



March 21, 2024

Dear Members of the House Children and Families Finance and Policy Committee,

As an organization committed to the well-being and empowerment of families for fifty years, Families Rising is writing to express our strong support for The African American Family Preservation Act and to urge your favorable consideration of this important legislation during today's House hearing.

At Families Rising, our mission is to amplify those with lived experience, assist adoptive, foster, and kinship parents, educate child welfare professionals, and champion the well-being of children and families. We firmly believe that The African American Family Preservation Act aligns with our mission and represents a crucial step towards rectifying long-standing disparities and biases within the child welfare system.

For far too long, the practices of the Minnesota child welfare system have inflicted disproportionate harm on Black families. Shockingly, Black children are twice as likely to be removed from their homes compared to their white counterparts despite constituting only 17% of investigations and 11% of the overall child population. Under the guise of child protection, these practices have perpetuated cycles of racism, poverty, abuse, and discrimination, leading to the decimation of Black communities and families.

It is imperative that we address these systemic injustices. Federal funding should never be utilized as a tool of discrimination. Yet, Minnesota receives substantial amounts of money from the federal government annually to support a system that disproportionately impacts Black families and communities.

The African American Family Preservation Act represents a crucial step towards rectifying these long-standing disparities and biases within the child welfare system. Here are several compelling reasons why we endorse this act:

**Addressing systemic racism:** The act acknowledges the historical and ongoing impact of systemic racism on African American families and seeks to reform policies and practices contributing to their overrepresentation in the child welfare system.

Promoting family preservation: Emphasizing the importance of keeping families together whenever possible, the act provides culturally appropriate services and support, aligning with the principle of prioritizing family preservation over unnecessary removals.

Improving outcomes: Research demonstrates that children who can remain with their families when safe tend to have better long-term outcomes compared to those placed in foster care. The act aims to improve outcomes for African American children by keeping more families intact.

Reducing disparities: African American children are significantly overrepresented in the child welfare system compared to their population. The act aims to reduce these disparities by addressing underlying factors contributing to disproportionate removals.

Cultural competency: The act calls for cultural competency training and the involvement of the African American community in decision-making processes. It promotes more culturally appropriate interventions and better engagement with families.

By supporting The African American Family Preservation Act, your committee can play a pivotal role in addressing systemic inequities, promoting family unity, and improving outcomes for African American children and families involved in the child welfare system.

We urge you to give careful consideration to this critical legislation and stand in solidarity with Families Rising in supporting the well-being and preservation of African American families.

Thank you for your attention to this matter. We encourage you to support the passage of House File 912.

Sincerely,

Ligia N. Cushman, MA  
Chief Executive Officer  
[Families Rising](#)

March 18, 2024

Re: HF 912 African American Family Preservation Act

Dear Chair Pinto and Committee Members:

The Ramsey County Board of Commissioners is proud to offer our support to HF 912 (Agbaje), a bill that makes significant efforts to keep African American children with their families. We know that racial disparities exist throughout the entire child protection process, particularly for African American families. Ramsey County is committed to working with community to address these disparities to create a more equitable child protection system that works for all families.

In Ramsey County we are focused on transforming our own systems and processes to help address these disparities and find ways to ensure that more children stay with their families, safely. Some of these changes include focusing on early intervention work and connections to children's mental health services, mapping with community and Public Health to create safety in family and kinship relationships, staffing to co-respond with law enforcement and be immediately available in all situations, and safely diverting child protection cases to Youth Intervention and Parent Support Outreach Program utilizing our specialized caseload multi-disciplinary team units.

The bill sets higher standards on child protection agencies to work closely with parents to find family members or other kin who can take children in before turning to non-family foster care. Keeping children with family is important. We look forward to the opportunity to work with the African American Welfare Oversight Council created by this bill and the Department of Human Services to improve the overall child welfare system.

We strongly support the African American Family Preservation Act and urge committee members to support it as well. Please feel free to contact Melissa Finnegan (651-278-8374) with any questions.

Thank you,



Commissioner Trista Martinson  
Ramsey County Board Chair



Commissioner Rena Moran  
Ramsey County Legislative Committee Chair

March 19, 2024

**Chair Dave Pinto**  
**House Children and Families (CF) Committee**  
503 State Office Building  
St. Paul, MN 55155

**Re: Minnesota African American Family Preservation Act (HF912/Agbaje and SF716/Champion)**

Chair Pinto and Members of the House CF Committee,

The Council for Minnesotans of African Heritage is a state agency created by the Minnesota Legislature to advise government about our constituent communities and their needs. Thank you for the opportunity to comment on an issue that is intimately connected to our Council's history. Our Council and constituents have for decades pushed for measures that address child welfare disparities.

The African American Family Preservation Act (AAFPA) has been among our Council's top priorities since the bill's initial introduction during the 2017-2018 Legislative Session. The chorus that we continue to hear from community members throughout the 2023-2024 legislative biennium is that Minnesota must prioritize, pass, and sign this bill into law. The persistence of child welfare disparities and the sense that this bill has stalled in the Minnesota Legislature raise suspicions in our communities about the intentions of state leaders and the child welfare system vis-a-vis the traumatic experiences of impacted African Heritage children and families.

**The Minnesota Legislature must take the necessary steps to pass the AAFPFA because the bill provides tools that are foundational for systemic change in child welfare governance in Minnesota.** The new programming and regulatory tools established by this legislation would benefit African American, African Immigrant, and other children and families impacted by child welfare disproportionality. **Our Council urges the House CF Committee's full support of the AAFPFA to ensure the bill's successful movement through the legislative process this year.**

**Why are Minnesotans of African Heritage concerned with child welfare disproportionality, and why should Minnesota legislators be similarly outraged about this issue?**

**Child Welfare Disparities Harm Black Children and Families**

Black children are overrepresented at every stage of child protection services (CPS). Black children are multiple times more likely to be reported to CPS, contacted by CPS, and removed from their families by CPS<sup>1</sup>. This overrepresentation means that Black children and families are disproportionately burdened

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<sup>1</sup> Consider some of the empirical data on overrepresentation of Black families in Minnesota's child welfare system (compiled in NAACP Minneapolis's [formal complaint](#) and elsewhere): Black children in Minnesota are 17% of

by the impacts of police surveillance and punitive actions in the child welfare system. Our communities are also impacted by the short-term and long-term harms of child removal and family separation. The data shows that out-of-home placement increases a child's vulnerability to numerous developmental and societal problems.

