

SB650

Uploaded by: Amber Dortch

Position: FAV

Good afternoon, Chair Smith, Vice Chair Waldstreicher and members of the committee.

I am requesting a favorable report on SB 650

My name is Amber Dortch. I am a Licensed Social Worker for the Office of the Public Defender's Better Together Program.

The Better Together Program is an Early Advocacy Pre- Petition Program. We provide legal advocacy and other support to parents who are under cps investigation or at risk of a cps investigation. We have been in existence since Sept. 18, 2023. Our goal is to help parents keep their families together and avoid court involvement.

As part of our legal advocacy, our attorneys educate parents on their rights. This education has never caused a parent to resist or refuse working with the department of social services. Parents being informed of their rights has also not increased the number of cases that resulted in court involvement as the Department suggests in their fiscal note.

In fact of the 137 families that we have engaged, only 15 of those cases resulted in court involvement and in every case the parents cooperated with the CPS worker.

All of our parents cooperate with DSS because they understand that CPS has the ability to take their children and place them into foster care. This does not change just because a parent knows their rights. It is the threat of losing one's child to foster care that ALWAYS motivates a client to cooperate with DSS.

Parents knowing their rights provides a level of accountability to the otherwise unchecked power of a CPS worker and DSS as a whole. Parents knowing their rights makes the process less scary and empowers them to ask questions about their case and advocate for their children.

In closing, this bill is not just about parents who have abused and neglected their children. In 2023, 20,647 children were subject to an investigation. 70% of those cases resulted in no finding of maltreatment. Any parent can be subjected to an investigation.

For this reason I am asking for a favorable report.

Thank you,
Amber Dortch.

SB 650 - Know Before They Knock - FAVORABLE-MLA-20

Uploaded by: Ameer Vora

Position: FAV

Senate Bill 650
Family Law - Child Abuse and Neglect Investigations
("Know Before They Knock" Family Right to Notice Act)
In the Senate Judicial Proceedings Committee
Hearing on February 26, 2026
Position: FAVORABLE

Maryland Legal Aid submits its written testimony on SB 650 at the request of Senator Henson.

Maryland Legal Aid submits this testimony in support of SB 650, a bill that requires parents and legal guardians to be notified of their basic rights during investigations of suspected child abuse or neglect. Maryland Legal Aid is a private, nonprofit law firm providing free civil legal services to low-income individuals and families in every county of Maryland. In the family law context, Maryland Legal Aid represents parents in divorce, custody, child support, and domestic violence matters. Maryland Legal Aid also represents vulnerable children in Child in Need of Assistance (CINA) matters throughout the state. As the only organization in the state with a 360-degree perspective of the family law and child welfare systems, we believe SB 650 strikes an appropriate balance between the state's important role in protecting children, while respecting the fundamental privacy and due process rights of parents. Maryland Legal Aid strongly supports this bill's requirement that caregivers be informed of their legal options, including their right to consult an attorney, when the government knocks at their door. Therefore, we ask this committee to grant SB 650 a favorable report and urge its ultimate passage.

The low-income clients Maryland Legal Aid serves are commonly subjected to unwarranted government intrusion into their homes, including by the Department of Social Services (DSS). Currently, DSS often enters our clients' homes without their consent and without providing them notice of the allegations against them. In these traumatic and confusing moments, our clients report not fully understanding their legal options. SB 650 requires DSS agents to provide a child's caretaker with notice of their basic rights during a child abuse or neglect investigation. Among other things, this bill will require DSS to

- Advise a child's caregiver of their right to learn the allegations against them;
- Explain their right to consult with a lawyer prior to or during the investigation; and
- Inform them that, *unless ordered by a court*, they may refuse entry into their home, refuse requests to interview or physically examine their children, and refuse to submit to substance abuse or mental health screens.

Thus, SB 650 simply gives caretakers notice of due process rights that *already exist* under the law but are often not understood or invoked because of the intimidating nature of the investigations and the understandable desire of anxious parents to seem compliant.

SB 650 does *not* sacrifice children’s safety, because it does *not* block DSS’ ability to investigate child abuse. If parents or caretakers do not provide informed consent for DSS to enter their homes, DSS can still proceed with their investigation after obtaining a court order or a warrant based on probable cause. Further, Maryland law currently allows a DSS representative to enter a home without consent if they are accompanied by law enforcement and have probable cause to believe that a child is in serious, immediate danger, and this bill does *nothing* to change that. Therefore, this bill effectively balances the rights of parents to feel secure in their homes, and the government’s interest in legitimate, constitutionally compliant investigations.

Most DSS investigations result in a finding that the allegations of abuse or neglect are unsubstantiated. In 2024, DSS investigated almost 22,000 allegations of child maltreatment and in only 30% of those referrals did DSS identify a substantiated or indicated allegation.¹ Unfounded DSS investigations can fundamentally alter family relationships and trust.² Negative experiences with DSS can also negatively impact a parent’s faith in government systems, potentially making them wary of seeking help in the future.

By passing this bill, Maryland will join other states around the country who have passed similar bills in recognition of the invasive nature of CPS investigations. In September 2023, Texas Family Code § 261.307 went into effect, requiring the department to give parents notice of their rights during a CPS investigation, including the right to refuse entry to the home, consult with an attorney, and be informed of the allegations against them. Around that time, Arizona Revised Statute § 8-809.01 also went into effect, similarly enshrining a parent’s rights during an investigation into allegations of child abuse.

SB 650 codifies and protects the fundamental due process rights of parents while leaving intact the ability of DSS to conduct investigations of child abuse and neglect. It creates accountability and prevents government overreach into our families—an issue that should unite Marylanders across the political spectrum. For the reasons stated above, MLA urges a favorable report on and passage of SB 650. If you have any questions, please contact Ameer Vora, Advocacy Director for Family Law, at avora@mclab.org.

¹ Children’s Bureau, Administration for Children & Families, *Child Maltreatment 2024* available at: <https://acf.gov/sites/default/files/documents/cb/cm2024.pdf>

² Shanta Trivedi, The Harm of Child Removal, 43 NEW YORK UNIVERSITY REVIEW OF LAW & SOCIAL CHANGE 523 (2019) https://scholarworks.law.ubalt.edu/all_fac/1085

SB 650 Hawkins 2026.pdf

Uploaded by: Christina Hawkins

Position: FAV

POSITION ON PROPOSED LEGISLATION

BILL: SB0650 Know Before They Knock

FROM: Christina Hawkins

POSITION: Favorable

DATE: February 24, 2026

I am respectfully requesting that the Committee issue a favorable report on Senate Bill 0650.

Senate Bill 0650 requires a local department of social services agency to provide a notice of rights to a parent of a child at a certain time during an investigation of suspected child abuse or neglect.

My name is Christina Hawkins and I am the Statewide Peer Support Manager for the Maryland Office of the Public Defender. In my role, I oversee a unit of Peer Support Specialists, all who have had lived experience with the child welfare system, incarceration, or substance use disorders- I assist individuals involved with our agency, navigate a system I once navigated myself.

Today, I am testifying on my own behalf, not as a representative of the Maryland Office of the Public Defender.

On February 23, 2018 a woman who identified herself as a CPS worker and a police officer knocked on my door. I answered the door and allowed these strangers into my home because I had no reason not to. I had been taught that police were here to protect and serve. I had never been in trouble with the law and had never had any contact with child protective services in the past.

The CPS worker said they were at my house because they had a report for suspicion of methamphetamine use. They did not ask me to take a drug test, nor had they taken one before. They looked around my house and found no risk of harm. My 3 year old daughter was laying on a made bed, in her own room, in the home that I owned. The case worker then walked outside and made a call. She came back in and said I had to sign a safety plan and agree to give custody of my child to someone else, or they were taking her to foster care. I began to panic. I didn't know that I was entitled to speak with an attorney, or that I had options and rights. I signed a 60 day safety plan that resulted in me being separated from my child for 3.5 years.

Parents are entitled to know they have the right to get advice from an attorney before signing away custody so they understand the risks involved in life changing legal matters. The department abuses their power by not informing parents of their rights and targets individuals who wouldn't know any better. If the law was that parents needed to be informed of their rights prior to CPS entering their home, on Feb 23, 2018, I would have been able to plan accordingly for my child in a way that didn't traumatize us. I would have been able to consult someone and find out exactly what was about to happen to my life.

Today I have 7 years clean, 4.5 years reunified- a milestone I was told I would never achieve- and I can tell you with certainty that the day my daughter was tragically pulled from my arms was the most confusing, emotional, and traumatic day of both of our lives. Today I work in a professional capacity to ensure that others don't face the same trauma that my daughter and I once had to.

For these reasons, I am requesting the committee issue a favorable report for SB650.

Authored by: Christina Hawkins, christina.hawkins@maryland.gov, 410-344-3401.

