from another town in Kansas, we understood that the time frame for transferring therapy services might take some time. We thought that since the plan was for him to move in with us for months, it would only take a few days at most before he could continue with his services. This was not the case. We requested information for his therapy from his worker several times during the first week he lived with us. The answer varied from "i'm still waiting for paperwork to clear" to "his therapist should be contacting you directly." We were never contacted by any therapist by phone, email, or letter.

The LACK of access to mental healthcare services we believe is why he had acted out so ferociously during his time with us. When plans did not go the way he wanted, he lashed out by yelling, breaking his possessions, running away, and making threats to harm us or our pets. The latter comment was the last straw for us and we reached out to recap the event to his worker. Her immediate response was that he needs to go to the hospital to be evaluated. During intake, A cycled through 3 very different emotions on repeat: calling himself a freak, pervert, and bastard, cussing us and his worker out while playing the race card, and then claiming he was sorry for his actions. A was hospitalized for 3 days and then moved to a group home in our town. He was there for about a month before we woke to a text from his worker saying that he ran away the previous night and asked if he showed up at our house. He was nowhere to be found on our property. We kept in communication with his worker all day as she called every hospital, homeless shelter, and police station looking for boys that fit his description. Nothing. At 6pm, he showed up at our house completely filthy, hungry, and thirsty. Police were called, his worker notified, and he was picked up by officers after spending about an hour and half with us getting some food in his belly.

A is now finally at a facility that specializes in behavioral and emotional needs and has been doing much better. My partner and I believe without a shadow of a doubt, that he lacked the proper mental healthcare he deserved from day 1, let alone from when he moved in with us. If his therapy needs are supposed to be 100%, he had maybe gotten 20-30% of that during the 5 months of us being part of his life.

A is a smart boy who has taken his ability to adapt and survive to harm himself by making it appear that he passes for less therapy than he actually needs. Every single foster child needs therapy and lots of it. The services need to be given freely, clearly, and without hesitation or multiple hoops to jump through. If we had been given clearance to receive therapy services the first day he came to live with us, he would be in our home right now preparing for Halloween with his friends and our family and not stuck in a hospital away from those who love him. If he had consistent therapy services, my partner and i would not have to be parenting him over the phone with counselors, staff, and consent forms.

--
Warmest Regards,

[REDACTED]



Exhibit Q



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: Class Action Lawsuit Notice – Case No. 18-cv-2617

Soraya Morales Nuñez <smoralesnunez@youthlaw.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fri, Dec 4, 2020 at 3:04 PM

----- Forwarded message -----

From: **Leecia Welch** <lwelch@youthlaw.org>
Date: Fri, Dec 4, 2020 at 2:11 PM
Subject: Fwd: Class Action Lawsuit Notice – Case No. 18-cv-2617
To: Kansas Case <kansas_case@youthlaw.org>

Sent from my iPhone

Begin forwarded message:

From: [REDACTED] <[REDACTED]>
Date: December 4, 2020 at 1:12:57 PM PST
To: Leecia Welch <lwelch@youthlaw.org>
Subject: Re: Class Action Lawsuit Notice – Case No. 18-cv-2617

I could write a long letter but I know there are many people wanting to be heard. I will just state facts. On December 7th 2018 my children were taken from school. When I didn't see them get off the bus I started to worry and contacted the school and was told they had been taken into DCF custody. There are requirements DCF make you follow in order to reintegrate children. In the first three months I had completed everything DCF had asked of me. It is now two years later and my children are still not home. I do not even get to see them anymore because of how bad the organizations are that work with DCF handle these types of cases. In my case it started off with a contracted company called Saint Francis Family Services, then turned over to TFI Family Services. My family's case has been thrown around like a football for the past two years. I have done everything required of me and am on the verge of having my parental rights terminated, because I had my children do chores. Chores that were age appropriate might I add. I do not understand how that makes me a bad parent or even an unfit one... Last year I had an advocate that works for TFI Family Services try to resolve issues with my family's case and she was even stunned at what was going on and how long this had been taking. If I can't even get one of TFI's own advocates to help me get my children back then I have no hope at all. I have lost all faith in the system at this point, primarily because of how my case has been handled by DCF, their contracted companies and the courts. My job on this Earth is being a parent. In the beginning of this case I had a lot more fight left in me, but now it has been going on for so long that I don't even feel like a parent anymore. My goal is to continue fighting for my children even under the circumstances my children and I have endured. The only hope I have now is writing this letter and possibly being able to share my story about my family.

I would also like to speak at the hearing if at all possible. Thank you very much.

Phone - [REDACTED]

Exhibit S



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: Fw: Fostercare [REDACTED]

Foster Care Settlement <fostercaresettlement@kansasappleseed.org> Mon, Dec 7, 2020 at 8:49 PM
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>, Teresa Woody <twoody@kansasappleseed.org>

----- Forwarded message -----

From: [REDACTED]
Date: Mon, Dec 7, 2020 at 10:23 PM
Subject: Fw: Fostercare [REDACTED]
To: fostercaresettlement@kansasappleseed.org <fostercaresettlement@kansasappleseed.org>

Resent

Sent from Yahoo Mail on Android

----- Forwarded Message -----

From: [REDACTED] <[REDACTED]>
To: "fostercaresettlement@kansasappleseed.org" <fostercaresettlement@kansasappleseed.org>
Sent: Sun, Dec 6, 2020 at 11:54 AM
Subject: Fostercare [REDACTED]

Here is just a few of the conversations I have had with Case workers and DCF in regards to my Great niece in having her in my home for foster care. [REDACTED] was placed in the care of the nurse [REDACTED] as a Foster parent immediately by St Francis. I was already screened the prior year for foster care for my niece. When we went to court. The judge forced St Frances to place her with me. Both the case worker and nurse [REDACTED] where not happy about this change.

The first week Nurse [REDACTED] quit as explained in statements below. I have texts from her supervisor as well. She contacted all the nurses, They all quit but, one my night nurse Mon thru Thursday. [REDACTED] was involved in this drama purposely. I have evidence. This is just the tip of the iceberg.

I would like to speak at the court hearing. I would like to speak out for my niece!
Her leg was broken in the care of Nurse [REDACTED] and nothing was done about it Nothing!

[REDACTED]

August 2019

[REDACTED]

I have several concerns. First my name is [REDACTED] not [REDACTED].

I would like to set up a meeting in person if we could. So much has happened this first week.

From the [REDACTED] nurse [REDACTED] being foster parent to transitioning to just being a nurse providing care for [REDACTED]. To refusing to go to a Dr appt because I found out all along the parent was supposed to be notified

of all appointments and given options to go to said appointments.

She resigned over that incident because the parent was going to go. However, she went into labor. Leaving me with no one. Thank goodness my Mother [REDACTED] whom is the Great Grandmother answered the call.

The next day having a meeting with [REDACTED] two Supervisors and Case Manager [REDACTED] from St. Francis only to find out she also resigned. Stated it was due to smoke in my home from being here in January. I had watched [REDACTED] for a bit while [REDACTED] moved. Now mind you Nurse [REDACTED] was given 14 day notice before having [REDACTED] moved to my home. Same with weekend nurse [REDACTED]. I'm not pointing fingers but, I'm not a stupid man. I'm a veteran and hold an accounting degree.

Now those incidents listed above are just the tip of the iceberg. Thus why I'm asking to meet in person. Nurse [REDACTED] as a Foster parent has sabotaged visitation rights for [REDACTED]. Not advised of dr appointments. Case Manager [REDACTED] St Francis has not returned phone calls or texts in setting of visitations for [REDACTED] we are starting the third week that [REDACTED] has not seen [REDACTED].