### **Child Welfare Disparities Impact Families Across the African Heritage Communities**

Disproportionality is a statewide problem that carries negative effects for children and families across different segments of our communities. Our Council receives calls about impacted families throughout our African Heritage communities, including those that self-identify as African American or African Immigrant, Black American or Black Immigrant, or those of mixed race. We also hear from constituents about the geographic reach of the problem in the Twin Cities Metro and Greater Minnesota alike.

### **Child Welfare Disparities Result from Bad Science**

The persistence of the disproportionality problem seems to correlate with the presence of impoverished methods and practices in our child welfare system. The cutting-edge research in child welfare science places value on prevention services, on one hand, and strategies that deal dually with the threat to safety and the harm of removal, on the other hand<sup>2</sup>. Failure to establish these best practices at adequate scale leads to disparate and harmful impacts on Black families. Most impacted Black children are removed from their homes for poverty-related reasons that are erroneously classified as 'neglect'.

### **What does AAFPA do to help Minnesota address child welfare disproportionality and its harmful impacts on children and families?**

If the purpose of child welfare is to protect the best interests of the child, then the child welfare system must take intentional, targeted steps to prevent arbitrary and unnecessary removal of Black children from Black families. The AAFPA provides foundational tools that would improve Minnesota's capacity to protect the well-being of Black children and families in intentional and effective ways. The bill is able to do this because its provisions are consistent with best practices in child welfare science, and they center on the empowerment of Black children and families.

### **Practices Based on the Value of Prevention**

- Requires active efforts to prevent child's out-of-home placement, eliminate need for child's removal from the home, and reunify child and family as soon as practicable.
- Requires active efforts to develop safety plan to address child and family needs before local agency petitions court to remove a child.
- Requires that, if neglect is alleged, the safety plan incorporates economic services to prevent neglect.

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investigations, but only 11% of the overall child population; Black children in Minnesota are 2x more likely to be removed from their homes than white children, and multiracial children are 7x more likely; 65% of child removals in Minnesota are the result of law enforcement emergency holds.

<sup>2</sup> See WA AOC FYJP's "[Harm of Removal in Child Welfare](#)" and Shanta Trivedi's "[The Harm of Child Removal](#)" (*NYU Review of Law & Social Change* 2019).

### **Empowerment of Black Children and Families**

- Requires active efforts to support noncustodial parents and relatives who want to care for a child.
- Places reasonable restrictions on termination of parental rights to mitigate biases that shape disparities.
- Amends statute to empower reestablishment of parental rights when it's in the child's best interest.
- Provides grants to support families and communities impacted by racial disparities in child welfare.

### **Empowerment Through Targeted State Programs and Tools**

- Establishes an African American Child Welfare Oversight Council to monitor the system and make recommendations for improving child welfare services for African American children.
- Establishes an African American Child Well-Being Unit that provides training and technical assistance to reduce child welfare disparities.
- Requires creation of online compliance & feedback portal to receive reports of noncompliance with the law.

Our deepest gratitude to Representative Agbaje and Senator Champion for their leadership on this bill. We urge the Committee to support the African American Family Preservation Act.

Sincerely,

Linda Sloan | Executive Director  
Theodore Rose | Policy Director  
Council for Minnesotans of African Heritage

*The Minnesota Legislature empowered the Council for Minnesotans of African Heritage to ensure that people of African heritage fully and effectively participate in and equitably benefit from the political, social, and economic resources, policies, and procedures of the State of Minnesota. Generally, the Council is charged with the responsibility of:*

- *Advising the Governor and the Legislature on issues confronting People of African Heritage;*
- *Advising the Governor and the Legislature on statutes, rules, and revisions to programs to ensure that Black people have access to benefits and services provided to people in Minnesota;*
- *Serving as a liaison to the federal government, local government units and private organizations on matters relating to People of African Heritage in Minnesota;*
- *Implementing programs designed to solve problems of People of African Heritage when authorized by statute, rule, or order; and*
- *Publicizing the accomplishments of People of African Heritage and their contributions to the state.*

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T H E M I N N E S O T A  
C O U N T Y A T T O R N E Y S  
A S S O C I A T I O N

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March 18, 2024

Rep. Ester Agbaje  
437 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155

Re: HF0912 Minnesota African American Family Preservation Act

Rep. Agbaje:

The Minnesota County Attorneys Association (MCAA) is comprised of members from Minnesota's 87 county attorneys' offices throughout our vast and varied state. When necessary, each MCAA member initiates child protection court involvement to ensure child safety and well-being. The MCAA is writing on behalf of its members to support the goal of reducing disparities in child protection with African American youth and families and to generally highlight four primary concerns about the proposed African American Family Preservation and Child Welfare Disproportionality Act" (AAFPA). The MCAA and its members readily acknowledge that disparities exist in the child protection system in Minnesota and are committed to addressing those disparities with all of our justice and community partners. Efforts are underway to do just that in local county attorneys offices, social services departments, and through state organizations including the Children's Justice Initiative and DHS. The majority of child protection reports that are screened in for assessment or investigation and services statewide involve voluntary work with a family outside of the court system. In these cases, child protection social workers work alongside the family and the families' identified support system to help counter the need for further child protection services or interventions. Unfortunately, there are times when working outside of the court process is not sufficient to address the specific concerns for a child's safety. Minnesota's laws must be both designed and implemented with a focus on the child's safety and wellbeing. Below please find MCAA's initial thoughts and concerns regarding the proposed legislation:

**Constitutionality:**

MCAA is concerned that AAFPA may be held unconstitutional because it requires government actors to provide disparate treatment to children and families based upon their racial classification. Under the Equal Protection Clause of the United States Constitution, the United States Supreme Court has consistently held that all race-based classifications must be subjected to strict scrutiny review. *Adarand Constructors v. Peña*, 515 U.S. 200 (1995). In order to survive strict scrutiny review, the law must serve a compelling governmental interest and be narrowly tailored to further that interest. *Id.*; see also *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College et al.*, 600 U.S. 181 (2023) (holding that race-conscious admissions

programs used by Harvard College and the University of North Carolina violate the Equal Protection Clause of the Fourteenth Amendment and are unconstitutional).

### **Child Safety:**

MCAA strongly supports the effort to reduce disparities in the child protection system in Minnesota, however as currently drafted we are concerned that child safety is not adequately kept at the forefront of this proposed legislation. For example, the proposed bill creates multiple new requirements regarding placement of an African American or disproportionately represented child that the MCAA believes could undermine child safety:

1. The proposed “Best interest of the child” definition does not contemplate or provide for out of home placement of a child. p. 2-3, 2.32-3.3. We recommend the definition be amended to include language providing that the best interest of the child may require that a child be placed outside of the home.
2. The MCAA believes the AAFPA requirement to provide safety planning prior to out-of-home placement should include additional exceptions. p. 5-6, 5.3-6.1. Currently, the only exception to the safety planning requirement is for egregious harm cases (cases primarily involving sexual abuse and severe physical abuse). There are multiple, non-egregious harm scenarios MCAA members encounter with regularity where a safety plan is not sufficient to keep the child in the home and to protect the child, such as:
  - a. The parent is not willing to follow a safety plan;
  - b. The parent has abandoned the child and is not available to do a safety plan;
  - c. A parent is taken into custody for an extended period of time, and no one is available to care for the child;
  - d. A parent whose substance use is so chronic and/or severe that the parent is unable to care for the child even with a safety plan in place, or whose substance use poses a particularly lethal danger to the child, such as with fentanyl use; and,
  - e. A parent who is refusing necessary medical care for a child against medical advice.
3. It is our recommendation that the proposed AAFPA placement preferences for a child - first with the non-custodial parent and then with a “willing and able” relative - should include qualifiers that the placement must be safe for the child and/or in the child’s best interest. p. 6-7, 6.33 – 7.8, 7.14-7.18. Without these qualifiers, the proposed placement preferences could require the child to be placed in care that further immediately endangers the child.
4. The proposed “frequent visitation” requirements with parents and relatives should provide for circumstances when visitation may not be safe or in a child’s best interest. p. 23, 23.1- 23.11. Unfortunately, children who are involved in child protection regularly encounter serious physical, sexual, and psychosocial harm such that any visitation with particular parents or family can be harmful for the child. The statute should allow for these concerns to be reviewed and visitation to be directed by the Court.

### **Child Permanency:**

Social science tells us that if a child cannot safely be in the home with their parent(s), establishing an alternate permanent home and caregivers for that child in a thoughtful and timely manner is of utmost importance. Children should not be kept waiting or in limbo for a significant or undetermined period of time wondering with whom they are going to live and for how long. The AAFPA includes multiple provisions that raise serious concerns about a child's need for alternate permanency should reunification with the parents not be safe or successful:

1. With one exception, the AAFPA creates a permanency preference for a transfer of custody to either a non-custodial parent or a relative. The notable exception is that the AAFPA authorizes termination of parental rights only in the case of specific egregious acts (cases primarily involving sexual abuse and severe physical abuse), defined largely by criminal statutes. p. 10-11, 10.4-11.3. The AAFPA should allow for termination of parental rights and adoption in additional scenarios. Notably, MCAA members regularly encounter situations where a termination of parental rights is in a child's best interest, but the case does not involve the egregious acts listed in AAFPA, and where AAFPA would not otherwise allow for a termination petition. For example, the following termination of parental rights scenarios would not be allowed under the currently proposed AAFPA:
  - a. There is no living or identifiable non-custodial parent or relative to transfer custody of the child to;
  - b. The significant trauma suffered by the child due to chronic abuse or neglect, but which may not rise to the level of the criminal statutes listed, makes a termination of parental rights and a new, permanent, adoptive parent-child relationship in the child's best interest;
  - c. Multiple scenarios where a parent suffers from chronic, severe, and persistent mental illness and/or chemical use that makes a termination of parental rights and a new permanent, adoptive parent-child relationship in the child's best interest.
2. MCAA also has concerns with the AAFPA proposed language that removes any waiting period before a parent whose rights have been terminated could petition for reestablishment of their parental rights. p. 20-21, 20.26-20.28, 21.3-21.4. Under the AAFPA, instead of having a four-year period of time during which social services may work toward an adoptive placement of the child, the parent could immediately petition for reinstatement of their parental rights and the child could immediately be brought back into litigation with the terminated parent without any chance for an adoption to occur. Moreover, as currently written, it is only those parents who have committed egregious harm against a child who may be terminated and who could immediately seek to reestablish their parental rights by petition after termination. This would allow those parents who have egregiously harmed their child to continue to create uncertainty in the child's life and perpetuate the child's trauma by preventing the child from achieving permanency. The MCAA does not believe this would be in the child's best interest.
3. The proposal to exclude non-relative adoptive parents from the definition of "parent" is problematic for several reasons. p. 4, 4.14-4.17. As currently proposed, an adoptive

parent who is not biologically related to a child is excluded from the definition of “parent” in the AAFPA. This contradicts the well-established definition of “parent” in Minnesota. It also complicates how a future child protection action could commence after a non-relative adoption. It further dishonors the remarkable adoptive families that currently exist, while telling a child that their adoption by a non-relative is less legitimate and subordinate to an adoption by a relative.