CRC written testimony, Senate Judicial Proceedings

Uploaded by: Elizabeth Rossi

Position: FAV



February 26, 2026

RE: SUPPORT— SB650 “Know Before They Knock” Family Right to Notice Act

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is submitted by Civil Rights Corps (CRC), a civil rights organization dedicated to challenging systemic injustice in the United States legal system, in support of SB650. CRC specializes in innovative, systemic challenges to civil rights violations using litigation, advocacy, and public education. Since its founding in 2016, the organization has developed pathbreaking legal challenges to pretrial detention practices; debtors’ prisons; prosecutorial misconduct; corporate and municipal profiteering from family separation in jails; and other practices that punish people for poverty and unnecessarily separate families. These legal cases—and related policy collaboration with state supreme courts, rulemaking bodies, attorneys general, federal government officials, legislators, local presiding judges, and others—have resulted in widespread changes in how the so-called justice system treats some of the most marginalized people in our society.

For several years, CRC has researched and engaged in advocacy related to the Maryland child welfare system, also known as the family regulation system.¹ We submit this testimony in support of SB650, with firsthand knowledge that Maryland families are subjected to intense surveillance and mired in onerous requirements when Child Protective Services knocks on their doors. SB650 is one change that would reduce the procedural opacity that prevents parents from understanding and asserting their rights.

CRC supports a family welfare system that eschews punitive investigations and harmful separations in favor of meeting families’ material needs and supporting them where they are at. SB650 does not purport to redesign the family regulation system. Rather, this bill is a practical proposal to inform parents of the rights that exist in a system that is stacked against them. SB650 helps ensure cash-poor families targeted by the system are aware of their legal rights. The strongest predictors of who will be subjected to a family regulation system report are synonymous with poverty and racism. Investigated families are those who are food-insecure, have difficulty paying rent and utilities, and experience public benefit shortages.² These are not abusive families—these are economically-neglected families. In Maryland, thousands of families face economic neglect and are therefore at risk of foster system involvement. In 2022,

¹ Throughout our testimony, we will use the term “family policing” or “family regulation” system to describe what has been most commonly referred to as the “child welfare” or “child protection” system, to honor the ways directly impacted people describe this system and in recognition of the system’s racist history and the harm and trauma caused by forced family separation.

² Slack, K. S., Berger, L. M., DuMont, K., Yang, M.-Y., Kim, B., Ehrhard-Dietzel, S., & Holl, J. L. (2011). Risk and protective factors for child neglect during early childhood: A cross-study comparison. *Children & Youth Services Review*, 33(8), 1354-1363. <https://doi.org/10.1016/j.chilyouth.2011.04.024>



17% of Maryland children had working parents living below 200% of the federal poverty line,³ and in Baltimore, poverty rates for school-age children regularly exceed the national average.⁴ Enacting SB650 will equip the parents and children who are most likely to be faced with family regulation system investigation with basic information about their legal rights.

The “Know Before They Knock” Family Right to Notice Act will also act as a safeguard to Black and non-white families who disproportionately face the foster system. Similar to the criminal legal system, the family regulation system subjects Black, Indigenous, and Latine people to a greater likelihood of surveillance, more reports to the family police, more investigations, more forced family separation, and more terminations of parental rights. Nationally, one in two Black children will experience a family policing investigation.⁵ One in ten will experience family separation.⁶ One in 41 will have their parents’ rights terminated.⁷ This racial disproportionality persists in Maryland. Although Black children make up less than one-third of the state’s child population, 53% of children who entered the foster system in Maryland in 2023 were Black.⁸ This is deeply troubling, especially when considering that the foster system is not a utopic safe haven but often the locus of danger and trauma. For example, a study of the Baltimore foster system found that sexual abuse in foster placements was substantiated at four times the rate of the general population.⁹ SB650 can help protect Black, Latine and Indigenous families from the trauma of separation.

Finally, CRC supports the “Know Before They Knock” Family Right to Notice Act because it could prevent invasive and hugely consequential investigations that can lead to the evisceration of one of the most precious fundamental rights—the right to family integrity. Federal law consistently affirms the right of family integrity and the reciprocal rights for parents

³ “Children in low-income working families by age group in Maryland.” *Kids Count Data Center*, Annie E. Casey Foundation, February 2025.

<https://datacenter.aecf.org/data/tables/5048-children-in-low-income-working-families-by-age-group?loc=1&loct=2#detailed/2/22/false/2545.1095.2048.1729.37.870.573.869.36.868/34.35.36/11455.11456>

⁴ Annie E Casey Foundation, A profile of Youth and Adults in Baltimore, *available at*, [https://www.aecf.org/blog/a-profile-of-youth-and-young-adults-in-baltimore#:~:text=Poverty%20increased%20among%20Baltimore's%20school.and%20U.S.%20\(19%25\)%20rates.](https://www.aecf.org/blog/a-profile-of-youth-and-young-adults-in-baltimore#:~:text=Poverty%20increased%20among%20Baltimore's%20school.and%20U.S.%20(19%25)%20rates.)

⁵ Kim, Hyunil, et al. “Lifetime Prevalence of Investigating Child Maltreatment among Us Children.” *American Journal of Public Health*, U.S. National Library of Medicine, Feb. 2017, [pmc.ncbi.nlm.nih.gov/articles/PMC5227926/](https://pubmed.ncbi.nlm.nih.gov/articles/PMC5227926/).

⁶ Minoff, Elisa, and Alexa Citrin. “Systemically Neglected.” *Center for the Study of Social Policy*, Mar. 2022, cssp.org/wp-content/uploads/2022/03/Systemically-Neglected-How-Racism-Structures-Public-Systems-to-Preduce-Child-Neglect.pdf.

⁷ “Racial Justice.” *Children’s Rights*, 22 Oct. 2024, www.childrensrights.org/focus-areas/racial-justice.

⁸ Williams, S. C., Rosenberg, R., & Martinez. “State-level data for understanding child welfare in the United States - Child trends.” *ChildTrends*, 5 Sept. 2025, <https://www.childtrends.org/publications/state-level-data-for-understanding-child-welfare-in-the-united-states>.

⁹ Trivedi, Shanta. “The Harm of Child Removal.” *NYU Review of Law & Social Change* 43(3) 523, 542 (2019).



and children to be together.¹⁰ Yet, families are not even afforded minimal procedural protections when the family regulation system knocks on their doors. SB650 is an important first step to protecting our most marginalized families.

We hope that the Judiciary Committee acts on this opportunity to protect marginalized families, and that this bill will help the Maryland legislature shift its focus away from systems that police families and towards systems that support families.

Sincerely,

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¹⁰ The right to family integrity is one of the most important rights protected by the federal Constitution. One hundred years ago, the Supreme Court acknowledged the right of a fit parent to raise her children free from unjustified state intervention; it held that the “liberty” contemplated by the Due Process Clause includes the right of parents to “establish a home and bring up children” (and, therefore, the right “to control the education of their own”). *Meyer v. Nebraska*, 262 U.S. 390, 399, 401 (1923). Two years later, the Court reiterated that the “liberty of parents and guardians” includes the right “to direct the upbringing and education of children under their control.” *Pierce v. Society of Sisters*, 268 U.S. 510, 534–535 (1925). The Court later affirmed that it is “cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the state can neither supply nor hinder.” *Prince v. Massachusetts*, 321 U.S. 158, 166 (1944) (considering the intersection between parental rights and religious freedoms). This fundamental right is reciprocal: “[T]he child and [their] parents” both “share a vital interest in preventing erroneous termination of their natural relationship.” *Santosky*, 455 U.S. at 760; *Berman v. Young*, 291 F.3d 976, 983 (7th Cir. 2002), *as amended on denial of reh’g* (June 26, 2002) (“Parents have a fundamental due process right to care for and raise their children, and children enjoy the corresponding familial right to be raised and nurtured by their parents”); *Jordan ex rel. Jordan v. Jackson*, 15 F.3d 333, 346 (4th Cir. 1994) (noting that delay in reunification of a family “implicates the child’s interests in his family’s integrity and in the nurture and companionship of his parents”); *Smith v. City of Fontana*, 818 F.2d 1411, 1418 (9th Cir. 1987), overruled on other grounds by *Hodgers-Durgin v. de la Vina*, 199 F.3d 1037 (9th Cir. 1999) (en banc) (“[The] constitutional interest in familial companionship and society logically extends to protect children from unwarranted state interference with their relationships with their parents.”); *see also* Shanta Trivedi, *My Family Belongs To Me: A Child’s Constitutional Right to Family Integrity*, 56 *Harv. C.R.-C.L. L. Rev.* 267, 277–84 (2021). And the state “spites its own articulated goals” of protecting “the moral, emotional, mental, and physical welfare of the minor” when it separates a child from his fit parent. *Stanley v. Illinois*, 405 U.S. 645, 652–53 (1972).

Senate- Know Before They Knock FAV OPD .docx.pdf

Uploaded by: Natasha Khalfani

Position: FAV



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POSITION ON PROPOSED LEGISLATION

BILL: Senate Bill 0650- Know Before They Knock
FROM: Maryland Office of the Public Defender
POSITION: Favorable
DATE: 2/26/26

The Maryland Office of the Public Defender (OPD) respectfully requests that the Committee issue a favorable report on **Senate Bill 650, which requires that parents be informed of their rights when being investigated by the Department of Social Services (DSS).**

This testimony is provided by OPD’s Parental Defense Division (PDD) which represents parents and legal guardians from all 24 counties in Maryland who have experienced, or are at risk of, having their children separated from their parents by an arm of the government. Our multidisciplinary legal team—composed of dedicated attorneys, experienced social workers, and parent advocates with lived-experience in the DSS system—ensures that families receive high-quality legal representation during their Child in Need of Assistance (CINA) and Termination of Parental Rights (TPR) cases.