So, sum it up I have no weekend help as promised. I just got a day nurse started last Friday. They are looking for fill ins for the weekends. I have not heard from Case Manager [REDACTED] since last week when she promised that we would sit down and talk thru all this. I was left not knowing any of her medicines schedules. I am doing the best I can. I am overwhelmed! The Case manager [REDACTED] and the nursing staff of [REDACTED] Nurse [REDACTED] and the Weekend Nurse [REDACTED] whom has worked one day in my home in January has caused stress , drama, and unprofessional help for [REDACTED] and myself.

I look forward to hearing back in setting up a meeting to resolving or Solutions for the care of [REDACTED].

Thank you

[REDACTED]

April 28,2020

Good afternoon-

I was able to connect with SFM today and they are continuing to work with mother on reintegration efforts. This case does have a new supervisor [REDACTED]. Her email is [REDACTED]@st-francis.org and her phone number is [REDACTED]. Please feel free to contact her with your questions or concerns.

Thank you for your time.

[REDACTED], LMSW

Foster Care Administrator

KS Dept. for Children and Families

On Fri, Jun 12, 2020 at 1:18 PM, [REDACTED]@st-francis.org> wrote:

Hello Mr. [REDACTED]
I attempted to reach out to you on 4/29/2020 at 1:45pm via telephone number [REDACTED] at which time it went to voicemail and I left a message asking that you return my call. As or today I have not received a return call.

As of 6/1/2020 this case is now assigned to [REDACTED] as the supervisor. I have added her to the email so that you may communicate with her via email.

Thanks,

[REDACTED] LBSW, MSW
Reintegration Supervisor Team
Office: [REDACTED]
Cell Phone: [REDACTED]
[REDACTED]

June 12, 2020

[REDACTED],

I am still concerned that this situation is not being handled. I still have not heard from Mrs. [REDACTED]. Being ignored just like [REDACTED] has been in regards to the integration of getting [REDACTED] back. Case worker [REDACTED] has not even spoke to her in months! No texts, phone, emails! All forms if communications acceptable for Covid-19. Now that [REDACTED] county is re-opened. [REDACTED] had to drive to [REDACTED] to have a visit with [REDACTED] without a case worker. Excuse Covid-19. However, another neice [REDACTED] had a one on one with a case worker. I guess it's ok for one and not for another. Or this is a blatant lie as usual. Just like I was told by [REDACTED] that she refused to get me nursing help. After all it was her doing that the nursing staff quit! I have proof of that. I have the texts to back that up!! Now I know the judge stated 3 times to reintegrate [REDACTED]. We have court this month the 25th. I look forward to seeing the excuses of why we do not have a plan. Because regardless of the Covid-19. Communications were not broken down. A broken system however is.

I also want to address the sabotoge that is present. Srs is putting [REDACTED] through a program that is teaching her to become a CNA. She communicates when she has clinicals or when she has a day of testing. [REDACTED] knowing this information at last minute will schedule a drug test that day or a visit with [REDACTED]. Knowing that day was scheduled for an important event.

Just curious why does she do drug tests? This is not a drug case. Is this a way to get more money? I dont get it.

[REDACTED]

Great Uncle

[REDACTED]

Exhibit R



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: Class Action - [REDACTED]

Foster Care Settlement <fostercaresettlement@kansasappleseed.org> Mon, Dec 7, 2020 at 8:53 PM
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>, Teresa Woody <twoody@kansasappleseed.org>

----- Forwarded message -----

From: [REDACTED] <[REDACTED]>
Date: Mon, Dec 7, 2020 at 1:07 PM
Subject: Class Action - [REDACTED]
To: fostercaresettlement@kansasappleseed.org <fostercaresettlement@kansasappleseed.org>

My Name is [REDACTED] I was in a very high conflict domestic case where my daughter's father made threats to the appointed GAL and judge we had our custody case referred to CNIC in February the GAL recommended my daughter be placed with me. Unfortunately that did not happen my daughter was removed February 13th placed in foster care. I got her back home on an extended visit the end of March. I shared this time with her father. KVC/ DCF removed my daughter August 18th again placing her back into foster care for unknown reasons. They have refused family placement. My brother had successfully completed the background and home visits. No attempts for re-intergration have been made all case plan tasks were completed in March. My daughter has sickle cell disease and her health has significantly declined in foster care myself and her father get weekend visits with her. KVC and DCF have stated in framework meetings with attorneys present that our daughter does not belong in foster care. They are keeping her in custody due to co-parenting issues yet no plans had been put in place to address. Psychological evaluations and parenting assessment have been done with no issues. I'm currently waiting for a hearing which could take months my attorney has filed for unreasonable efforts. I'm hoping I can speak at the hearing I'm an educated African woman who has no drug issues I work full time at [REDACTED] there is no abuse or safety concerns in my home.

[REDACTED]

My daughter is 6 years old [REDACTED]

Exhibit T



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: January 22 2022 court Attention Teresa A. Woody

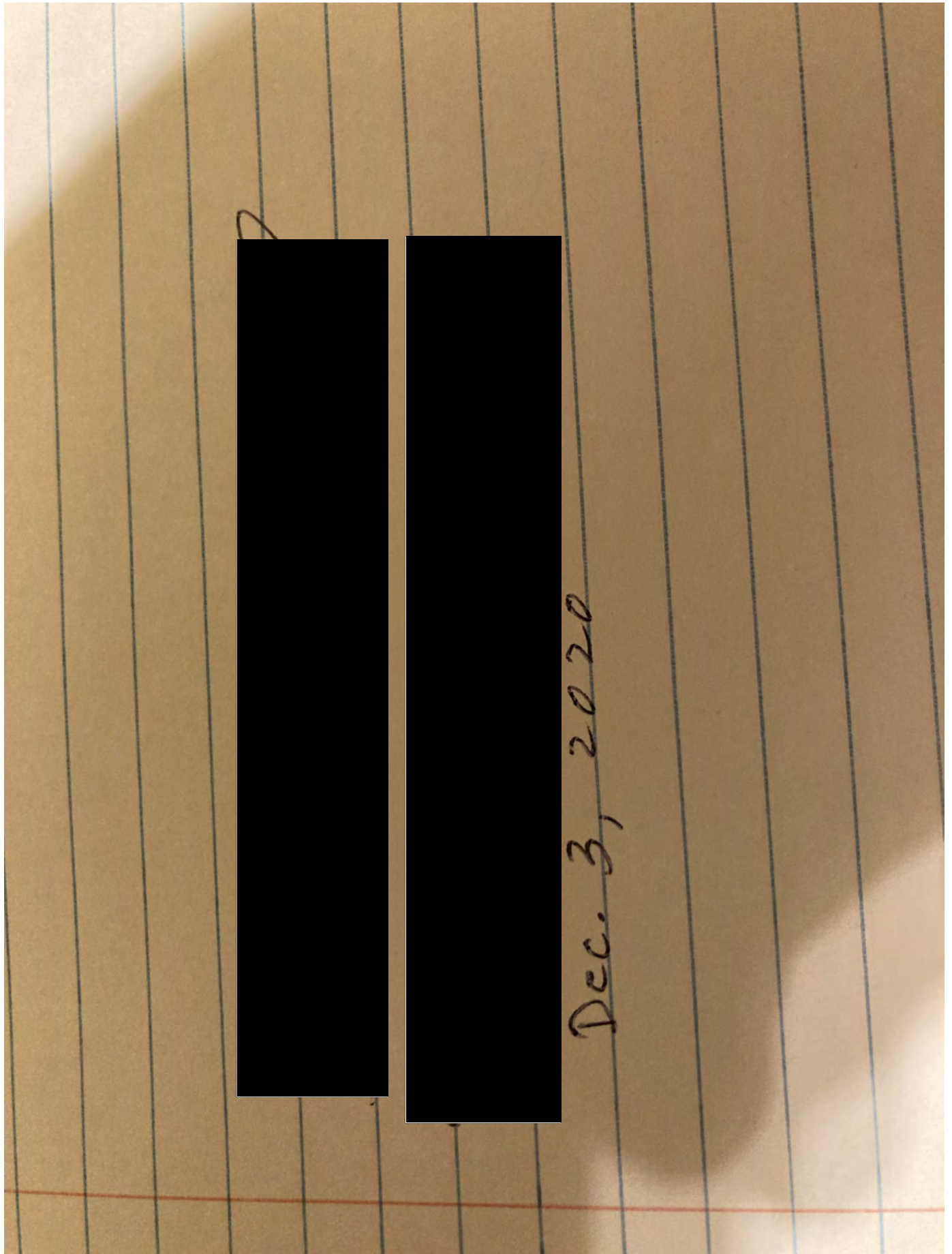
Soraya Morales Nuñez <smoralesnunez@youthlaw.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Thu, Dec 3, 2020 at 2:46 PM