### **Resources and the Inability to Implement the Act:**

Finally, the MCAA has concerns regarding the ability to secure the resources needed to implement the AAFPA. **Specifically, the MCAA believes that a substantial financial investment in both county resources and community services will be needed in order to begin to implement this bill.**

### **Active Efforts**

Currently, active efforts to prevent removal from the home and to reunify a child with a parent are required only in cases where the Indian Child Welfare Act and Minnesota Indian Family Preservation Act apply.<sup>1</sup> Reasonable efforts by the social services agency are required in all other cases. The proposed AAFPA would require active efforts be provided for what we anticipate to be the vast majority of child protection cases in Minnesota.<sup>2</sup>

Cases involving active efforts often require significantly more resources, training, and time for workers and assistant county attorneys. Active efforts workers must dramatically increase their involvement with family, service providers, parties to the court action, and relatives. They must physically connect families with service providers, and they must provide increased monitoring and reporting requirements to the court. At the same time, assistant county attorneys on active efforts cases must also significantly increase their involvement with agencies, justice partners, and the court. This comes through more frequent consultation and advice with the agency and all parties involved on the case, and it includes extensive work required to prepare cases for heightened judicial review.

In addition to the anticipated dramatic increase in need for resources on active efforts cases, and as highlighted in many recent newspaper articles and through testimony to the state’s legislative task force on child protection, the child protection system is already overwhelmed and pervasively understaffed. Intake workers are often assigned multiple cases each week that they must investigate or assess, even though state guidelines call for only one (1) new investigation or assessment per week. Many case management workers also carry caseloads far greater than the recommended ten (10) active cases. Counties currently have child protection

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<sup>1</sup> Indian children accounted for approximately 20% of out of home placements statewide in Minnesota in 2020.

<sup>2</sup> In addition to African American youth, the AAFPA active efforts standard applies to youth based upon disproportionality in race, culture, ethnicity, or *low-income socioeconomic status*. P. 3, 3.26-3.29. The MCAA believes the vast majority of child protection cases involve, at a minimum, low-income socioeconomic status.

social worker positions they have been unable to fill for months or even years due to a lack of applicants.

For all of these reasons, the MCAA believes that passing the AAFPA without the necessary fiscal investment in county systems would damage the ability of counties to handle even their most routine cases while also putting abused or neglected children at risk of not receiving the services/protection they need.

Service Providers

The MCAA further believes that the implementation of the AAFPA as proposed would also require necessary financial investments into not only the child welfare system – to recruit, hire, and retain staff – but also into the services and infrastructure families need when encountering the child welfare system. As highlighted in recent newspaper articles, services for families seeking chemical dependency and mental health treatment are in appallingly short supply statewide. The MCAA sincerely believes the AAFPA, and child protection work in Minnesota, will not be successful without the funding necessary to meet these needs and make the system work for children and families disproportionately impacted by this system.

We appreciate the leadership you have taken to engage in this important work and hope our input can help ensure the best version of the bill moves forward. Should you have an interest in meeting with our group to discuss these important issues, please do not hesitate to contact us.

Sincerely,



Robert Small  
Executive Director



Jennifer Christensen  
Assistant Carver County Attorney  
Co-Chair, MCAA Juvenile Law Committee

/S/

Deborah Simonson  
Assistant Scott County Attorney  
Co-Chair, MCAA Juvenile Law Committee



Christos Jensen  
Assistant Ramsey County Attorney  
Co-Chair, MCAA Juvenile Law Committee



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March 19, 2024,  
Chair Rep. Dave Pinto  
Children and Families Finance and Policy Committee

Chair and Committee Members:

The work of the African American Leadership Forum ('The Forum') is rooted in shifting systems and the people that lead them towards a more just future. We partner with communities, nonprofit organizations, foundations, and governments to co-create solutions focused on many social and economic concerns. For over 15 years, The Forum has harnessed the collective power of Black communities to solve complex social problems. Our goal is to build a just and healthy society that works equally well for everyone.

**The Forum strongly supports HF 912 to reduce the disproportionate number of African American children who are unnecessarily removed from their families.** Research in Minnesota and nationwide has revealed disturbing historical patterns of bias, harm, and overreach when state agents remove Black and Indigenous children from their families.<sup>1</sup> The same body of research also concludes that children who are placed with kin rather than foster homes experience more stability, fewer emotional and behavioral problems, and maintain stronger ties to their family's culture.<sup>2</sup>

Family stability is essential to the long-term viability of an individual, family, neighborhood, and community. When we fiercely protect Black families and their ability to stay together, we can also support intergenerational healing, economic prosperity, and generational wealth building. It is critically important that the state of Minnesota pass the African American Family Preservation Act and boldly commit to ensuring Minnesota's Black families can stay united and thriving in our state.

Thank you for considering this bill, and we ask for your support of HF 912.

Sincerely,

Amber Jones  
Managing Director | Policy Impact  
African American Leadership Forum

Catherine R. Squires, PhD  
Senior Fellow in Residence  
African American Leadership Forum

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<sup>1</sup> Chase YE, Ullrich JS. A Connectedness Framework: Breaking the Cycle of Child Removal for Black and Indigenous Children. *Int J Child Maltreat.* 2022;5(1):181-195. doi: 10.1007/s42448-021-00105-6. Epub 2022 Feb 14. PMID: 35194574; PMCID: PMC8852974.