Senate Bill 650 is simple: It requires DSS to inform parents of their already-existing rights, including:

- The right to be informed of the allegations against the parents
- The right to refuse DSS’s entry into the home without a court order
- The right to consult with an attorney

The bill is rooted in a shared commitment to preserving families and protecting our children by ensuring that families are treated with fairness, dignity, and respect—values held dearly by all Marylanders across the political spectrum.

Protecting Families from Invasive Investigations and Government Overreach

Critics have suggested that this bill might create an adversarial dynamic between families and DSS. However, we must acknowledge that this adversarial relationship already exists. Families are distrustful of DSS because of the power that the agency wields to investigate families and ultimately take children away from their parents. Families - parents and children alike - do not experience DSS visits as supportive events.

Because of the *imbalance of power that already exists* in the current system, this bill is necessary to restore some power to families without creating risk for children. No matter how nice, well-trained, or well-educated the caseworker¹ or a social worker from DSS is, the fact remains that this stranger has the power to take children away from the families they are investigating. This imbalance of power is the reality that exists when DSS's Child Protective Services (CPS) comes knocking on their door. ***Requiring CPS to inform parents of their rights will actually improve relationships between the community and the government and correct some of the power imbalance.*** If parents are informed of their rights, and particularly if CPS is the one to provide the information, the relationship may be less adversarial because parents will not feel as though they are being misled or misinformed.²

When DSS investigates a family, the DSS caseworker announces that someone has reported an allegation that their children have been abused or neglected. The report may or may not be true. The identity of the reporter remains anonymous. The family being investigated is subject to a highly invasive search. The stranger from DSS can inspect not only the family's house, but they can also look inside dresser drawers, refrigerator, medicine cabinets, closets, under beds, and every personal space in their home. These investigations can occur any time of the day, including in the middle of the night when children are roused from their beds. DSS asks about the family's medical history, mental health status and treatment, medication, and living habits. Parents and some family members are asked about their past and present romantic partners. Their children are taken into another room and questioned and visually inspected, sometimes undressed. Nearly all of us can agree that it is highly intrusive for a stranger to instantly have this degree of access to this much personal information. These investigations are frightening not just to parents; without a doubt, children are also frightened by this intrusion by a stranger and fear being taken away from their home, families, and communities. It is terrifying when a stranger, wielding the authority of the government, intrudes into a family's home.

In cases of newborns, DSS conducts assessments or investigations at the hospital almost immediately after a mother gives birth. Less than 48 hours after birth, DSS can come to a hospital room and ask these invasive questions to mothers recovering from childbirth, with the investigator while wielding the power to remove their newborn baby right from the hospital.

¹ In Baltimore City, the jurisdiction that handles the majority of cases in Maryland, most caseworkers do not have a social work license.

² Connecticut, one of the first states in the country to experiment with this issue, has proven that informing parents of their rights actually helps investigations go more smoothly. According to the deputy commissioner of operations at the Connecticut Department of Children and Families, "there has been no negative impact on child safety" and the "greater transparency... [brings] down the anxiety of the interaction" during the initial investigation.

<https://www.propublica.org/article/child-welfare-search-seizure-without-warrants>

Ensuring Child Safety While Empowering Parents

This bill does not change the law that allows DSS and law enforcement to enter a home to see a child, or to remove a child from the home, in cases of a genuine emergency, where a child's safety is in immediate jeopardy. For DSS to remove a child from home even without a court order, they only need “reasonable suspicion” that the child may be in imminent danger. In re O.P., 470 Md. 225 (2020). Furthermore, if DSS believes the child is in serious immediate danger and the parents refuse entry into the home, Family Law Article § 5-709 allows DSS and/or the police to use reasonable force to enter the home. To be clear: Senate Bill 650 does not alter F.L. § 5-709 or any other law, and only applies to **non-emergency** situations, which are the vast majority of cases. Senate Bill 650 does not prevent DSS caseworkers and law enforcement officers from entering a home and removing children when there is an imminent safety concern.

Right now, DSS enters homes even in non-emergency cases. In fact, the overwhelming majority of DSS investigations, as evidenced by recent data from Federal Fiscal Year 2023 (FFY23), involve cases where no immediate danger is present.³ In FFY23, 20,647 Maryland children were subjected to investigations due to allegations of child maltreatment. Out of those investigations, 6,074 of the children were the subject of an “indicated” finding, which means DSS found enough evidence to determine that the child had been abused or neglected. Therefore, the State subjected 14,573 children to an investigation where there was no abuse or neglect. Out of the 6,074 children who had an indicated case, almost 4,000 of those children were indicated for neglect, NOT abuse, and the majority of neglect cases were related to poverty. This is in no way meant to minimize the seriousness of child neglect; rather, it is to illustrate that **in FFY 2023, more than 18,000 investigations were likely not emergencies.**

Opponents of this bill suggest that investigation delays can be fatal to children, which is a dramatically overblown assertion. If a child is in serious imminent harm, DSS and the police retain the authority under existing law to immediately enter the home to remove the child – nothing in Senate Bill 650 changes that. There need not be any delay in the investigation. Maryland DHS’s “better safe than sorry” approach has led to governmental investigations of thousands of families whose children were not actually being harmed. This approach does not create safety; rather it results in needless investigations and family separation which causes significant and lifelong harm to children.⁴ Senate Bill 650 does not prevent DSS from conducting its investigation of families whose children are alleged to be neglected. This bill simply requires

³ <https://cwoutcomes.acf.hhs.gov/cwodatasite/byState/maryland>.

⁴ <https://imprintnews.org/opinion/child-welfare-reckons-with-the-harm-of-investigations/258536>.

that parents are informed of the rights they have during the investigation, empowering families to make educated choices.

Preventing Hidden Foster Care and Protecting Family Unity

Right now, many parents are unaware that they are not obligated to sign contracts or other agreements with DSS during the investigation. One particularly troubling consequence of current practices is the phenomenon of “hidden foster care,” where children are removed from their homes and placed with friends or relatives without any judicial oversight.⁵ This practice can separate children from their families indefinitely and without clear criteria for reunification. By ensuring that parents are informed of their rights from the outset, SB 650 helps prevent situations where families feel compelled to make hasty decisions, such as signing away custody out of panic when they are told the alternative would be foster care. At OPD, we know from experience that parents facing desperate circumstances often are willing to do anything to prevent having their children go into foster care, even if it means compromising their own rights and quickly signing contracts without understanding the long-term implications of what they are signing.

A Step Toward Racial Equity

It is also important to recognize that Maryland’s DSS system disproportionately affects Black families. Black children constitute 29% of the state’s population but account for 55.5% of the foster care population. Nationally, children from marginalized communities are more likely to be reported and investigated than their white peers. By mandating that parents are informed of their rights, SB 650 not only protects individual families—it also contributes to addressing systemic inequities, ensuring that all parents, regardless of race or background, are given the same opportunity to understand and exercise their rights.

Conclusion

The intent behind Senate Bill 650 is not to hamper the State’s ability to protect children in genuine emergencies. Rather, it is a measured step intended to provide families with the information they need to safeguard their rights while collaborating with state agencies to ensure child safety. Opponents of this bill attempt to distinguish between parents’ rights and children’s best interests but they are inseparable: knowledge of their rights helps parents protect their children from the harms of unnecessary government intrusion into their homes. When parents understand what is and isn’t permissible during an investigation, they are better positioned to make decisions not out of fear, misinformation, or coercion, but out of consideration for what is

⁵ Also known as “kinship diversion” or “kinship care”, this common practice is used to keep children out of foster care. While this practice may be intended to protect family unity, without proper safeguards and oversight, kinship diversion policies often fail to ensure children’s safety, to protect parents’ legal rights and to provide kinship caregivers with sufficient resources to care for the children entrusted to them.

<https://www.aecf.org/resources/new-insights-on-state-kinship-diversion-policies>.

Maryland Office of the Public Defender, Government Relations Division, 45 Calvert St, Suite 108, Annapolis MD 21401
For further information please contact Elizabeth Hilliard, Elizabeth.hilliard@maryland.gov 443-507-8414.

in the best interest of their children. This bill strengthens family integrity, prevents unnecessary separations, and ultimately supports a more just and equitable system.

For these reasons we urge the Committee to issue a favorable report for SB 650, recognizing that informed parents are key to keeping our children safe and communities strong.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Authored by: Nenutzka Villamar, nenavillamar@maryland.gov, Hayley Lichterman, hayleylichterman@maryland.gov, and Natasha Khalfani, natashakhalfani@maryland.gov

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Uploaded by: Olivia Spaccasi

Position: FAV



Testimony for the Senate Judicial Proceedings Committee

February 26, 2026

SB 650 - Family Law - Child Abuse and Neglect Investigations ("Know Before They Knock" Family Right to Notice Act)

FAVORABLE

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The American Civil Liberties of Maryland urges a favorable report on SB 650, which would require that parents and guardians are informed of their rights during a child welfare investigation.