----- Forwarded message -----

From: **Foster Care Settlement** <fostercaresettlement@kansasappleseed.org>
Date: Thu, Dec 3, 2020 at 1:07 PM
Subject: Fwd: January 22 2022 court Attention Teresa A. Woody
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

On Thu, Dec 3, 2020 at 12:43 PM [REDACTED] > wrote:



My name is [REDACTED] I and my wife [REDACTED] would like to attend the January hearing on the settlement agreement We would also like to speak at the hearing about subjects listed below to address the concerns of how DCF and the agency's handling of children in their custody. 1. Incompetence; three different workers repeatedly asking the

same questions that is or should be on file already. 2. Agency has to check with prosecuting attorney as what the rules are pertaining to what the children are allowed to do even if there is no court order . 3. Agency pulling child from caretaker without proper DCF authorization then returning child to caretaker without the clothing they were sent with. 4. Putting child in Respite care without insurance or money to provide for them and expecting caretaker to provide this on there own. Thank you [REDACTED] and [REDACTED], KS [REDACTED] cell; [REDACTED] signatures attached to this email

--
Soraya Morales Nuñez (*Pronouns: she / her / ella*)
Litigation Assistant

National Center for Youth Law
1212 Broadway, Suite 600
Oakland, CA 94612
Phone: (510) 835-8098
Fax: (510) 835-8099



BLACK LIVES MATTER

Exhibit U

10/13/2020

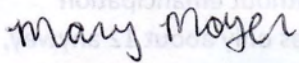
To whom it may concern:

I am a survivor of childhood physical, sexual, and psychological abuse. I grew up in Kansas City, Kansas on a large property which was very secluded and private. There are, unfortunately, many properties just like it all over Wyandotte county. Outbuildings falling apart, stuffed full of hoarded items, abused pets and sometimes humans. I tried several times to get help. I talked with an inadequate school counselor. She knew what was going on and was afraid of my family. She told me to get therapy when I was older. At the time I was in grade school. Once I managed to email a lawyer who said without emancipation nothing would get done. I didn't have a chance to file for emancipation, and I was only about 12 anyway, too young to live on my own. I called the non-emergency police line (trembling, whispering so I wouldn't be overheard) and they were completely unconcerned. At 16, I spoke in person with an officer who scoffed at me. Eventually at 17, I gathered my things and went to move in with a friend. I went to let the police know that my address had changed, so they wouldn't think I was a runaway. They wouldn't let me leave. They were uncaring and frigid, and said I'd have to be put in foster care. I agreed – anything sounded better than returning to my parents' home, even living with strangers who might be dangerous. Well, the foster care system didn't document my case. They kept shuffling me from place to place around the Wyandotte County precinct. I was treated as a criminal, unable to even use the bathroom with the stall door closed. They kept an eye on me at all times and acted very hateful. I was scared to death. I wasn't given food, drink, or a chance to sleep. No one knew where I was, except the friend who I had been planning to live with. I wasn't allowed to contact anyone; my phone was taken away, as were my clothes and purse, all my belongings. Sometime between that night and the next day, they sent me down a few floors to the juvenile detention center. I was given a jumpsuit and told that my cell was being made ready. I broke down and started sobbing, and someone finally listened. They didn't even know my name. I wasn't in a computer system anywhere. I couldn't prove my identity because everything had been taken from me at the door, including my driver's license. After further confusion and chaos, I was put into a van with two very nasty people who kept taunting me. They kept saying I was getting what I deserved, for being a criminal and a runaway. No matter how I pleaded my case, they refused to acknowledge that I'd reported abuse. The van was a terrifying experience. We drove for hours; I had no idea where we were heading. It turned out to be a short-term foster placement. The family was nice enough but the social workers were atrocious. I took the place of a 15-year-old girl that was being sent back to her parents. She was crying and shaking, holding onto the foster mother, and the social worker sighed and smacked her lips in annoyance. She said they didn't have all day, and forcibly grabbed the girl and removed her from the hug, yanking her arm towards the van. I immediately could see there was no hope for me there. That girl had been beaten with large tree branches and other objects, hit with a belt, and they said there was no abuse in her case. I was there for about a day or so – the time blurs together with the sleep deprivation and trauma. A social worker sat down and smirked at me, and said "Ok, let's hear *your* story," as if she'd already decided not to believe a word. I detailed some of the more graphic abuse, like when I'd been almost strangled to death, and a time when I'd almost been run over. I was running as fast as I could to get away from the truck. She gave a great belly laugh and acted like I was such a drama queen for trying to protect myself. That laugh echoed in my ears for a long time. I still hear it when I'm in therapy today trying to process the past traumas. When I was sent back to my parents, life was even more dangerous because of course they were angry that I'd tried to get help. I managed to survive, but not everyone is so lucky. The foster system desperately needs to

be evaluated and fixed. These children can't be expected to survive all on their own. In fact, in many cases, the involvement of a subpar system only makes matters worse. Adrian Jones' story sticks with me constantly; I can't forget what happened to him. Our properties were so similar in the way that they were so isolated and there was no chance of escape. There are hundreds more of us out there, and we can't do it alone.

Sincerely,

Mary Moyer



6810 Antioch Rd #154

Merriam, KS 66204

(913) 915-3825

Exhibit V



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: Attention Teresa A. Woody

Foster Care Settlement <fostercaresettlement@kansasappleseed.org>

Mon, Dec 7, 2020 at 8:51 PM

To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>, Teresa Woody <twoody@kansasappleseed.org>

----- Forwarded message -----

From: [REDACTED] <[REDACTED]>
Date: Mon, Dec 7, 2020 at 3:13 PM
Subject: Attention Teresa A. Woody
To: <fostercaresettlement@kansasappleseed.org>
Cc: MyProfile [REDACTED] <[REDACTED]>

Hello my name is [REDACTED] and my daughter is [REDACTED]. She has been in foster care with DCF and one of her case workers was [REDACTED]. In my opinion she was the rudest person around. They took my daughter from school and No One would tell me if they had her or where she was at. If they would have told me that they had her it would have relieved a lot of stress on me. It caused my blood pressure to go sky high. A friend finally found out that she was in the care of DCF. She was only about 8 at the time.