<sup>2</sup> Surgue, E. Evidence Base for Avoiding Family Separation in Child Welfare Practice: An Analysis of Current Research. July 2019. Commissioned by Alia. Available at [Alia Research Brief \(aliainnovations.org\)](https://www.aliainnovations.org)





March 19, 2024

**RE: HF 912 | African American Family Preservation and Child Welfare Disproportionality Act**

Dear Chair Pinto, Vice Chair Keeler, and Members of the Children and Families Finance and Policy Committee,

The Office of the Foster Youth Ombudsperson (OOFY) has a statutorily required mandate to investigate decisions, acts, and other matters related to the health, safety, and welfare of youth in foster care to promote the highest attainable standards of competence, efficiency, and justice for youth who are in the care of the state. OOFY was created through legislation in the 2022 session based on advocacy and testimony by current and former Fosters. These Fosters were seeking a mechanism for more oversight and accountability, based on their experiences of abuse, neglect, discrimination or exploitation at the hands of our very own child protection systems. Our office is still in its infancy. We have a goal of opening the office in the next two months, to receive complaints, questions, and concerns from and on behalf of Fosters, and to seek appropriate resolution using a Credible Review Process.

OOFY supports the provisions of HF 912 and it's aims to better support family preservation and culturally centered case planning and services. Research, as well as collective stories from people with lived experience in foster care, tell us clearly that removal of children from their parent(s) is traumatic and has a lifelong impact, and that placement and ongoing connections with a child's family helps mitigate the trauma. HF 912 aims to require more creativity, more planning, more family and community involvement, and more intentionality before making such impactful decisions.

OOFY also supports the increased accountability measures included in HF 912 to ensure our child welfare system is on track to address the unacceptable disproportionality of African, African American, and other disproportionately over-represented communities. Data shows us that despite awareness of and attention to our state's disproportionality in child welfare, we have struggled to make meaningful progress, for years and decades. H.F. 912 provides our systems a roadmap for urgent and thoughtful action. It aligns with the priorities outlined in the One Minnesota Plan ([One Minnesota Plan / One Minnesota Plan \(mn.gov\)](#)): "In all of our work, we will seek to end discrimination and eliminate disparities for people of color and Indigenous community members, women, members of the LGBTQIA+ community, people with disabilities, immigrants, and people in all zip codes and of all economic statuses."

HF 912 may seem overwhelming and will require significant financial investment that may understandably concern many lawmakers. As you consider this bill, "Do the right thing, even when it's difficult" is a relevant guiding principle of the One Minnesota Plan to consider. We thank the co-authors and community advocates of this important bill who continue to ask us to "do the right thing" to effectively address disproportionality in our complex child welfare system.

Sincerely,



Ombudsperson for Foster Youth  
651-946-2941  
Misty.coonce@state.mn.us



# UJIMA RENEWED, LLC

**Joanna Rosa, MS, LPCC, LADC**  
**CEO**  
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**612-363-8342**

**March 19, 2024**

## **Minnesota House and Senate Legislative Committees,**

I am reaching out to request your support of The Minnesota African American Family Preservation and Child Welfare Disproportionality Act, authored by Senator Champion and Representative Agbaje.

I am a licensed therapist and have Black families involved in the CPS system. They are, unfortunately, experiencing the very hardships this act would prevent. I'd like to share Black family experiences:

- Reunification is being stalled for one family by sudden changes to requirements that are repetitive and delaying the process (multiple psychological evals, multiple observation sessions beyond what was required).
- Licensed physician evaluations for one family are being voided because Hennepin County required evaluations completed through county services after the client submitted the completed requirement twice from two different physicians.
- Visitation time is being reduced for one family because the family voluntarily engages in family therapy, and the CPS social worker is counting one hour per week in family therapy the same as a six hour visitation.
- A CPS social worker emailed the care team to let them know that submitting transportation requests in her system is too "difficult" and is now declining any changes in transportation for visitation and appointments.
- A CPS social worker emailed the care team to advise how "mentally ill" her client was and anything the client emails should be dismissed after the client emailed the care team and advised that the delays in unification and lack of communication about visitation changes was prompting her to review the grievance process.

- One family is now experiencing symptoms of Post Traumatic Stress Disorder through: hypervigilance, nightmares, irritability, constant worrying, angry outbursts, symptoms of sudden panic and separation anxiety because of reunification delays.
- One twelve year old child was boarded in hospital after his foster family called the police to have him removed because they needed his room for their nephew who was being released from juvenile detention the following week.
- One seven year old child was ordered to reunite with her biological father, who was proven in a prior CPS case to have significantly physically abused her, which required hospitalization, his parental rights were terminated, and now is required to have weekly visitation with him. She is now experiencing symptoms of Post Traumatic Stress Disorder through: hypervigilance, nightmares, symptoms of sudden panic and anxiety.

Child welfare disproportionality is a long standing, egregious and well-documented issue that continues to plague the state of Minnesota. Research shows us that children fare better both in the short and long term when left within their own families. We have an obligation to ensure a child's well-being by preserving their familial connections.

The MN African American Family Preservation Act would serve to:

- Requires active efforts to prevent child's out-of-home placement, eliminate need for child's removal from the home, and reunify child and family as soon as practicable.
- Requires active efforts to develop a safety plan to address child and family needs before local agency petitions court to remove a child.
- Requires that, if neglect is alleged, the safety plan incorporates economic services to prevent neglect.
- Requires active efforts to support noncustodial parents and relatives who want to care for a child.
- Places reasonable restrictions on termination of parental rights to mitigate biases that shape disparities.
- Amends statute to empower reestablishment of parental rights when it's in the child's best interest.
- Requires case reviews of disproportionality and disparities in the child welfare system.

- Requires local agencies take concrete steps to identify, address, and reduce factors that lead to disproportionality and disparities in child welfare outcomes.
- Establishes an African American Child Welfare Oversight Council to monitor the system and make recommendations for improving child welfare services for African American children.
- Establishes an African American Child Well-Being Unit that provides training and technical assistance to reduce child welfare disparities.
- Provides grants to support families and communities impacted by racial disparities in child welfare.
- Requires creation of online compliance & feedback portal to receive reports of noncompliance with the law.
- Appropriates funding to administer the law and establishes this funding as an ongoing appropriation.