The rights outlined in SB 650 already exist. However, many people do not know what their legal rights are during a child welfare investigation. Moreover, many people do not know that if they choose to exercise these rights, there may be serious consequences, including the potential removal of the child from the home. This bill ensures that parents and legal guardians faced with a child welfare investigation can move through the process as informed as possible.

The Child Welfare System Disparately Impacts Historically Underserved Communities

The child welfare system in the United States disproportionately investigates and removes Black and Indigenous children and those living in poverty.¹ Nationally, Black families experience disproportionate involvement in the child welfare system, with higher rates of investigation, removal from their parents, and termination of parental rights compared to white children.² In 2022, Black children made up 52.8% of the foster system in Maryland – a disparity that begins with CPS investigations. Indigenous parents are up to four times more likely to have their children taken than their non-Indigenous counterparts.³ Additionally, only 4.9% of white children will experience foster care placement before their eighteenth birthday, compared to

¹ <https://psycnet.apa.org/record/2021-15632-012>

² <https://www.americanbar.org/groups/litigation/resources/newsletters/childrens-rights/racial-discrimination-child-welfare-human-rights-violation-lets-talk-about-it-way/>

³ <https://www.hrw.org/news/2022/11/17/us-child-welfare-system-harms-families>



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Maryland

15.4% of Native American children and 11% of Black children.⁴ Both of these groups are historically underserved and experience disproportionately high rates of poverty. Conditions of poverty are often deemed indicators of neglect and are the main reason for child welfare agency involvement and removal in the majority of cases nationwide.⁵ In Maryland, Department of Human Services listed indicators of neglect include many symptoms of poverty.⁶ Additionally, COMAR definitions of neglect are extremely vague.⁷

While Child Protective Services may be well intentioned, there is a high degree of subjectivity in these investigations. In 2022, 71% of DSS investigations into alleged maltreatment were found to be unsubstantiated or ruled out entirely. Additionally, because the welfare of a child is in question, the stakes are incredibly high for both investigators and families. Parents, in the spirit of being cooperative, may not know that they have certain rights during the process and may be too fearful to ask.

Advising parents of their rights in no way precludes or dissuades cooperation with law enforcement. And in rare cases of non-cooperation, DSS has legal processes available to them to remove the child if necessary. SB 650 would ensure a baseline understanding of the impacts of exercising one's parental rights. Implementation of similar protocols in other states has not shown any negative impacts on the safety of children at the center of these investigations. Rather, information from other states indicates that investigations proceed more smoothly when parents understand the contours of their rights.

⁴ <https://cssp.org/wp-content/uploads/2018/11/CSSP-Entangled-Roots.pdf>

⁵ <https://nationalcasagal.org/the-common-thread-in-child-removal-neglect-not-abuse/>

⁶ <https://dhs.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-%20neglect/signs-neglect-abuse/>

⁷ <https://dhs.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-%20neglect/what-is-child-abuse-and-%20neglect/#:~:text=The%20failure%20to%20give%20proper,injuries%20are%20sustained%20or%20not.>

ACLU

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Maryland

For the foregoing reasons, the ACLU of Maryland urges a favorable report on SB 650.

SB0650sponsor testimonyFeb26.pdf

Uploaded by: Senator Shaneka Henson

Position: FAV

SHANEKA HENSON
Legislative District 30
Anne Arundel County

Judicial Proceedings Committee

Joint Committee on Children,
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THE SENATE OF MARYLAND
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SPONSOR TESTIMONY

Senate Bill 650
Family Law - Child Abuse and Neglect Investigations
("Know Before They Knock" Family Right to Notice Act)

Chairman Smith, Vice Chair Waldstreicher and Committee Members

For the record, I am Shaneka Henson, representing District 30 in Anne Arundel County and member of the JPR Committee.

I am here today to urge a favorable report on SB0650 Family Law - Child Abuse and Neglect Investigations ("Know Before They Knock" Family Right to Notice Act)

The intent of this legislation is to require that a local department of social services or law enforcement agency provide written notice of the specified rights that a parent or legal guardian has at the time of initial contact during an investigation of child abuse or neglect. The bill also (1) specifies the applicable rights; (2) establishes requirements for delivery and acknowledgement of the notice of rights; and (3) requires the Department of Human Services (DHS) to develop a system to document proof of notice. Finally, the bill replaces various references to the child's caretaker with the child's parent or legal guardian.

I also want to use this opportunity address many of the topics being discussed about what the proposed legislation does accomplish – and what it does not do! An information "Fact Sheet" is also included.

First, what the Bill Accomplishes.

The "Know Before They Knock Bill" - Family Right to Notice Act would require the Department of Social Services Child Protective Services (CPS) agency to provide parents or legal guardians with written notice of their rights before they begin their investigation.

What this means is that when a CPS worker knocks on the door of a child's parent or guardian -- or any other way begins to engage them, they must first provide them with a written notice of their rights. In no other way does it change the statutes or the CPS investigative process.

The "Rights" listed in the bill are the rights that parents already have within the constitution and other areas of the law – it does not extend or create new rights. Some rights are already listed in

COMAR – for example, the requirement that CPS must inform parents of the allegations against them.

In 2023, of the 20,647 children who were the subject of an investigation -- only 6,074 were found to be victims of maltreatment. 70% of investigations result in no finding of maltreatment. At the time that a CPS investigation is initiated, ONLY CPS is investigating an allegation. These allegations are often made by anyone and are unfounded.

What the Bill Does Not DO!

It will not delay the routine investigation process. DSS already has 5 days to initiate an investigation into an allegation of neglect and has 60 days to complete the investigation. This bill will not change those timelines.

Many of the State's Attorneys opposing the bill state that it extends rights beyond those afforded in criminal cases OR tampers with the evidentiary collection they rely on. However, CPS cases are not criminal. They are civil in nature and the “*Child in Need of Assistance Cases*” are also civil.

Parents should not be intentionally kept ignorant of their rights because it would impact a criminal investigation -- that rarely occurs. Nationwide only a small percentage of these cases result in criminal prosecution. Additionally, State’s Attorneys are taking advantage of families when they rely on case workers to gather evidence in warrantless searches that they would not have access to if they had to get a warrant.

The bill does not put children at an increased risk of danger; nor does it impede the actions of CPS workers or law enforcement to remove a child who they believe is at immediate risk of harm. This means that if a child is in danger, the Dept of Social Services can remove that child from the home as they normally would.

Neither does this legislation prevent DSS from offering its services. If the issue is one of neglect, which is often rooted in issues of poverty, even where a parent is hesitant to speak to DSS, the CPS worker can offer the services and resources needed that would allow the parent to resolve the concerns being alleged.

The bill does not add any additional procedural processes to DSS aside from handing parents a sheet of paper with their rights on it; nor does it add any additional responsibility or requirements to law enforcement. It only requires that the DSS representative provide the statement of rights to the parent when initiating an investigation.

Lastly, we would argue that this bill does not have a significant fiscal note since the “Child in Need of Assistance” cases are not criminal. Joining me today to present further information about the bill is:

Natasha Khalfani, Office of the Public Defender
Shanta Tricedi, University of Baltimore, and
Amea Vora, Maryland Legal Aid.

Again, we urge a favorable vote for SB650 by the JPR Committee.

Shaneka Henson, D.30

Written Testimony - SB650.pdf

Uploaded by: Shanta Trivedi

Position: FAV

Support SB650

Family Law – “Know Before They Knock” Family Right to Notice Act - Testimony of Meyerhoff Center for Families, Children and the Courts.

Tuesday, February 24, 2026

Judicial Proceedings Committee

Chair Smith, Vice-Chair Waldstreicher and Members of the Committee:

Shanta Trivedi serves as the Faculty Director and Aubrey Edwards-Luce is the Executive Director of the Sayra and Neil Meyerhoff Center for Families, Children, and the Courts (CFCC) at the University of Baltimore School of Law. CFCC envisions communities where children and families thrive without unnecessary involvement in the legal system. We engage communities as we work tirelessly to transform systems that create barriers to family well-being. Additionally, Professor Trivedi teaches courses on Family Law and the Child Welfare System and writes about the child welfare system, particularly as it affects low-income and minority families. Professor Trivedi has also represented hundreds of parents who have been separated from their children or who were at risk of being separated while Director Edwards-Luce has represented hundreds of children in these proceedings. **We urge you to support SB650.**

SB650 ensures that child welfare and law enforcement agents advise parents of their rights upon commencement of a child protective investigation. It does not add any new rights, rather, it simply educates parents on their existing rights, allowing them to make informed decisions throughout the investigation process.

It is important to understand how a child protective investigation works. Each case generally begins with a call to a hotline. Sometimes, mandated reporters such as teachers, social workers, police officers call CPS because of concerns related to a child they have contact with. In other cases, laypeople including neighbors, friends, family, ex-partners, people on the street make a report – often with limited information or in the worst cases, out of spite. Once a call is made, CPS determines whether what is alleged meets the definition of abuse or neglect and, if it does, it will proceed to an investigation.