I get disability and she gets dependent care off mine. The took her check to pay for her which is fine but no one was getting the check just figure someone lined their own personal pockets with them for a while. I know that they were not getting them as her old brother and his wife had her for a while and they were not getting paid. I had to finally get someone from the KVC office to try to trace down the checks. Could not seem to get a straight answer from anyone there. They also seem to move the kids around when ever they want. DCF was supposed to get her training as she has a learning disability and they never did. We are now trying to play catch up on the things she needs to already know at 16 yrs old. She has ADHD and has a lot of trouble trying to stay neat and presentable. Does not like to take baths or wear clean clothing unless you stand over her and make her do so. She has some ODD when it comes to certain things. She has been all over [REDACTED] Kansas in homes but is now doing so much better since she has been moved to [REDACTED], Ks. It does cut down on our visits but this I am willing to do as she is the happiest I have seen her in a long time. This foster family seems to care and she feels like she fits in there. All the workers really need to listen to the child if old enough because they will tell you what they like and don't like. She was in [REDACTED] for a while and the guns shooting and stuff like that really terrorized her because she has never been around that being that she came from [REDACTED] and the biggest city she had been to was [REDACTED], Ks.

My name is:
[REDACTED]
email: [REDACTED]
address: [REDACTED]
[REDACTED]
Phone: [REDACTED]

My daughter is [REDACTED] age 16. Please get in touch with me if you need more information. I would seriously lime to know more about this case too. Thank you [REDACTED]

See attached signature in the capture attached.
Sent from my T-Mobile 4G LTE device

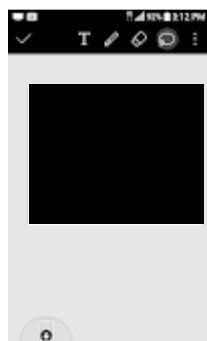




Exhibit W

Daniel Adamek

From: [REDACTED]
Sent: Thursday, October 8, 2020 6:28 PM
To: Kristine Wheat [DCF]
Subject: RE: Notice Placement Provider

Follow Up Flag: Follow up
Flag Status: Flagged

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

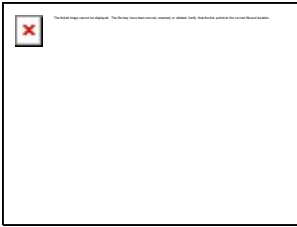
We were put thru hell. Not knowing all that we should have been told about teen boys placed in our home. We had a hard core drug using dealer placed with us who robbed people in our town when we went to bed at night. Who robbed a drug dealer which we then had a dealer shooting at our home. We found a loaded gun which was used to rob the dealer and another young man here in town.. He shot and killed one of our mini horse he abused younger children in our home stool from us. We were never told he took a gun to school or held workers hostage at the KVC office or had sex in the KVC office...there was nothing in his so called red book. We were told that he was a runner and basically that was it. He was in control of his medication or drugs...we had to beg to get them. Our lives were threatened, the younger foster children were constantly threatened by him, were told that our house will burnt down and the rest of the animals will be killed. Not knowing were he was when on his cellphone with another teen boy in our home making our life hell and making the other smaller foster kids lives frightened. To come to find out he was sitting in the KVC office – three KVC workers came forward and said they heard him making threats. Nothing was done about it. The other teenage boy on the phone with him had threw the foster dad across the room, tore up our furniture, threatening our other foster children it was going on while they were on the phone together. We had rubbing alcohol poured into our food. He grabbed a metal baseball bat and was threatening to FFFF us all up. It takes half an hour for the police to get to our home. The foster dad did what he had to do to deescalate the situation to keep our lives and other foster kids safe. We have two younger foster children wanting to be in this home and KVC withdrew their sponsorship. What is fair about this for the foster families? We have pictures of torn up furniture, dead animals, drugs and damages done by these two thug teens. [REDACTED]

Sent from [Mail](#) for Windows 10

From: [Kristine Wheat \[DCF\]](#)
Sent: Thursday, October 8, 2020 4:18 PM
To: [Kristine Wheat \[DCF\]](#)
Cc: [Corliss Scroggins Lawson \[DCF\]](#)
Subject: Notice Placement Provider

Please see attached.

Kristine Wheat, LCP
Settlement Program Administrator
DCF Audit Services
555 S. Kansas Ave, 6th Floor
Topeka, KS 66603
785-215-5761
Email: kristine.wheat@ks.gov



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Exhibit X



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: class action lawsuit against tfi

Foster Care Settlement <fostercaresettlement@kansasappleseed.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Mon, Nov 30, 2020 at 2:04 PM

----- Forwarded message -----

From: [REDACTED]
Date: Mon, Nov 30, 2020 at 3:05 PM
Subject: class action lawsuit against tfi
To: fostercaresettlement@kansasappleseed.org <fostercaresettlement@kansasappleseed.org>
Cc: lwelch@youthlaw.org <lwelch@youthlaw.org>

My name is [REDACTED] I am a mother of three sons two of which are in “tfi custody” every single thing about my case is wrong from the way my kids were taken to the worker who refuses to help me. I am a good mom my kids are my everything. Anytime I get one of their tasks done they give me more it took then 2 months just to tell me what they wanted and to give me a case plan. That’s two months I sat here helpless with no one returning my phone calls no one telling me what or how to do it. I have never had DCF or TFI involved in my life or the lives of my kids before now. I have had custody of all three of my kids since the second they were born I don’t understand how this is even happening. My case has nothing to do with drugs other than one cop who is claiming since my family and some of my friends are “drug addicts” I must be too. He even told the judge that there was no proof I even did drugs but that I must be because I was in the shower when they showed up and a friend opened my door. The friend doesn’t have any drug history and was in the us navy

but he was there so it has to be drugs. I have a whole file on TFI with screen shots from my son and my self begging them to answer us and to move my son because they placed him with his step great grandmother who has dementia and was abusing my son. It took us two weeks of begging to get them to move my son. I cant afford a lawyer, I am unemployed I lost my job do to covid and now because the police are harassing me and following me everywhere and because so many people have gone around spreading false lies (I live in a small town) no one will give me a job. I do not have a vehicle because when I lost my car I couldn't afford the payments. The car I was driving was stolen just last night. I had to call the police three times before they came out to make the report. I have lived in the same apartment for four years I have never had any lease violations and I have not even had any complaints. My neighbors all know me and agree this is unnecessary. The same police officer that took my kids assaulted me two months before where he dislocated my shoulder, the same shoulder is now broken because I was in a car accident a few weeks ago as is my wrist neither of which are healing right because I cant afford to have the surgery on my shoulder since dcf took my kids I no longer have health insurance. I just need someone to care. Im not asking for anything here I just thought I would share my story so that maybe another mother doesn't have to go through this same thing. The whole foster care system needs to be taken apart and put back together there are children who should be removed from their home being left to suffer and there

are children who shouldn't be taken away being ripped from loving parents every single day. This is unfair, this is inhuman. I wouldn't wish this on my worst enemy because the pain I feel every day not even knowing if my kids are alright is unbearable.

Thank you

██████████

Sent from [Mail](#) for Windows 10

Exhibit Y



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: We would like to speak at the hearing on January 22th,2021

Foster Care Settlement <fostercaresettlement@kansasappleseed.org>

Mon, Dec 7, 2020 at 8:49 PM

To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>, Teresa Woody <twoody@kansasappleseed.org>

----- Forwarded message -----

From: [REDACTED] <[REDACTED]>

Date: Mon, Dec 7, 2020 at 5:32 PM

Subject: We would like to speak at the hearing on January 22th,2021

To: <fostercaresettlement@kansasappleseed.org>

Attention:Terry A. Woody,

My name is [REDACTED] and [REDACTED], address [REDACTED],KS and phone [REDACTED]
Also we are deaf parents. Brief what we want to speak about their fraud case and kidnapping our kids from DCF and KVC not following process federal children instructions and laws. They kept threaten us no kids visitation over 2 years and barrier us communicate and they have lot of problems several no deaf interpreter provided and cancelled some reason deaf interpreter. Since 2015 and again 2017 due lack of communication at my home .we think that we should have rights to attention court behalf of cases.

sincerely so [REDACTED] and [REDACTED]

Exhibit Z



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: Immediate attention required.