Everyone has a stake in ensuring our child protection system is fair and equitable. Thank you in advance for your time, service and support of this bill.

Sincerely,



**Joanna Rosa, MS, LPCC, LADC**

HENNEPIN COUNTY  
BOARD OF COMMISSIONERS

Chair Dave Pinto, Children and Families Committee  
503 State Office Building  
100 Rev. Dr. Martin Luther King, Jr. Blvd  
Saint Paul, MN 55155

Dear Chair Pinto and Committee Members,

Thank you for your consideration of HF 912. We are grateful to Representative Agbaje for carrying this important legislation and urge your support.

Several years ago, Hennepin County made historic investments and systems changes in our child well-being work. We have seen the positive impact that our Parent Support Outreach Program, TeenHOPE Program, Connect for School Success, and other prevention-based programs have on families. However, racial disparities still exist within our systems which is why we partnered with Village Arms for an important pilot aimed at producing replicable strategies to support the stability and security of African American families. The data from this pilot show that these upstream preventative measures support families, reducing the need for county intervention. Overall, African American children and families who participated in the pilot had better outcomes than those that did not. Pilot cases outperformed comparison groups in nearly 60% of measures – none of the children that participated in the pilot had a re-entry into foster care, and all of the children in the pilot who reunified did so in less than 12 months (outperforming comparison groups by nearly 20% and 40%).

The African American Family Preservation Act is a critical step to reduce the shameful racial disparities Minnesota continues to see in our child protection system.

Thank you for your attention to this important matter.

Sincerely,



Irene Fernando  
Hennepin County Board of Commissioners

**Irene Fernando, Chair**  
**Hennepin County Board of Commissioners**  
300 South Sixth Street, Minneapolis, MN 55487-0040  
hennepinD2.com | hennepin.us



March 19, 2024

Re: HF912 (Agbaje)

Dear Chair Pinto, Vice Chair Keeler and Members of the Children and Families Committee,

We thank you for the opportunity to share Minnesota Social Service Association's support of HF912 which would protect African American children and promote stability for African American families. Minnesota Social Service Association (MSSA) is made up of over 4,000 health and human service professionals statewide. Our members cover the health and human service spectrum — from child welfare, mental health, social work, case management, and more —and are employed by for-profit and non-profit entities, as well as state and local government agencies. Our members work in all areas of the child welfare system across the state.

MSSA supports the measures in HF912 which would help eliminate the widespread and persistent racial disparities in Minnesota's child welfare system. African American children are overrepresented in Minnesota's child welfare system. Compared to their white counterparts, African American children are over three times as likely to experience out of home placement. African American parents also have their parental rights terminated at three times the rate of white parents.

The measures in HF912 seek to eliminate the unnecessary removal of African American children from their families by establishing minimum standards and creating more accountability and oversight for the child protection workforce by creating an African American Child Welfare Advisory council. MSSA strongly supports these measures.

Thank you again for the opportunity to share our support on behalf of our members and the families they serve. Please reach out to us with questions, comments, or concerns at [msancartier@mnsa.org](mailto:msancartier@mnsa.org).

Sincerely,

Michelle SanCartier  
Minnesota Social Service Association  
MSSA Director of Public Policy & Advocacy

Beth Ringer  
Minnesota Social Service Association  
MSSA Executive Director



**EVOLVE**  
Family Services

Phone 651.439.2446  
Fax 651.439.2071  
E-mail [Evolve@EvolveServices.org](mailto:Evolve@EvolveServices.org)  
Web [EvolveServices.org](http://EvolveServices.org)

*Growing Families  
Enriching Lives*

March 19, 2024

Re: African American Family Preservation Act - HF0912

Dear Chair Pinto and Members of the Children and Families Finance and Policy Committee,

I am writing in support of the African American Family Preservation Act (HF0912) as the Executive Director of EVOLVE Family Services. Our agency has been providing child-centered family services in Minnesota for over 46 years, and since 2016, has been a leader in providing Kinship Foster Care services for children and families involved in the child welfare system. Since 2016, we have served over 650 children in relative placements. Of the youth we are presently serving, 78% are children of color; 27% specifically identifying as Black, and 24% identifying as multiracial with a majority having Black heritage. While we are thankful these children are with relatives, the fact that there are so many children with African American heritage facing out-of-home care is extremely concerning.

In addition to our Kinship program, EVOLVE has operated UMOJA MN since 2015. Our Black Heritage Camps and support programs aim to connect African American children who are experiencing out-of-home care with their community and heritage to support the development of positive Black identity, while working to equip caregivers to meet their social, emotional and cultural needs. To date we have served over 1,500 children through this program. Many of these youth, from all over the state of Minnesota, have been placed into white, non-relative families. Our last Black Heritage Camp held in January 2024 had 266 registrants, with some families turned away for lack of space. While we feel it is vital to provide these important services, the simple fact that this program has such a high need to exist in our state indicates a very serious problem.

These appalling statistics against the backdrop of consistently high disproportionality and disparities for Black families in the Minnesota child welfare system are long overdue for meaningful legislative intervention. This overrepresentation underscores an even greater importance in keeping children within their family systems whenever safe and practically possible. The African American Family Preservation Act will work to protect the best interest of Black children and promote the security, stability, and well-being of African American children and families. Thank you for your prioritization and support of HF 0912.