In 2021, 21,234 of Maryland’s children and their families were subjected to a child welfare investigation. After investigation, the Department of Social Services concluded that there was maltreatment in only 27 percent of those cases.¹ Thus, almost 75 percent of those children and their families were subjected to unnecessary intrusions into their lives. And not all families face the same risk – nationally, over 50% of Black children will be subject to an investigation before they turn 18, which is nearly double the rate of white children.²

Investigations, even if they do not lead to a removal, can cause extreme harm to children. Children are awakened in the middle of the night by strangers, they are asked deeply intrusive questions about their parents and their lives, they are often asked about sex, sometimes hearing words related to sexual activity for the first time in their lives. They are also asked to remove their clothing so that strangers can inspect their naked bodies for marks and bruises, even when there are no allegations of physical harm. Child protective services CPS investigators pull children out of their classrooms, alerting their peers and educators to the fact that they are part of a child welfare investigation causing deep humiliation.³ And throughout all of this, these children understand that the threat of removal is ever-looming and at any moment, they could be taken from their parents.

¹ *State-Level Data for Understanding Child Welfare in the United States*, CHILD TRENDS, <https://www.childtrends.org/publications/state-level-data-for-understanding-child-welfare-in-the-united-states>

² Shereen A. White and Stephanie Persson, Racial Discrimination in Child Welfare Is a Human Rights Violation—Let’s Talk About It That Way, American Bar Association, <https://www.americanbar.org/groups/litigation/resources/newsletters/childrens-rights/racial-discrimination-child-welfare-human-rights-violation-lets-talk-about-it-way/>

³ See e.g. HINA NAVEED, HUMAN RIGHTS WATCH, IF I WASN’T POOR, I WOULDN’T BE UNFIT: THE FAMILY SEPARATION CRISIS IN THE US CHILD WELFARE SYSTEM 63 (Nov. 17, 2022) available at <https://www.hrw.org/report/2022/11/17/if-i-wasnt-poor-i-wouldnt-be-unfit/family-separation-crisis-us-child-welfare> (A caseworker visited the children’s school and pulled them from class to question them, came to the home unannounced, and randomly strip searched the children, ages 1, 4, 7, 9, and 10, to check their bodies for signs of abuse. Adaline said these visits were so frightening for her children that her youngest child began screaming every time she saw anyone with a badge.)

Nationwide, states are passing laws to ensure that parents know their rights during CPS investigations. To date, Connecticut, Texas, Florida, Montana and Arizona have all passed these laws and New York and Delaware have introduced similar legislation. Maryland should join these states to be leader on this issue – making clear that we too believe that families deserve to know their basic constitutional rights to prevent government overreach while simultaneously ensuring that children are safe through other provisions of law.

Opponents have raised concerns that this bill would impede CPS's ability to do its job, but there is no evidence that that is true. On the contrary, states that have passed similar laws have found that they keep children safer because transparency from the agency encourages families to be more forthcoming.⁴

Further, the investigation is just the first step. Once the door is open, children can be removed from their families and if the case proceeds, some parents will have their rights to their children permanently. One might think that these drastic measures only occur in the worst situations, but that is not the case. Children are removed because their parents lack stable housing, because their parents have mental health struggles, because they are experiencing domestic violence or because they were left unsupervised for short periods of time. Further, once removed, if a child remains in the system for 15/22 months, the state is required to file a petition to terminate parental rights. For families struggling with poverty, their mental health, incarceration or substance use disorder this timeline can be a death sentence.

The goal of the child welfare system is to protect children. Because we believe this bill is an important step in ensuring that Maryland's children do not experience unnecessary harm at the hands of those charged with safeguarding their well-being, **we urge you to support SB650.**

⁴ Eli Hager, *Police Need Warrants to Search Homes. Child Welfare Agents Almost Never Get One*, PROPUBLICA (Oct. 13, 2022) <https://www.propublica.org/article/child-welfare-search-seizure-without-warrants>

SB650

Uploaded by: Stephanie Franklin

Position: FAV



Stephanie S. Franklin

Lauren C. Knowlden
Michele Curry-Creighton
Amber K. Reed
Alexandra C.R. McDermott

**Testimony before the Senate Judiciary Committee
Senate Bill 650
Family Law – “Know Before They Knock” Family Right to Notice Act
February 26, 2026
FAVORABLE WITH AMENDMENT**

The Franklin Law Group, P.C. (FLG) is a child advocacy law firm that provides legal representation to children in abuse and neglect proceedings since 2007 in multiple jurisdictions across the State of Maryland.ⁱ We request this Committee issue a favorable report with amendment.

This bill would require a certain on-site interview following a report of suspected child abuse to be with the child’s parent or guardian rather than the child’s caretaker; require a local department of social services or a law enforcement agency to provide certain notice to a parent or legal guardian of a child at a certain time during an investigation of suspected child abuse or neglect; and generally relating to child abuse and neglect.

Child safety and well-being is paramount

The problem with this bill is the inherent tension between the rights of parents and children. Parents’ and children’s rights are constitutionally protected through the Due Process Clause of the 14th amendment and established in case law.ⁱⁱ Relatedly, the right to family integrity is important to uphold in any action that may deprive the child or parent(s) of their rights to maintain their familial unit.ⁱⁱⁱ However, when the rights of the child and parent(s) are in conflict because of suspected danger to the child, parents’ rights must yield to the child’s rights to ensure the child’s safety and well-being. Hence, the child’s interests are paramount and cannot be abrogated because the child’s welfare is of “transcendent importance.”^{iv} Consequently, this tension-filled bill requires the legislature to legislate at the margins. Meaning, the most vulnerable must be viewed as the intended benefactor of this bill, and that is the child. To be sure, balancing the best interests of the child and the parents’ rights must be considered.^v Maryland case law has consistently found that the rights of the child always override the parents’ rights when considering the child’s best interest.^{vi} This bill as written forecloses this protection.



Stephanie S. Franklin

Lauren C. Knowlden
Michele Curry-Creighton
Amber K. Reed
Alexandra C.R. McDermott

Recommendations to balance the proposed bill

This bill presents an unbalanced application of the rights enshrined in the U.S. Constitution and case law for children and parents. It prioritizes the rights of parents over the rights of the child. However, it can be fixed by striking and maintaining the following language from the bill:

- (c) (2) – Should **MAINTAIN CARETAKER** and include proposed language **PARENT OR LEGAL GUARDIAN.** (p. 2).
- **E (1) (I) AND (IV) SHOULD BE STRICKEN.** (p. 3).
- **E (1) (VIII) SHOULD BE KEPT IN PART AND STRICKEN IN PART. “...A RELEASE OF MEDICAL INFORMATION FOR THE CHILD” SHOULD BE STRICKEN.** (p. 4).
- [(r)](S) (1) (2) (3) – Should **MAINTAIN CARETAKER** and include proposed language **LEGAL GUARDIAN.** (p. 8).

For these reasons, we request this Committee to issue a favorable report with amendment.

ⁱ We advocate for children and youth’s human right to safety, development, and well-being in five (5) jurisdictions across the State of Maryland – Baltimore City, Anne Arundel, Baltimore, Frederick, and Howard Counties.

ⁱⁱ *In re Yve S.*, 373 Md. 551 (2003); *Troxel v. Granville*, 530 U.S. 57 (2000); U.S. Const. amend. XIV, § 1.

ⁱⁱⁱ *Santosky v. Kramer*, 455 U.S. 745, 759 (1982); *Stanley v. Ill.*, 405 U.S. 645, 652 (1972).

^{iv} *In re Najasha B.*, 409 Md. 20, 33 (2009).

^v *In re Mark M.*, 365 Md. 687 (2001); *In re Yve S.*, 373 Md. at 569-570 (2003) (court must weigh the “competing interests and the state’s interest...to protect the child’s best interests as *parens patriae*” when determining whether temporary removal is warranted).

^{vi} *In re Adoption/Guardianship No. 10941*, 335 Md. 99, 113 (1994) (stating “the controlling factor...is...what best serves the interest of the child); *In re Danielle B.*, 78 Md. App. 41, 44-45 (1989).