Foster Care Settlement <fostercaresettlement@kansasappleseed.org>

Mon, Dec 7, 2020 at 8:52 PM

To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>, Teresa Woody <twoody@kansasappleseed.org>

----- Forwarded message -----

From: [REDACTED]
Date: Mon, Dec 7, 2020 at 2:50 PM
Subject: Immediate attention required.
To: <fostercaresettlement@kansasappleseed.org>

To the point, I have just stumbled on this and will need a spot to represent my grandson well being. Please accept this as a last minute request to appear in front of the magistrate to make him aware of the possible deadly situation [REDACTED] is in and there must be accountability for the blatant disregard of the law by the agencies involved.

Thank you,

[REDACTED]

Exhibit AA

10/20/2020

Dear honorable Judge Crabtree,

My name is [REDACTED], and I am in foster care (feel like I should not be in foster care). I have been in the system for 5 years. My brother, [REDACTED], is 19 and still like me, in foster care. He right now is cut off from everyone in his family, this includes: my mom, [REDACTED], my dad, [REDACTED], my sister, [REDACTED] and the rest of my family. He was told that he was going to go to college during the summer and they never did.

When I got put in foster care the cause of it was me lying and stealing. During my time in foster care, even though I have been talking to a lot of people about my problems and have found way to either fix my problems or deal with them. During the time I have been in foster care I have had two different jobs both of which I learned important skills like customer service and handling food.

I have repeatedly been told that I would get to see my parents when I first got put in foster care and some foster parents, like the ones my brother has, made excuses as to why I couldn't see them. ***I want to go home and live with my mom, dad, brother (when he comes home), and sister.***

The previous judge, [REDACTED], said I could not live in a trailer, but because of that my parents went through a lot things, to fix their credit and get a new house and move in. For that reason, what the judge said is no longer valid. They now have a four-bedroom, three-bathroom house, for me to come home to. They also have a lot of job opportunities for me. I want to be there for the special times, like when I turn 18, get married, and for all my parent's anniversaries.

When I get home, I would like to work part time then I want to go to college and work full time after college. Then I want to get some acres of land and have a mechanic shop for me to work in, built. Thank you for taking your time to read this letter.

Sincerely,

[REDACTED]

Exhibit BB



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: org. III. How Do I Submit Comments, Objections, or Support to the Court and How Do I Request to Speak at the Hearing? You have the right to submit written comments, objectio

Leecia Welch <lwelch@youthlaw.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Tue, Oct 13, 2020 at 2:33 PM

----- Forwarded message -----

From: **Prophetess Maureena Summers** <thewallassoc@gmail.com>

Date: Tue, Oct 13, 2020 at 5:26 PM

Subject: org. III. How Do I Submit Comments, Objections, or Support to the Court and How Do I Request to Speak at the Hearing? You have the right to submit written comments, objectio

To: <fostercaresettlement@kansasappleseed.org>

Cc: <lwelch@youthlaw.org>

My name is Maureena Summers Wall Association I am a licensed Group Home provider and I am requesting to speak out concerning this matter in the settlement we are located in Olathe Kansas. Thank you

Maureen's Summers

--
Leecia Welch (*Pronouns: she / her / hers*)
Senior Director, Legal Advocacy and Child Welfare
National Center for Youth Law

1212 Broadway, 6th Floor, Oakland, CA 94612
Phone: (510) 835-8098 ext. 3023
Fax: (510) 835-8099



BLACK LIVES MATTER

Exhibit CC

APT LAW OFFICES, LLC

219 South Street, P.O. Box 328
Iola, Kansas 66749
(620) 365-3161
(620) 365-3162- FAX

CHARLES H. APT III
chaiii@aptlaw.kscoxmail.com – email address

CHARLES H. APT (1860-1929)
FREDERICK G. APT (1889-1958)
CHARLES H. APT II (1928-2000)

December 6, 2020

Kansas Appleseed Center for Law and Justice, Inc.
Attention: Teresa A. Woody
211 East 8th Street, Suite D
Lawrence, KS 66044

National Center for Youth Law
Attention: Leecia Welch
1212 Broadway, Suite 600
Oakland, CA 94612

RE: McIntyre v. Howard US Dist. Ct. 18-CV-02617-DDC-GEB

Dear Ms. Woody and Ms. Welch:

I am writing this letter in reference to the proposed settlement agreement that has been put forward in the above captioned matter. Presently I am a Guardian ad Litem in Allen County, which is a part of the 31st Judicial District in Kansas. I have served in this capacity for almost 30 years. During this time, I have attended most every GAL seminar sponsored by the Office of Judicial Administration; served on a panel from 2000-2007 that rewrote the CINC and Juvenile Code; worked through every change over in the Department from SRS to DCF. Presently, I am serving on the TFI Area 4 Stakeholder group. I have been involved in thousands of CINC and juvenile offender matters and have had the privilege to work on hundreds of adoptions.

For the past 30 years, I have observed the evolution of the family unit, that is involved in our CINC cases, change dramatically. In the early 90's, the typical family consisted of two parents with two children. The parents were the biological parents, who willingly engaged in counseling and parenting classes. Now, a typical family unit may include two adults in the home with three or more children. The adults may be biological parents of one or more of the children. The housing conditions are inadequate and at least one of the children presents with developmental and/or academic issues. Alcohol and drugs are a factor, with methamphetamines being a common drug of choice. Most often, a CINC case is the outcome of a police raid where one or more of the adults are taken into custody for domestic battery or possession of illegal drugs. Tragically, the

children are present in the house at the time of the raid. Furthermore, when the children are removed from the home for temporary placement, it is not uncommon for at least one parent or another close relative to be incarcerated.

Every four years we are promised, that the State agencies charged with the well-being of our children, will integrate changes that will improve services. Although changes have been made through the years, the general perception is that the services available for the children have not improved and instead, have become more scarce and less effective. For example, I have served children who have required intensive mental health services. These services have been denied, discontinued or interrupted for months due to the child's relocation to an area where the mental health service provider will not accept screenings from the transferring provider or is not accepting new clients. Compounding matters, the turnover in caseworkers has created significant gaps in the flow of information, communication and alignment of services necessary to support stable and safe environments for the child.

The current administration of Governor Laura Kelly has not shown itself to be much different than previous administrations as their efforts are perceived to be limited to political rhetoric. A case in point is the executive order monitoring the educational progress of children that are in both the foster care system and in the custody of the State. Within the boundaries of the "system" (i.e., the contracted agency, the GAL, DCF and their ancillary organizations/systems), a child in the custody of the State of Kansas is going to improve for the simple reason, that while in foster care, that child will benefit from positive social interactions with caretakers, case managers, peers and medical/mental health professional; and they will live in, what appears to be, a home. Typically, the foster family is committed to helping with school assignments and activities which provides the much-needed stability that a child needs. In addition, foster care generally leads to regular school attendance, which results in a true sanctuary for the child. While at school, the child is safe, has two to three meals a day, and has positive interactions with peers and adult role models. Studying and submitting reports as required under the new executive order is a futile effort and a waste of money and time, which could better be directed at providing appropriate counseling, family therapy and health-related services. That said, I do, however, commend the new administration for their efforts to reconnect CINC system with the Juvenile Justice system. This effort should result in cost savings and streamlining of services that better result in aftercare.

For years I have believed that the operations of the overseeing agency, be it SRS or DCF, should be the subject of a class-action suit. Therefore, I was not surprised when this action was commenced and had hope that the outcome would result in the necessary changes needed to implement and monitor the services promised. Regrettably, after reading the proposed settlement agreement, I have concluded that meaningful change is not in the future for this system.