Sincerely,

Susannah Barnes, LSW, CSW  
Executive Director

*Dedicated to a world where everyone has nurturing, permanent, and supportive familial relationships.*

**EVOLVE Family Services**  
5850 Omaha Avenue North  
Stillwater MN 55082

From: **Katy Armendariz** <[karmendariz@rwc-mn.com](mailto:karmendariz@rwc-mn.com)>  
Date: Monday, March 18, 2024  
Subject: Support for HF912  
To: "[rep.dave.pinto@house.mn.gov](mailto:rep.dave.pinto@house.mn.gov)" <[rep.dave.pinto@house.mn.gov](mailto:rep.dave.pinto@house.mn.gov)>  
Cc: Company <[company@rwc-mn.com](mailto:company@rwc-mn.com)>

Dear Representative Pinto,

I am writing to urge your support for HF 912, the African-American Family Preservation Act. As a BIPOC-founded and run organization based in the Twin Cities, our work brings us into close collaboration with Hennepin and Ramsey County child protection services. Through our daily interactions, we witness firsthand the alarming disparities experienced by Black families within the child welfare system.

I am copying all 36 of our employees on this email, as we collectively stand in solidarity and urge your support for this crucial legislation. It is long overdue, and your advocacy for this bill can and should be a significant part of your legacy in Minnesota.

The data unequivocally demonstrates the urgent need for action. As an organization that has also faced challenges, including trolling and retaliation, for advocating on behalf of families, we implore you to take this request seriously.

Thank you for your attention to this matter. We eagerly anticipate your support for HF 912 and look forward to working together to create a more just and equitable child welfare system for all Minnesota families.

Thank you,

Katy Armendariz, MSW, LICSW  
Roots Wellness Center  
Formerly known as Minnesota CarePartner/Roots Recovery  
Founder, President  
Pronouns: she/her/hers  
[393 N. Dunlap St, Suite 300](#)  
[St. Paul, MN 55104](#)  
Office: [612.289.5656](tel:612.289.5656)  
Cell: [612.710.2797](tel:612.710.2797)  
Fax: [651.925.0534](tel:651.925.0534)  
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<https://rwc-mn.com/>



ROOTS WELLNESS CENTER

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"Never, EVER, be afraid to make some noise and get in GOOD trouble, NECESSARY trouble." John Lewis

"If you are neutral in situations of injustice, you have chosen the side of the oppressor. If an elephant has its foot on the tail of a mouse, and you say that you are neutral, the mouse will not appreciate your neutrality." — Desmond Tutu

## Colie Colburn

---

**From:** Samo Gudu <gudusamo@yahoo.com>  
**Sent:** Tuesday, March 19, 2024 11:20 PM  
**To:** Colie Colburn  
**Subject:** African American voiceless children's and families

Dear sir/madam

I got the email about the African American (AAFP)A) billing. I don't have deep knowledge about this billing. I came to United States of America in April 1999. Since I came I am serving the community of my own and all other communities in spiritual, social and physical. I am a pastors of Adonai evangelical church of MN which I was started this Church in 2006 by naming Oromo Christian Fellowship Church which I changed the name to Adonai Evangelical church of MN since March of 2023. As a immigrant person of community leader I stressed and impacted with a lot of personal and community resources shortage to developing my self and my community. To taking care of our children, to teach them healthy spiritual social and physical education we don't have resources or financial supports to hire trainer from any governmental or private organization. Starting from my own niece our teenager are getting out of family control and addicted with smoking drinking alcohol and miss behaving families and many families are in problem with their teenagers. As a citizen of this great and leading country, I am asking the government to remembers all its small communities to get them house, where they train and council their teenagers and all other adults financial support to hires from the community who are skilled to teach and lead their communities and a lot. That is why I strongly supported to pass the bill. I highly apologize if I went out of Agenda.

Pastor Daniel Gudu

Adonai Evangelical Church of MN 1466 Portland Avenue St. Paul MN 55104

[Sent from Yahoo Mail for iPhone](#)



March 20, 2024

To whom it may concern,

I am a concerned citizen in Hennepin County. I have worked in family services in the governmental and non-profit sectors. At one point I was a division manager in the child protection system. As an administrator I was astounded at the numerous pathways that were enlarged to involve families of African American dissent. Very often these individuals were brought into the system for issues relating to poverty and institutional racism. The framework was titled child neglect. Contrary to popular belief they were not physically or sexually abusing their children.

I have seen instances where children were removed from their parents because the system didn't have an understanding or care about the family system or culture. Ultimately African American children were traumatized by removal and placement into a non-relative foster home. Very often there was very little thought given to the strengths, familial attachments or future life trajectory for these children once they are removed.

The historical treatment of African American children and families in the Minnesota child welfare system is reminiscent of slavery. Where the familial bond and the importance of the nurturing of African American children by their biological parents was considered irrelevant. This generational perpetuation of the disparate and traumatizing removal of African American children from their families under the rubric of child protection has to stop. I and my organization the Family Refuge Village supports the passage of the African American Family Preservation Act.

Sincerely,

A handwritten signature in black ink that reads "Lynn K. Lewis". The signature is written in a cursive style with a large, prominent "L" and "K".

Lynn K. Lewis,  
CEO, Family Refuge Village

March 19, 2024

Representative Pinto, Chair  
Children and Families Finance and Policy Committee  
503 State Office Building  
St. Paul, MN 55155

RE: HF 912 – Minnesota African American Family Preservation Act (MAAFPA)

Dear Chair Pinto and Members of the Children and Families Finance and Policy Committee:

The Association of Minnesota Counties (AMC) and the Minnesota Association of County Social Service Administrators (MACSSA) thank Representative Agbaje for authoring HF 912, the Minnesota African American Family Preservation Act (MAAFPA) and are supportive of the goal of the MAAFPA to protect the best interests of African American children. With this in mind, we have concerns that without necessary investments in the following areas (workforce, culturally responsive programming, training and technology) implementation of the Act as intended will not be successful. These concerns are detailed in an addendum.