SB650 Testimony 02.24.26.pdf

Uploaded by: Stephanie Glaberson

Position: FAV

Support (FAV) SB650

Family Law - "Know Before They Knock" Family Right to Notice Act

Testimony of Stephanie K. Glaberson, JD, LLM, 500 1st St. NW, Washington, DC 20001

Thurs., February 26, 2026

Judicial Proceedings Committee

Dear Sens. Smith, Waldstreicher, and Members of the Committee:

I am a Maryland resident, voter, and parent. I am also a researcher on data, privacy, civil rights, and child welfare, among other issues, and I previously worked as an attorney with Brooklyn Defender Services' Family Defense Practice in New York, representing parents in New York's equivalent to Child in Need of Assistance (CINA) proceedings. As part of my work, I have studied Maryland's CINA legal scheme. **I submit this testimony in support of SB650.**

Child welfare investigations are incredibly common, but disproportionately impact families of color, poor families, and families with disabled members. Each year Maryland's Department of Human Services receives approximately 60,000 referrals, triggering investigations of between 17,000 and 21,000 children's families each year.¹ Notably, only about 30% of the children Maryland authorities investigate are ultimately deemed "victims" each year.² While I could not locate Maryland-specific data on investigations broken out by race while preparing this testimony, nationally families of color, poor families, and families with disabled members are at starkly higher risk of experiencing an investigation than their peers. Studies consistently show that approximately half of all Black children will experience an investigation by the time they turn 18, with rates in some counties as high as 62.8%.³ Similarly, numerous studies have documented that parents with disabilities "have higher rates of child welfare involvement and worse outcomes than their non-disabled peers," and that this disparate impact starts with "initial referrals to child welfare."⁴ For example, a 2019 national survey found that "parents with psychiatric disabilities were eight times more likely to have contact" with the system than parents without a disability.⁵

Child welfare investigations are also invasive, destabilizing, traumatic, and often violate families' rights. Child welfare investigations often start with a knock on the door. Agents of the state enter families' homes, search through their refrigerators and cabinets, separate and interview parents and children, and often remove children's clothing to check for marks and bruises. This experience can be incredibly traumatic for those who experience it, and regardless of whether the investigation continues, can stick with parents and children long after. Child welfare investigations also are conducted in a manner that routinely violates families' Fourth Amendment rights. Authorities virtually never secure warrants to conduct the highly intrusive searches made in the course of their investigations. A recent ProPublica investigation found that New York City's Administration for Children's Services, for example, had obtained an equivalent Family Court order in only 0.2% of cases.⁶ In nearly 99.9% of investigations, these government actors relied on coerced "consent" to gain entry into families' homes, or claim various exceptions to the warrant requirement.⁷ However, there is compelling evidence to suggest that reliance is misplaced. The "consent" CPS agents secure to search homes and seize children frequently is given by parents who are unaware of their rights and fearful of the consequences of defying the CPS agents - sometimes accompanied by armed police - on their doorsteps.

SB650 is a necessary step toward protecting Maryland families' rights. Indeed, it is the bare minimum. SB650 does not create new rights, it merely places the burden of informing parents facing an investigation of the rights they already have on the investigating agency, where it should be. **I therefore urge you to issue a favorable report on SB650.**

¹ Children's Bureau, Child Maltreatment 2023 13, 17-19 (2023) <https://www.acf.hhs.gov/sites/default/files/documents/cb/cm2021.pdf>

² Compare *id.* with *id.* at 38.

³ FRANK EDWARDS ET AL., CONTACT WITH CHILD PROTECTIVE SERVICES IS PERVASIVE BUT UNEQUALLY DISTRIBUTED BY RACE AND ETHNICITY IN LARGE US COUNTIES (2021), <https://www.pnas.org/doi/epdf/10.1073/pnas.2106272118>.

⁴ Sharyn DeZelar & Elizabeth Lightfoot, *Who refers parents with intellectual disabilities to the child welfare system? An analysis of referral sources and substantiation*, 119 *Child. & Youth Servs. Rev.* 105639 (2020);

⁵ Robyn Powell, *Achieving Justice for Disabled Parents and Their Children: An Abolitionist Approach*, 33 *Yale J. L. & Feminism* 37, 62 (2022) (citing Katy Kaplan et al., *Child Protective Service Disparities and Serious Mental Illnesses: Results from a National Survey*, 70 *Psychiatric Services* 202, 204 (2019)).

⁶ Eli Hager, *Police Need Warrants to Search Homes. Child Welfare Agents Almost Never Get One*, PROPUBLICA (Oct. 13, 2022), <https://www.propublica.org/article/child-welfare-search-seizure-without-warrants>.

⁷ *Id.*

HB890_SB650- LBCMD Support Letter .pdf

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Dear Chair and Members of the Committee,

The Legislative Black Caucus of Maryland offers its strong and favorable support for House Bill 890/SB650 (HB890) – "Know Before They Knock" Family Right to Notice Act. This bill ensures that parents and caretakers are informed of their legal rights during child abuse and neglect investigations. Under **HB890/SB650**, local departments of social services and law enforcement agencies must provide oral and written notice at the initial point of contact, affirming that families are not required to allow entry into their homes, speak without legal counsel, or comply with unwarranted requests. Additionally, the bill mandates that any evidence obtained in violation of these rights be excluded from judicial and administrative proceedings, reinforcing due process protections.

The child welfare system disproportionately impacts Black families. Studies indicate that by the age of 18, 53% of all Black children nationwide will be subjected to a child welfare investigation, a rate far exceeding that of white children. These investigations can have lasting consequences, often leading to unwarranted family separations, emotional trauma, and systemic mistrust. Black and brown families are more likely to be over-surveilled and over-policed by child protective services, even when evidence of actual neglect or abuse is no greater than in white families. This bill provides essential safeguards to prevent unnecessary government intrusion and protects Black Marylanders from further systemic injustices.

The disparities in child welfare investigations have real consequences for Black Marylanders. The fear of unjust scrutiny discourages many families from seeking resources or medical care for their children, further exacerbating inequities. Ensuring that parents and caretakers are fully informed of their rights prevents coercion and strengthens community trust in social services. Moreover, by mandating that any evidence obtained unlawfully is inadmissible, **HB890/SB650** upholds constitutional protections and reduces the risk of wrongful child removals, which disproportionately harm Black families.

By protecting Black families from undue government intervention and ensuring transparency in the child welfare system, **HB890/SB650** upholds the state's commitment to racial justice and equity. This bill aligns with the Legislative Black Caucus of Maryland's mission to advocate for policies that dismantle

systemic inequities and empower Black communities. We urge the Maryland General Assembly to pass **HB890/SB650** and stand with us in ensuring fairness, dignity, and justice for all Maryland families.

For these reasons, the Legislative Black Caucus of Maryland strongly supports **HB890/SB650**.

Legislative Black Caucus of Maryland

CFH UNF Senate Bill 650-Child Protective Services

Uploaded by: Alison D'Alessandro

Position: UNF



Date: 2-26-26

Judicial Proceedings Committee

Senate Bill 650-Child Abuse and Neglect Investigations ("Know Before They Knock" Family Right to Notice Act)

Position: Unfavorable

Dear Chair Smith and Committee Members,

On behalf of the Center for Hope, we respectfully submit this testimony in opposition to Senate Bill 650. The Center for Hope works every day with children and families impacted by abuse, neglect, exploitation, and violence. We partner closely with child advocacy centers, healthcare providers, law enforcement, and child protective services to ensure that children who are at risk receive timely, trauma-informed, and coordinated intervention. For these reasons, we have serious concerns regarding SB 650.

The bill would require investigators to inform parents or legal guardians that they are not required to:

- Permit interviews or examinations of a child absent a court order or statutory exception.

While framed as a clarification of parental rights, this mandate will function in practice as an invitation to refuse cooperation at the earliest stage of an investigation. In cases where abuse or neglect may be occurring, even short delays can significantly increase risk. The reality of child maltreatment is stark. Nationally, approximately 2,000 children die each year from abuse and neglect, the majority of whom are infants and toddlers who cannot advocate for themselves. Many fatalities involve neglect—situations where basic needs were unmet or where escalating danger was not addressed in time. When access to a child is delayed, the window for intervention narrows.

This legislation prioritizes the procedural rights of adults over the safety and human rights of children. By centering the right to refuse to let CPS interview a child, the bill effectively strengthens the position of potentially abusive caregivers while offering no parallel safeguard to ensure the child's voice is heard.

Children are independent rights-holders. They are not extensions of parental authority. Any statutory change affecting child protection should begin from the principle that the child's safety is paramount. SB 650 inverts that framework. The Office of the Public Defender has encouraged parents to assert their rights and, in some cases, to instruct their children not to speak with CPS. If this bill becomes law, it will formalize that adversarial approach at the very start of an investigation. Experience from prior legislative proposals and related public testimony demonstrates that measures emphasizing refusal rights often encourage a defensive posture at the outset of investigations. The involvement of legal advisories encouraging parents to decline access further underscores this dynamic. If enacted, SB 650 would formalize an adversarial starting point—one



defined by warnings, refusals, and confrontation—rather than collaboration focused on ensuring child safety. That shift undermines the trauma-informed, multidisciplinary model Maryland has worked to strengthen. When investigators cannot promptly assess a child’s safety or living environment, they are more likely to:

- Seek emergency court orders;
- Escalate cases more quickly; and
- Pursue removal when judicial involvement heightens perceived risk.

Instead of reducing unnecessary system involvement, SB 650 may increase the number of children brought before the court and placed outside their homes due to uncertainty and delayed access. At its core, the bill will likely;

- Encourages refusal and secrecy at the outset of investigations;
- Provides procedural leverage to adults who may be responsible for harm;
- Ignores the child’s right to safety and independent protection; and
- Risks delays in interventions that can be life-saving.

Maryland should be strengthening its child protection framework, not introducing statutory barriers that complicate timely assessment and response. *For these reasons, the Center for Hope respectfully urges an unfavorable report on Senate Bill 650.* Child safety must remain the first and guiding principle of our child welfare laws.

