Dear Representatives:

My name is Anab Ali. My family and I strongly support HF1151, the African American Family Preservation Act. It's personal and overdue. In my case, 4 years too late. But, I'm one of the fortunate families.

My family's story
I am a Somali refugee who arrived to the United States on October 31, 2003. I am a proud, strong, black, Muslim mother of 8 children, who is also a small business owner and a homeowner. My children had no formal education until we came to the U.S. and are all now college educated with thriving careers as a city planner, nurses, teacher, immigration legal professional, and more. We co-wrote this testimony.

Summary: The Journey
- Baby "H" born
- My cousin, the father of baby H, deported in 2017
- Both parents termination of parental rights
- a call from Hennepin County two years later in 2019
- a two week contested adoption trial in 2020
- an adoption finalization hearing in March 2021

Detailed Journey
Baby H was born March 15, 2017.

The week baby H was born, her father (my cousin) asked me to file paperwork with Hennepin County for emergency foster care placement. He knew he was getting deported to our homeland, Somalia, and his partner was bound to have baby H removed from her care due to previous terminations of parental rights with her other children.

I filed the paperwork immediately, the same week H was born. The County told me that baby H had a chance to reunite with her mother. Hennepin County stopped returning my calls in summer 2017, just months after H's birth, despite my persistent follow up. After no responses from the county, I assumed that baby H reunited with her mother. I did not know the mother and stopped calling the County.

Fast forward two years: In March 2019, I received a call from a Hennepin County adoption worker saying that the file for H had moved from the child protection team to the adoption team, and that my application for emergency foster care placement from March 2017 went unprocessed. H had been placed in foster care at 6 weeks old and living with the (white) foster family for 22 months; the foster family is seeking to adopt H. I completed my home study.

The child protection system failed me, my cousin, and most importantly my cousin's little girl, H.

Fast forward another two years: I pursued adoption for H. I have been to more court hearings than I can count, survived a two week contested adoption trial, and paid $20,000 in attorney fees.

Now: H is living at my home full time since December 2020. H turns 4 next week and is scheduled for an adoption finalization hearing later this month, March 2021.

What could have been different if the African American Family Preservation Act was already enacted

I strongly support this bill. If the African American Family Preservation Act was in effect 4 years ago, it would have made a world of difference for our family and H.

Here's how:
1. **the county would have been required and had accountability measures for ensuring "active efforts" were made for in the "best interest of an African American child"** (Lines 2.3-2.19 and lines 2.23-2.28; lines 4.5-5.4)
2. **there would have been more teeth for a kinship-first approach**: "(a) Prior to placing an African American child in foster care, the responsible local social services agency must make active efforts to identify and locate the child's noncustodial or non-adjudicated parent and the child's relatives to notify them that the child needs a foster home and provide them with a list of legal resources. The agency must also inform the child's noncustodial or nonadjudicated parent and relatives of the option to become a placement resource for the child and the possibility that the child will need a permanent placement." (Lines 5.6-5.12)
3. **My cousin's request of the county to place the child with me would have followed right after me birth, not nearly 4 years later**: "the local social services agency shall comply with the custodial ornoncustodial parent or legal custodian's request to temporarily place the child with a relative selected by the child's parent or legal custodian" (lines 5.26-5.28).
4. **My cousin's parental rights would not have been terminated for his failure to "complete a case plan (in his circumstance, because he was deported)**: "a) A court shall not terminate the parental rights of an African American parent based solely on the parent's failure to complete case plan requirements." (Lines 6.22-6.23)
5. **Increased the likelihood of pre-adoptive placement with a family member due to time-contingent, checkpoints established by this bill**: "No preadoptive or adoptive placement proceeding where there will be placement with a nonrelative may be held until at least 30 days after receipt of the notice by the Department of Human Services or until a home study can be completed for a relative kinship adoption" (lines 8.11-8.13).

All said, these provisions tremendously increase the likelihood of family preservation and create accountability in the child welfare system.

These provisions would have made a world of difference in my family's life and eliminated heart wrenching agony.

Once these provisions are in place, I sincerely believe they will make a difference in the future for another black family's life.

I also believe the below provisions are also wise and meaningful and would make a big difference for families like mine:
1. **Required case review, data reporting, and creation of oversight council** (lines 8.23-13.3) - this ensures transparency and accountability with an eye to systems reform
2. **Disproportionality specialists** (lines 13.4-14.8) - this ensures staffing capacity to support county departments to take on the change efforts needed for African American children and families to thrive
3. **Child Welfare Disparities and Disproportionality Grants** (lines 14.10-14.32) - this ensures the community ecosystem of supports exists for families to preserve kinship (ex. Placement and reunification services, therapy, counseling)
4. **Data disaggregation** (lines 17.1-17.5) - this data allows for nuanced stories of our collective black experience to emerge and be attended to

How this bill could be strengthened

1. **This bill could be strengthened by PRIORITIZING funding available for attorney fees for the adoption.** While parents will be provided with legal representation under some circumstances (lines 6.16-6.18), There's also an ambiguous I hint to this in the grant program (line 14.20 says "court advocacy"). That said, many black families do not have the wealth and liquid financial assets to pay for significant legal fees to pursue permanency, which will be a tremendous barrier if this bill does not prioritize the creation of a fund to cover family attorney fees. Reading Ms. Robinson-Harris' letter reminded me of my own story in many ways of not getting legal counsel sooner - in her case and in mine, we could have filed for adoptive placement sooner if we had the right to legal counsel and saved time, money, and pain.

2. **The bill should explicitly tie back to the existing 10 best interest factors on "culture and heritage"** (see Minn. Stat., section 260C.212, subd. 2) - the 10 best interest factors are central to the county and Court's decision making process for permanency placement and this bill's direct tie back to the culture and heritage best interest factor is paramount. It's not clear if this bill is trying to become equal to ICWA, making it an 11th factor, or if it should be tied back to the cultural and heritage best interest factor more tightly, or both.

Thank you for taking the time to consider my testimony. Most importantly, H is finally home; a little black girl now rooted in her father's language, culture, and family. The African American Family Preservation Act takes gigantic and concrete strides towards family preservation for other little black boys and girls who enter Minnesota's child welfare system.

I urge the whole committee on both sides of the aisle to support HF1151.

Thank you,
Anab Ali & family
Bloomington, MN 55425

Cc:
All bill authors
All Judiciary committee members
Representative Howard, my State Representative