We value the tireless work of Representative Agbaje, advocates and the many others involved, to address inequities in Minnesota's child welfare system that have led to an over representation of African American's in the system. Counties recognize the urgency around addressing racial disparities in the child welfare system. Fundamentally, we believe all children have the right to be safe and protected from maltreatment, abuse and neglect.

The child protection system is one of the most complex social systems in our society, governed by both federal and state policy, involving a myriad of partners including law enforcement, judges, attorneys, child welfare workers and community partners. As an important step, MACSSA strongly encourages a review of the child in Need of Protection or Services (CHIPS) court processes and corresponding changes that are fundamental to reducing the systems' disproportionate impact on African American children and families. Counties stress the importance of education and training and are very supportive of efforts that assist mandate reporters in lessening reports related to poverty and other conditions of the family that are not parental risk factors.

In times of program scarcity, increased mental health and substance use needs, workforce shortages and woefully inadequate information systems it is critical to make data informed investments that are culturally responsive, and family centered while also fostering more partnership, establishing upstream services, and coordinating between systems. AMC and MACSSA will support efforts that invest in and develop a continuum of culturally responsive community-based programs with the goal of supporting African American families without the use of out of home placement. We strongly support developing increased capacity in the child welfare system to deliver more intensive home-based services and wrap around services, while working to meet additional family needs. We encourage lawmakers to pay

attention to workforce shortages and impact, including provider reimbursement rates - all critical components to ensure that programs and services are sustainable.

As legislators take important steps to address racial disparities in the child welfare system, we strongly encourage utilizing data to inform decision making – and investments in the areas of training, education, processes, programs, services, and system technologies to correspond with any policy changes. We implore legislators to ensure investments are made available throughout each of Minnesota’s 87 counties and are funded in an equitable and sustainable manner, with the state as a partner in ensuring program availability.

Sincerely,



Angie Thies - Child Wellbeing Policy Analyst, Association of Minnesota Counties

Cc: Representative Esther Agbaje, Assistant Majority Leader

Attachment

## HF 912 – AMC and MACSSA Identified Needs for Successful Implementation

*AMC and MACSSA remain committed to working with lawmakers and our state agency partners to address racial disparities that exist within the child protection system.*

- Current funding is inadequate and unsustainable at the local level to fully implement active efforts as called for in the Act. We have significant concerns that if any or all of the Act faces legal challenges, or is found unconstitutional, federal revenue such as Title IVE will be jeopardized, ultimately impacting the financial stability of our system and program/service sustainability.
- The Act will necessitate increased training capacity and resourcing at the state and local level, including expanded utilization of collaborative safety with attention focused on ensuring that regardless of leadership changes or staffing turnover, that staff across Minnesota have access to consistent and real time training and supports to foster culturally responsive relationships and practice with families. Additionally, the need for sustained equity programming and funding that builds relationships between the state, counties and community is critical to fostering environments that are family, youth and culturally responsive. We have made strides in the past years in our work with the Equity Partnership and would like to see this work continue in a thoughtful, deliberate, and sustained manner, especially as we consider changes in state agency formation.
- We are concerned that the passage and implementation of the Act will further stress (potentially break) the existing technology system SSIS. Technology supports, including a comprehensive child welfare data system that is CCWIS compliant to foster reporting and data keeping requirements is critical to support the Act. Notably without investing in technology supports, redaction, reviews and the qualitative assessment are largely manual processes and require significant amounts of staff time.
- Research indicates that time spent supporting a family is a predictor of successful family outcomes. We surmise that the existing workforce will struggle to keep up with the demands of implementing the Act, while also meeting the existing administrative and paperwork demands, thereby requiring the need for additional staffing at the local level to support case reviews and administrative requirements.



*guiding fosters on their path to thriving*

**WRITTEN TESTIMONY IN SUPPORT OF THE AFRICAN AMERICAN FAMILY PRESERVATION ACT**

Chairs Pinto and Keeler and House Children and Families Committee Members,

I am reaching out to request your support of the **Minnesota African American Family Preservation Act (HF912/SF716)**, authored by Senator Champion and Rep Agbaje.

Child welfare disproportionality is a long standing, egregious and well-documented issue that continues to plague the state of Minnesota. African American children are removed from their homes, families, and communities at alarming rates. A large majority are moving from child protection to juvenile detention (foster care to prison pipeline). In addition, the overall statistical outcomes for foster youth are troubling. The likelihood of justice system involvement increases as related to the number of placements a youth has experienced. The risks of substance use, housing insecurity, lack of education, generational problems, and sex trafficking are significantly higher for young people that have been in foster care than their counterparts that did not experience out-of-home placement.

Research shows us that children fare better both in the short and long term when they are provided economic and safety services within their own families. We have an obligation to ensure a child's well-being by preserving their familial connections. We urge you to support this bill and keep families safely together.

**The MN African American Family Preservation Act would serve to:**

- **Protect children and strengthen families**
- **Reduce the cost of child welfare services and out of home placement**
- **Reduce law enforcement and judicial systems costs for intervention**
- **Improve the mental health and social functioning for African American children**
- **Improve the child protection department efficacy**

The cost of removal to the state is exponentially higher than it would be to temporarily provide in-home support to a NON-ABUSIVE family that may be facing hardships related to poverty. Minnesota pays upwards of 25k per child to place the child in foster care while family preservation and in home services costs under 5k.

The perpetual clogging of our child protection system with children that are not at risk of harm has helped to exhaust county and state resources. This has led to case worker overload, a significant decrease in foster home availability and a nonsensical increase in state spending while leaving children truly in need of protection, vulnerable and at risk.

Everyone has a stake in ensuring our child protection system is fair and equitable. As an organization that supports around 150 foster youth each year, around 80-90% being Black, we are supportive of the changes that can be enacted by passing this bill. Thank you in advance for your time, service, and support of this bill!

Thank you for your time and consideration,  
C2i Staff