The agreement provides goals to be measured by statistical markers. These markers have been in place in our area for some time, as was confirmed, in a recent Stakeholder meeting I attended in September, 2020. TFI has been working diligently to meet statistical outcomes and is justified in being proud of the fact that they were already meeting numerical benchmarks. Regardless, no mention has been given to whether these efforts have resulted in better services or improved situations for the children they serve.

This leads to my second point. Figures lie and liars' figure. This is best reflected as to what has occurred in our educational system with outcomes of standardized testing. Needing to meet statistical measurements and goals, teachers have taught to meet the standards at the expense of not teaching to the educational needs of the whole child. These statistical standards have resulted in subpar academic outcomes and a mediocre perception of the public educational system nationwide, that is unless your measurement for success is only rooted in statistical benchmarks.

Third, the agreement has no teeth. The consequences for failure to achieve goals are negligible, if any. The probability is that the present administration will be replaced in the next election and, therefore, such commitment to this program may be minimal at best. No one knows what commitment the next administration will make. Without the Defendants having some skin in the game they will not be as encouraged to do what really needs to be done. I have drafted enough settlement agreements to be able to recognize that this one has enough "weasel words" to shelter any one person or agency from significant political or social consequences.

Furthermore, also attached to the email I received with the Settlement Agreement was a letter from DCF Secretary Howard. The letter suggested that I discuss these matters with the children I represent in CINC cases. First, none of them would understand the context or implication of the agreement. But more importantly and sadly, they would not appreciate that the agreement would have little, if any, impact on them before they exit the system. Unfortunately, in their situations, the likelihood that the implementation of this agreement will negatively impact each and every one of them is great. Given that this is an unacceptable outcome of a well-

intended change, I must advocate that the agreement be rejected and that this matter should proceed either, at a minimum, to arbitration in an effort to get a better result for the children or to trial. I have reviewed the Settlement Agreement over and over, only to be bewildered by the absence of the identification of the one standard I believe to be the most important measurement of any outcome. Are we asking and answering, **IS THIS IN THE BEST INTEREST OF THE CHILD?** I believe that this is the standard by which all CINC actions are typically measured, but is overlooked in the Settlement Agreement though it is what is seemingly professed to be achieved. In applying the terms and projected outcomes of this agreement, if this question cannot be answered in the affirmative, then it must be rejected.

Finally, and regardless of our opposing positions in this matter, I would like to take this opportunity to offer an alternative to the selection of Judith Meltzer as the neutral. I reviewed Ms. Meltzer's credentials and consider them to be quite impressive, however; I believe that Mr. Matthew Hudson to be a better fit for the position. Mr. Hudson grew up in Kansas and benefited from placement in the Kansas foster care system. He left the system; graduated from college; graduated from law school and has committed his professional career to advocating for children in need of care and for designing/implementing effective changes to a system he believes can thrive. He knows the system you are trying to change, from the inside. I strongly encourage you to consider Mr. Hudson, if not for the position of neutral, but then as an advocate who brings a positive perspective to change for our most vulnerable children.

Thank you for your respectful consideration of my position on this matter. If any party involved in this matter should wish to talk with me, I will gladly accommodate you at any time. At your request, I am also willing to testify at the hearing in January, 2021. I look forward to hearing from any of you at your convenience.

Respectfully,

Charles H. Apt III

Charles H. Apt III

Exhibit DD



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Email from Brenda Jolley

Soraya Morales Nuñez <smoralesnunez@youthlaw.org>
 To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fri, Oct 16, 2020 at 12:41 PM

From: **Teresa Woody** <tw Woody@kansasappleseed.org>
 Date: Thu, Oct 15, 2020 at 8:11 AM
 Subject: Email from Brenda Jolley
 To: Kansas Case <kansas_case@youthlaw.org>

Brenda Jolley <brjolle@icloud.com>

Oct 8, 2020, 5:33 PM (7 days ago)

to me

I am totally confused. How can DCF or any other organization be sued because they can't get enough volunteers? If they had people willing to be foster parents, this would not be a problem. Of course, the lawsuit offers no solution to the problem that there are not enough foster homes for these kids. Foster parents are basically volunteers so how can DCF be responsible for volunteers? DCF, KVC, Cornerstones of Care, etc are not some thing out there, they are terribly underpaid social workers who want to help kids in a thankless situation but do NOT have the resources (volunteers) to do their jobs. A suit like this just kills the whole system with no solution of how to care for kids. Totally ridiculous. It also takes man hours to get kids to the medical and mental health they need. I am sure the lawyers pursuing this are taking their time to take care of these homeless kids. Totally ridiculous law suit.

I am a foster parent as a friend of the family. These kids are much less work than many kids out there - more cooperative - and for all the joy it is a lot of time consuming work for us as the parents. Most people do not have the time or space, or emotional capacity, or desire to do this. There is a lot involved. We could not do it if we were not retired.

PLEASE be thankful for the people taking care of these kids. Turnover of workers now is unbelievable. Quit talking about these workers as if they are not real people who have been willing to put themselves in a very difficult position for one reason only - to help kids. Don't blame them! Most are doing more than they can now.

Brenda Jolley

Teresa A. Woody
 Litigation Director
 Kansas Appleseed Center for Law and Justice, Inc.
 211 E. 8th Street, Suite D
 Lawrence, KS 66044
 (785) 251-8160
tw Woody@kansasappleseed.org
 (Pronouns: she/her/hers)



This message, including any attachments, is from Teresa Woody, attorney with Kansas Appleseed. Email communication may not be a secure method of communication and can be held, stored, or copied by various computers through which it passes enroute to its destination, or intercepted by a third party. Nevertheless, this email contains information that may be confidential and protected by the attorney-client or work product privileges, the protections of which are not waived by the sending of this information by email. If you are not the intended recipient, please notify the sender of the delivery error and promptly delete this message and any attachments. You may not forward, copy, print, distribute, or use the information in this message if you are not the intended recipient.

[Quoted text hidden]

Exhibit EE

To Whom it may concern,

I am writing in regards to the settlement regarding foster children not getting adequate mental health in Kansas. Before I tell you our story I want to say, unless this settlement requires the state of Kansas to open a long term facility for children with severe mental health issues, it is lacking what is really needed and these children will continue to suffer as the state continues to fail them.

Now to our story. We started fostering our 3 youngest in 2012. Our daughter was 3 at the time. She was already showing many behavioral issues that stem from trauma. We tried to get her help, but due to her age and ins there was no one willing to see her. So, we did everything KVC taught us to do in our foster and adoptive classes. Our daughter's behaviors continued to just get worse. Finally, she was at an age where [REDACTED] would start to treat her. We tried many medications with no success.

She was kicked out of private school and out into public school where she continued to struggle. I then quit my job to try and home school her. Her therapist, and [REDACTED] Mental Health recommended putting her back into public school. They also recommended starting the process of getting her into a residential center. Her ins company would not agree to this until certain steps were taken, so she spent 5 stents in [REDACTED] and did some other [REDACTED] options that did not work for her. The ins co kept saying she was not enough of a danger to herself or others. This was after she had sexually, physically, and emotionally abused her 2 younger biological brothers. She would also threaten to stab us to death and kill herself multiple times on a daily basis.

She was finally admitted into [REDACTED] where she spent almost 2 years. [REDACTED] had to release her because she was not getting any better. They have a wait list of over 100 kids and needed her bed for a child they thought they might be able to help. By the time she was being released, she had already attacked me, attacked many children at [REDACTED] along with many staff members. So, we knew we could not bring her back into the home where she could attack her younger brothers. I spent hours on the phone trying to find a long-term facility that we could get her in. Nothing would take her ins and since we don't have \$5000 a month to pay for a facility, we couldn't get her into any place that could help her.