Respectfully,

Alison D’Alessandro

Center for Hope-Senior Policy & Program Specialist

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SB0650pdf.pdf

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SENATE JUDICIAL PROCEEDINGS COMMITTEE

Senate Bill 0650: Family Law-Child Abuse and Neglect Investigations ("Know before They Knock" Family Right to Notice Act)

OPPOSE

February 26, 2026

The Law Office of Darlene A. Wakefield, P.A. is a private child advocacy firm under contract to DHS/Maryland Legal Services Program (MLSP) for representation of children in Child In Need of Assistance (CINA) and Termination of Parental Rights (TPR) matters. Our firm of 15 attorneys has held contracts with the State for more than thirty (30) years. We are the largest private child advocacy firm in Maryland and child advocacy law is the only law we practice. Personally, I have practiced CINA law in Maryland for 35 years having represented children, parents and the Baltimore City department of social services. Currently, through our CINA/TPR Contracts with MLSP, our firm represents 1,185 children in Baltimore City, Baltimore, Carroll, Cecil, Harford, Howard, Prince George's and Washington Counties. We submit that we are highly qualified and have the experience to speak on this bill.

Our comments in **opposition** to this bill as filed are summarized below.

1. This bill tramples on the rights of children and presumes that children who are the subject of the investigation agree with their parents and do not want to be interviewed. Lines 28-32 of the bill as drafted advise that the 'parent is not required to allow DSS to interview or examine the child". It is important to recognize that Maryland is a client directed model for child's counsel for children who are determined to have considered judgment. This type of representation assumes that children have a right to independent decision making. If this legislature has determined that children have an independent voice, why are we permitting a parent to hinder the investigation by preventing the DSS caseworker from talking with a child, or even seeing that child, at the time of the investigation? **It is the very children who are being kept away from investigators who need to be interviewed.** We have experienced numerous situations in which children are being literally locked in their homes and kept away from the outside world so that abuse/neglect can continue. Children of all ages are being kept in locked rooms, denied food and medical care. Case workers must have access to a child at the time of the investigation to determine

if allegations are founded. At the very minimum, case workers must be allowed to "lay eyes" on children if non-verbal and interview children who are age appropriate.

2. Is legislation really necessary? Creating or amending a statute is not always the best way to address an issue. In particular, we should investigate how the stakeholders could address the need for education of parents and guardians about the rights as it relates to investigations conducted by the local departments of social services (DSS). The Office of the Public Defender (OPD) already has the Better Together initiative which they say is working well in Baltimore City. This bill is an attempt to codify that program but includes unnecessary language trampling on the rights of children. Can we simply put forth efforts to expand that program into other jurisdictions and find ways to get the information into the hands of parents and guardians? Could/would DHS agree to make a regulatory change or policy change which may incorporate the parent/guardian notice provisions included in the bill instead of mandating same via statute? **We also have concerns that if the bill becomes law, the sponsors will be back next year asking for changes to include sanctions for non-compliance by DHS resulting in unnecessary litigation in juvenile court CINA cases which are already over burdened with cases.**

3. Does the OPD have enough attorney resources to be readily available to parents/guardians? If a parent/guardian wants to call the OPD for assistance of counsel with regard to the investigation, attorneys from the OPD must be available to assist them at the time of the investigation. Otherwise, there will be undue delay in the investigation. Our experience currently in some of the jurisdictions in which we practice is that often cases have to be held over or otherwise delayed because the OPD is stretched too thin because they are covering multiple jurisdictions for CINA hearings. It is difficult to imagine that the OPD has the resources available to rapidly assist in advising and being present with parents/guardians for investigations.

In this current legislative session, as this hearing is held today, the House Judiciary Committee will be considering HB 980 "Kanaiyah's Law"- a bill to strengthen the foster care system and address long standing issues with DHS' failure to do its job. Why then should this Committee even consider passing this bill which will clearly take away from children's rights and also take away the very responsibility and authority of DSS to do thorough and timely investigations?

The rights of parents must always be weighed against the best interests and rights of children. This legislature has mandated time frames for immediate investigations for reports of suspected abuse and neglect of children. Why would it now allow a change in our laws to hinder and delay those investigations? We have seen too many cases where just 24 hours would have made a difference between the life and death of a child. We strongly urge you to vote against delay and for the rights of Maryland's children by giving an unfavorable report for SB0650.

Respectfully submitted, Darlene A Wakefield, Esq., President

MSAA Opposition SB 650 Know Before They Knock.pdf

Uploaded by: Debbie Feinstein

Position: UNF

Ivan Bates
President



Kirsten N. Brown
Coordinator

Maryland State's Attorneys' Association
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February 23, 2026

The Honorable Will Smith
Chair, Judicial Proceedings Committee
11 Bladen Street
Annapolis, MD 21401

Dear Chair Smith and Committee Members:

On behalf of the Maryland State's Attorneys' Association (MSAA), we write in opposition to Senate Bill 650—Family Law—Child Abuse and Neglect Investigations (“Know Before They Knock” Family Right to Notice Act). I am the Chief of the Special Victims Division for the Montgomery County State's Attorney's Office and supervise child abuse and neglect prosecutions in Montgomery County. Joyce King is Deputy State's Attorney for the Frederick County State's Attorney's Office. Together, we co-chair the MSAA Special Victims' Subcommittee that brings together child abuse and domestic violence prosecutors from around the State to discuss and collaborate on issues of interest.

Senate Bill 650 proposes significant changes to the investigation of child abuse and neglect criminal and civil investigations in our State. Essentially, SB 650 creates a system of rights that extends well beyond the current constitutional requirements for statement taking and evidentiary collection in criminal cases. In addition, it places social workers and other child welfare workers in the role of police officers, requiring them to give an advice of rights to parents and legal guardians before engaging in an any investigation, including gathering basic information and home visits.

Simply put, this bill will put children in danger by delaying the investigation process, hampering evidence gathering, and impeding necessary medical or other treatment for the child. Not only does this bill superimpose constitutional rights guaranteed in criminal cases onto non-criminal child abuse and neglect investigations, but this bill adds additional rights that are not currently afforded to suspects in criminal investigations.

First, the bill gives rights to non-offending parents and legal guardians who may invoke their new right not to speak to investigators in order to protect the sexual or physical abuser, which undermines justice and offender accountability and the safety of children. Second, this bill will enable offenders and others time to destroy or alter evidence and to modify their surroundings. For example, in a physical abuse case that does not rise to the level of a criminal case, the offender may remove the implement of abuse (a belt, cord, iron, etc.). Third, any delay in investigation could result in a delay in medical care for a child. Without a specific understanding

of the chronology of events, an investigator may not have grounds to mandate medical care for the child.

Given the significant risks to Maryland's children outlined above, we urge this Committee to issue an unfavorable report on Senate Bill 650.

Sincerely,

Joyce R. King

Joyce R. King
Deputy State's Attorney
Frederick County State's Attorney's Office

Debbie Feinstein

Debbie Feinstein
Chief, Special Victims Division
Mont. County State's Attorney's Office

SB0650 CPMC UNFAV JPR.pdf

Uploaded by: Diana Philip

Position: UNF

THE COALITION TO PROTECT MARYLAND'S CHILDREN

Our Mission: To combine and amplify the power of organizations and citizens working together to keep children safe from abuse and neglect.

We strive to secure budgetary and public policy resources to make meaningful and measurable improvements in safety, permanence, and wellbeing.



SB0650 - Family Law - Child Abuse and Neglect Investigations ("Know Before They Knock" Family Right to Notice Act) Senate Judicial Proceedings Committee

February 26, 2026

Position: OPPOSE

The Coalition to Protect Maryland's Children is a consortium of organizations and individuals formed in 1992 who are concerned about the care of Maryland's most vulnerable children and work together to educate and promote meaningful child welfare reform. **CPMC urges an unfavorable report on SB0650 - Family Law - Child Abuse and Neglect Investigations ("Know Before They Knock" Family Right to Notice Act).**

To be clear, there is consensus among members of the coalition supporting the notice provided to parents and legal guardians with information of the required actions of an employee of the local department of social services tasked with an initial contact and safety assessment in response to a report of child physical abuse, sexual abuse, mental injury, or neglect. HB0890 seeks to guide the content of the written notice and frame it as an explanation of the rights of parents and legal guardians during an initial contact with the LDSS employee.

However, while the objective is to reflect current law in a written notice distributed at the time of making initial contact by an LDSS employee, the bill language leans towards discouraging a cooperative discussion about a child's health and safety. Instead, it implies that a verbal exchange with the LDSS employee will be adversarial and that the parent or legal guardian should automatically prepare for a situation resembling a criminal investigation.

More importantly, we strongly feel that the bill in its present form will create confusion regarding how, where, and within what time period the employee is authorized to see the child and determine the safety of the child as mandated under Family Law Section 5-706.