We had many phone calls with [REDACTED], DCF and the ins company before she was released and no one could or would help us. So, when she was released in Feb 2020 we were forced to place her back into foster care. At the 1st court hearing the DA told the judge due to all of her behavioral issues they were going to have to find a long-term facility out of state for her. The judge agreed to that and added she was not to be in a foster home with other children. Well, then comes KVC. They refused to even look for a center for her and placed her in a foster home with other children who she attacked. Unfortunately, we have a different judge now and what they told the 1st judge doesn't seem to matter. She just wants to blame us for failing our daughter when we are just trying to protect the other children in our home.

I have left out many parts of our story to try and make this shorter but still give you an understanding of why we need to get more help for children like our daughter. KVC and DCF just seem to push them from one foster home to another until they end up in juvenile hall where they no longer have to deal with them. This is not ok! I have also reached out to many state government officials for help, but none of them seem to care either. I would love to speak at your hearing if that's what it takes to get KS to step up and get the help these children so desperately need.

Thank you for taking the time to read this.

[REDACTED]

Exhibit FF



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: Class Action suit against "DCF" Settlement Agreement:

Soraya Morales Nuñez <smoralesnunez@youthlaw.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fri, Dec 11, 2020 at 1:17 PM

----- Forwarded message -----

From: **Foster Care Settlement** <fostercaresettlement@kansasappleseed.org>
Date: Fri, Dec 11, 2020 at 8:09 AM
Subject: Fwd: Class Action suit against "DCF" Settlement Agreement:
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

----- Forwarded message -----

From: [REDACTED]
Date: Fri, Dec 11, 2020 at 9:50 AM
Subject: Class Action suit against "DCF" Settlement Agreement:
To: fostercaresettlement@kansasappleseed.org <fostercaresettlement@kansasappleseed.org>, lwelch@youthlaw.org <lwelch@youthlaw.org>

I am [REDACTED] maternal grandmother and her 3 young children have been taken away from her and her rights violated by the state and DCF. I just received the letter from KVC yesterday when I got off work. So I missed the deadline to send you this email due to poor mail service. I would still like to be consider to participate in the proceedings on the 22nd of January 2021. And be able to speak on behalf of my granddaughter and my great grandchildren. They have unjustly been taken away, miss treated and used for their monetary value.

Hoping you will grant my request

Respectfully Yours,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

--
Soraya Morales Nuñez (*Pronouns: she / her / ella*)

Litigation Assistant

National Center for Youth Law

1212 Broadway, Suite 600

Oakland, CA 94612

Phone: (510) 835-8098

Fax: (510) 835-8099



BLACK LIVES MATTER

Exhibit GG



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd:

Soraya Morales Nuñez <smoralesnunez@youthlaw.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fri, Dec 11, 2020 at 1:18 PM

----- Forwarded message -----

From: **Foster Care Settlement** <fostercaresettlement@kansasappleseed.org>
Date: Fri, Dec 11, 2020 at 6:38 AM
Subject: Fwd:
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

----- Forwarded message -----

From: <[REDACTED]>
Date: Fri, Dec 11, 2020 at 12:21 AM
Subject:
To: fostercaresettlement@kansasappleseed.org <fostercaresettlement@kansasappleseed.org>

I hope you read my email I know I am late but I just want people to know the heart ace my boys and I have and are still going throw. They where taken from me over a year ago and I am still fighting to see them I have done everything asked of me to get them back. But in this last year they have been moved 3 times and have stayed the night with other family's many of times. The second foster home they where in the mother got caught hitting my two year old baby and he was left there for four more days after they new about it and did not tell me tell the day they where moved. They have gone throw more in just this one year then most adults have in their whole life's. Please help make this right and do right by my kids. Thank you for your time [REDACTED]

Sent from [Mail](#) for Windows 10

--
Soraya Morales Nuñez (*Pronouns: she / her / ella*)
Litigation Assistant
National Center for Youth Law
1212 Broadway, Suite 600
Oakland, CA 94612
Phone: (510) 835-8098
Fax: (510) 835-8099



BLACK LIVES MATTER

Exhibit HH

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Kansas Appleseed Center for Law and Justice, Inc.

Attention: Teresa A. Woody

211 E. 8th Street, Suite D

Lawrence, KS 66044

fostercaresettlement@kansasappleseed.org

Dear Teresa Woody,

Please accept my most sincere apology as I send this three days after the deadline. When I received the letter regarding this case, I immediately wrote the deadline on my calendar – however, I wrote it down as the Dec 17. Totally my fault, but since I'd finished writing when I noticed my mistake, I wanted to send it to you anyway. Should you decide my error makes me ineligible to participate, I accept your decision though due to my deep interest in this case I intend to follow its progress to the end.

I'm a former English professor; 70% Disabled Veteran (U.S. Navy /Submarine Service); 66 years old, and divorced single Father to my 6 year old son, [REDACTED] (whom I call [REDACTED]) for the past 3 years.

My son was taken from our home and put into foster care on 5 Dec 2019, because I made the terrible mistake of hitting him on two separate occasions, and when asked about it at school he told them – In two and a half years of being a single father, I didn't use physical punishment. [REDACTED]'s mother is an alcoholic, who relapsed throughout pregnancy. Her doctor ordered her to residential treatment during her final trimester, however, upon release she relapsed three days later. I had no idea where she was but finally found her the night of 30 Dec 2013 in rough shape in a motel. Took her home and got food and liquids into her as I could, but her water broke very early next morning. Drove her to ER and [REDACTED] was born 31 Dec 2013, approx. one month premature. He was tested in the past year and diagnosed with Fetal Alcohol Syndrome. Six months after leaving me, she ended up in treatment. Upon her release, after his first overnight visit, she was arrested for violently assaulting me in front of [REDACTED] in [REDACTED], driving drunk to return him to me. I became [REDACTED]'s default custodial parent. Six months later she was given six months of supervised visits. When she finally received unsupervised 3 day

weekend visits in May of the next year, Unbeknownst to me, she invited her new boyfriend, who was on probation for habitual drunk driving, unable and unwilling to work. He was also a violent felon registered with the state of Kansas until 202. After one month of overnight visits, still on diversion for assaulting me, she instructed him to physically attack me in the parking lot of Target in [REDACTED] when she brought [REDACTED] back to me. Both were drunk and though his license was still revoked, she let him to drive the car she was using which belonged to me and for which I still paid the insurance. When witnesses called the police and asked what was wrong with them, they fled the scene. During the drive home, [REDACTED] broke down and told me they'd subjected him to multiple forms of abuse, were constantly drunk, and drove drunk with him routinely. I filled a Police Report for the battery, and abuse and also filed with DCF.

One month later [REDACTED] approached me with a uncharacteristically serious demeanor and told me he's been sexually abused. According to [REDACTED], and he disclosed this to six different professionals, with and without me present, although her boyfriend was the most prominent abuser, his mother had initiated and participated the first time he was sexually abused. Even though his mother was aware of his character she chose to leave him alone with our son for multiple 10/12 hour shifts while she worked as a CNA. [REDACTED] also described the boyfriend physically beating her frequently and that they drank 'round the clock. [REDACTED] also told me that when he reported being sexually abused by the boyfriend when she left them alone, she did nothing about it. After his disclosure, I filed a second Police Report and another case with DCF. When his mother learned I'd done so, her response was to marry him. After nearly three months, DCF investigation officially confirmed [REDACTED] had been sexually abused by the boyfriend. After her visitations were terminated, she remained with this man, until eventually he beat her badly enough to be arrested for Domestic Battery. He just went to last month resulting from his assault charge against me a year and a half ago.

I suffer from severe PTSD from a nightmarish incident that occurred when I was a submarine sailor in the U.S. Navy, wherein I was forced to witness a shipmate and close friend's horrific suicide. While I was still deeply in shock, my Executive Officer forced me to work every day for more than six months on the JAG Investigation into my friend's death, which involved me handling two dozen graphic color 8X10 photographs of my deceased friend from every angle imaginable and type and retype the narrative story of his death, and 40-odd interviews regarding the death. At the time all this occurred, the condition now known as PTSD did not even exist. Because of this, I was never given any sort of treatment and in fact was told to just forget about it and ignore my depression, flashbacks, nightmares, and other mood altering symptoms. I sucked it up, somehow lived with it for 25 years, and even managed to sustain and make the most of a meaningful and rewarding 20 year career as an English professor. When it finally got so bad I couldn't sleep, I had to take a sabbatical. I found myself struggling and during an encounter with the Veteran's Administration while applying for approval to have them pay for some computer coursework, I ended up talking in depth, for the first time, regarding my experience in the Navy that never seemed so long ago and subsequently diagnosed with PTSD five about 8 years ago.

Through learning about my PTSD, I discovered that dangerous and potentially threatening real life situations became a trigger for me. I became hyper-vigilant. This had the potential to cause me to react in ways much stronger or more intense than normal situations. Due to being told to ignore these

heightened moments over and over, my biggest challenge was learning how to be mindful enough to assess and identify situations with potential to stimulate sensations of fear and/or panic. The more I learn about PTSD, over time I'm able to identify and practice techniques to keep me centered, and on an even keel. I'm still a first time father and when I felt for the first time that [REDACTED]'s health and safety was in real jeopardy, I was not doing myself any favors by letting my imagination and worry take lead of my senses. When I hurt [REDACTED] I also hurt myself, and paying the price of feeling both guilty and inept was one of the toughest self realizations I've ever had – and instead of protecting him like I should, I blew it. But I get in now and I had to rewire my thinking so I could – and it feels so much more harmonious this way.

What I wasn't prepared for in the "CINC" world order...Which is, on the one hand, it's good I'm alone and able to use this time to focus on the parts of me needing the most work. But on the other hand, no one is really with you on your day-to-day journey, and because they don't hang out with you or really get to see you in anything that actually allows them to see you engaging in less formal activities that allow your normal, relaxed everyday kind of role to shine through...So how can they accurately measure how you're doing?

[REDACTED] has been in 4 different foster homes. Some were definitely NOT a good fit. I was ordered by the judge to have absolutely no contact with child, my son, my pride and joy for 8 months. It's difficult to find the positive through that. The family therapist I've been seeing with [REDACTED] for a year – saw me with him twice initially before making a very assessment of me (back in January) that was very heavily weighted on preconceptions. Those first meetings were within weeks of our entire way of life being turned upside down. And if you've never experienced anything like it before, and information moves at the speed of a glacier – I can honestly say I felt emotionally raw and totally lost. But THAT shouldn't define me! I felt insecure, I felt really sad, it hurts to feel inadequate feeling because I did this wrong, it's probably going to end up hurting my child even more! And the therapist asks you for BACKGROUND - and background is just another way of saying "YOUR PAST" and everybody thinks of their own past in a certain way. It's very personal and close to the bone of our inner our feelings, so when you give BACKGROUND it tends to be a little one-sided, but you try to be honest. And the feedback I got for trying to be honest and informative? Oh he's SO NEGATIVE. He thinks this – he thinks that. Just because I probably have an idea or an opinion of how things went down in the past doesn't mean I'M STUCK THERE!!!! And when your therapist says on her Web Page that if you leave a message or send her a text message – she will get back to you. I was lost back in January, I was afraid I'd lost everything. And when I reached out to my brand new therapist and asked from the deepest part of me what things I could do to help my child through this very difficult period – and I asked a few other questions hoping she might help guide me on my way...I sent several messages asking in all sincerity for any crumb of knowledge to carry with me AND THIS THERAPIST CHOSE NEVER TO ANSWER A SINGLE MESSAGE FROM MWE WHEN LIFE SEEM LIKE THE DARKEST PLACE I'D EVER BEEN. I knew then that the therapist didn't have a molecule of compassion for me.

Even more prejudicial against me was the female Judge . She did totally inappropriate things like question whether I was Honorably Discharged. YOU DON'T GET A DISABILITY PENSION FROM THE V.A. UNLESS YOU HAVE BEEN HONORABLY DISCHARGED!!! PERIOD. Then she ordered me to submit copies

of all my military paperwork. I promptly submitted my various Letters of Commendation, Good Conduct Award, Honorable Discharge, Qualification in Submarines. And she NEVER SAID A SINGLERWORD. NO APOLOGY. NO POSITIVE COMMENT ON MY ILLUSTRIOUS HIGHLY DECORATED NAVAL CAREER.

Then this Judge who has had a hate agenda for me for most of this year suddenly retires. But she has painted me as such a scoundrel that even though I put my son's needs first and have made him my number one priority – and even though I've provided the only home he's ever known and been his ONLY consistent caregiver...I'm still not allowed to have over nights!

His mother, who has done everything in her power to NOT be a Mom is now the only one that matters. He's told the GLA and the caseworkers and the foster Mom he wants to come home.

The caseworkers have been recommending overnight visits the same as Mom is getting for three months. I still have none. I own my own home. I'm retired. I'm a good man. I have income. I love my son. I made a mistake. I told him I'm sorry and I will only be the best Dad he deserves from now on.

Even though the case plan for the past year has outline reintegration to my home, they are trying to change custody. I'm not perfect . But take a real honest look at his Mom – Neither is she!

I've spent over 75,000 on my lawyer. And I'd spend more – if I had it.

Exhibit II



Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Fwd: I want to be heard about please. Case number 18-CV-2617-DDC-GEB

Soraya Morales Nuñez <smoralesnunez@youthlaw.org>
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

Mon, Dec 14, 2020 at 12:47 PM

----- Forwarded message -----

From: **Foster Care Settlement** <fostercaresettlement@kansasappleseed.org>
Date: Mon, Dec 14, 2020 at 8:18 AM
Subject: Fwd: I want to be heard about please. Case number 18-CV-2617-DDC-GEB
To: Soraya Morales Nuñez <smoralesnunez@youthlaw.org>

----- Forwarded message -----

From: <[REDACTED]>
Date: Sat, Dec 12, 2020 at 9:32 AM
Subject: I want to be heard about please. Case number 18-CV-2617-DDC-GEB
To: <fostercaresettlement@kansasappleseed.org>

I'm so very sorry for the late response to the class action lawsuit.

My daughter [REDACTED] was a victim of sexual assault on 3 different times at a foster home in [REDACTED] Kansas over the course of 3 different weekends. She somehow was able to get rope while in a foster home in [REDACTED], Kansas and called me because she needed help. I was on the phone with her and 911 for over 30 minutes trying to get her the help she needed. Thank God for Facebook Messenger because that was how I was able to get the address that I needed to get help to her.

I was forced to sign my parental rights away on September 23, 2020 due to her behaviors because Saint Francis did not want to get her the help that she needed. My mother [REDACTED] will be a company me to the court hearing and she would also like to be heard if she can as well. I will have lost so much time with my daughter due to Saint Francis not following through with what they would need to do and kept telling me that they were going to find her help.

My current address is [REDACTED]

My phone number is [REDACTED]

My email address is [REDACTED]

[REDACTED]

--
Soraya Morales Nuñez (Pronouns: she / her / ella)

Litigation Assistant
National Center for Youth Law
1212 Broadway, Suite 600
Oakland, CA 94612
Phone: (510) 835-8098
Fax: (510) 835-8099



BLACK LIVES MATTER