We are particularly concerned by this proposed provision: "(E)(1)(IV) THE PARENT OR LEGAL GUARDIAN IS NOT REQUIRED TO ALLOW THE EMPLOYEE OF THE DEPARTMENT OR THE LOCAL DEPARTMENT TO INTERVIEW OR EXAMINE A CHILD, UNLESS THE INTERVIEW OR EXAMINATION IS ORDERED BY A COURT OR IS REQUIRED UNDER SUBSECTION (C) OR (K) OF THIS SECTION."

Current Maryland law stipulates that the **"local department or appropriate law enforcement...shall see the child... (and) decide on the safety of the child, and of other children in the household"** within 24 hours when physical or sexual abuse is alleged, and within 5 days for neglect or mental injury. CPMC is concerned that this bill language will promote the idea that a parent or legal guardian can refuse to allow an LDSS employee to see the child and determine the safety of the child for an indeterminate period of time. What if the abusive individual is the parent or legal guardian who refuses to cooperate at initial contact? This bill would hinder this crucial essential aspect of the employees' responsibilities as mandated by law. Blocking or delaying safety assessments frustrates any needed interventions that may initially not seem immediate, but on closer examination, are immensely warranted.

The Coalition to Protect Maryland's Children

www.protectmarylandschildren.org admin@protectmarylandschildren.org

1014 W 36th Street, Suite 103, Baltimore, MD 21211

This new provision, (E)(1)(IV), appears to grant the right to stop any contact by an LDSS employee with a child that does not fall within the 24-hours / 5-day time frames, prohibiting any "late" initial contacts, and any "follow up" contacts. This denial would apply everywhere as it appears not bound by location, such as a school, daycare, soccer practice, Grandma's house, friend's house, etc. There is also a mismatch in language: Section C of 5-706 states that the LDSS employee shall "see the child" and "decide on the safety of the child", whereas the proposed (E)(1)(IV) uses the phrase "interview or examine a child".

This bill puts these LDSS employees in the difficult position of being perceived as engaged in "family policing", rather than seen as trauma-informed and trained professionals who are qualified and invested in helping families be safe and thrive. As described in (E)(1)(I), when an LDSS employee is denied entry into the residence of the child under Section 5-709, they may have to turn to law enforcement to gain access to the premises, elevating any tension between the LDSS employee and the family, risking safety matters for family members and the LDSS employee, and increasing the possibility of removal of the child if the employee is still unable to conduct the initial assessment. As a result, the proposed legislation would increase occurrences of excessive removals of children in some cases. An LDSS employee who might otherwise have been able to conduct an initial contact and develop a safety plan with the family may be forced to remove a child when the employee is unable to speak with the parent or the child. Removals for lack of cooperation would result by erring on the side of safety, not based on a risk and safety assessment nor a failed effort to preserve the family. Conversely, in other cases it will lead to situations where an LDSS employee will simply quit when faced with an uncooperative parent, even if there are children living with abuse or neglect. No case should be closed due to the lack of cooperation of the parent or legal guardian after being provided a written notice about what to expect during the initial contact, whether it results in an alternative response or an investigative response. We are concerned that HB0890 will lead to both over- and under-removals, harming children in both cases.

We are not aware of any proposed amendment addressing these child safety concerns this session, such as countering the blocking or delaying of a child required to be assessed by an LDSS employee, especially in instances when the home is the only place for an infant or child to be seen and whose safety can be determined. We believe that **a legislatively required notice which states that a parent or legal guardian has the right to deny the employee to see the child in response to a report of child abuse or neglect creates a serious threat to child safety in Maryland.** SB0650 details how parents or legal guardians may act in response to an initial contact made by an LDSS employee regarding an alleged child maltreatment report but does not require how children may exercise their rights to be seen, heard, and believed and their circumstances timely assessed for safety and health concerns. We fear that more children will be unnecessarily removed or safety delayed for a child in danger to scheduling the court hearing.

It is for these reasons that the Coalition to Protect Maryland's Children **CPMC urges an unfavorable report on SB0650 - Family Law - Child Abuse and Neglect Investigations ("Know Before They Knock" Family Right to Notice Act.**ⁱ

ⁱ Members of CPMC represented by this written testimony include – the American Academy of Pediatrics - Maryland Chapter, Child Justice, Center for Hope, Court Appointed Special Advocates (CASA - Baltimore County), Maryland Association of Resources for Families and Youth (MARFY), Maryland's Children's Alliance, Maryland Network Against Domestic Violence (MNADV), National Association of Social Workers – MD (NASW), the State Council on Child Abuse & Neglect (SCCAN), and individual members.

MASSD SB650 Opposition (5).pdf

Uploaded by: Jenifer DuBosq

Position: UNF



February 26, 2026

The Honorable William C. Smith, Jr. Chair, Senate Judicial Proceedings Committee
Miller Senate Office Building, 2 East Wing
Annapolis, Maryland 21401

RE: OPPOSITION TO SENATE BILL 650 – Family Law - Child Abuse and Neglect
Investigations (“Know Before They Knock” Family Right to Notice Act)

Dear Chair Smith, Vice Chair Waldstreicher, and Members of the Judicial Proceedings
Committee:

The Maryland Association of Social Services Directors (MASSD) respectfully submits the following unfavorable testimony for Senate Bill 650. While we support the principles of parental rights and transparent communication, the Maryland Supreme Court has been clear: the "sole and specific objective" of child welfare statutes is the protection of children—not the protection of those alleged to have abused them. This bill threatens to subvert that mission by establishing a policy where individual parental interests are placed in direct opposition to a child's right to be safe, creating significant barriers that may inadvertently leave vulnerable children at increased risk of harm. Furthermore, these mandates may have the unintended consequence of more children being removed from their parents and placed into foster care as departments struggle to verify safety through formal legal hurdles.

Our primary concerns, which align with the opposition from the Maryland State's Attorneys' Association (MSAA), are as follows:

1. Compromising the Integrity of Investigations

SB 650 requires a local department or law enforcement agency to notify a parent or legal guardian of all allegations at the initial contact. As noted by the State's Attorney's Office, providing this "roadmap" to a potential maltreater can lead to witness tampering and the dissipation of evidence. By the time a department can obtain a court order to see a child after being refused entry, physical injuries may have healed, and a child victim may have been coerced into silence.

2. Delay of Critical Life-Safety Assessments

The bill shifts the on-site interview requirement following a report of suspected abuse from a "caretaker" to strictly a "parent or legal guardian". This restriction ignores the reality of emergency responses where a parent is unavailable, yet a child is in the immediate care of another adult. By notifying parents of their right to refuse entry or interviews, the bill creates a "chilling effect" that delays mandatory safety assessments.

This is especially concerning given our bifurcated response system. The vast majority of our cases are handled through Alternative Response (AR), which is designed specifically to be a collaborative, family-centered process. By design, a case only receives a Traditional Investigative Response (IR) when there is already an assessment of high risk or immediate danger. Imposing these specific notice requirements on IR cases—where safety concerns are already at their peak—could inadvertently compromise our ability to protect the most vulnerable children in Maryland.

To understand the life-or-death stakes of SB 650, we must look at Connecticut, which enacted a substantially similar "Miranda-style" warning law (Public Act 11-112) in 2011. The results were devastating:

A 45% Increase in Fatalities: Within just three years of implementing these parental warnings, Connecticut saw substantiated child maltreatment deaths rise from 11 in 2011 to 16 in 2014.

A Shield for Maltreators: In 2017, a 17-year-old with developmental delays died after his mother used these specific legal protections to "legally deny access" to investigators. Despite numerous welfare checks, investigators' hands were tied until it was too late.

The Legislative Reversal: By 2018, Connecticut was forced to pass a corrective law to bypass parental consent when there is "reason to believe" a child is in danger. SB 650 risks forcing Maryland into this same tragic cycle—passing a law that shields abusers today, only to repeal it after a preventable tragedy tomorrow

3. Creation of an Adversarial Environment

This legislation mandates a notice of rights far beyond those afforded to subjects of criminal investigations. Forcing social workers to lead with these warnings transforms a safety check into a high-stakes legal confrontation. This adversarial approach will likely lead to:

- **Increased Removals:** When parents are encouraged to withhold access, departments may have no choice but to file for emergency removal just to verify a child's safety.
- **Trauma to Innocent Families:** Many investigations are cleared quickly by speaking with the child. By prolonging this process through legal hurdles, we cause more harm to children who were not abused but must now endure an extended investigation.

Conclusion

Child Protective Services' primary mission is to protect our most vulnerable community members. By prioritizing the rights of a suspected maltreater over the immediate safety of the

child, SB 650 undermines our ability to identify abuse, prevent additional harm to children and provide trauma-responsive services to victims.

For these reasons, the Maryland Association of Social Services Directors urges an unfavorable report on SB 650.

Sincerely,



Jenifer L. DuBosq, LCSW-C
Chair of the Maryland Association of Social Services Directors

Maryland Association of Social Services Directors

Courtney Thomas-Winterberg Allegany County	Jenifer DuBosq Dorchester County	Jennifer Amaya-Thompson Prince George's County
Rachael Maconachy Anne Arundel County	Debbie Marini Frederick County	Susan Coppage Queen Anne's County
Brandi Stocksdales Baltimore City	Alicia Streets Garrett County	Lori Engle Somerset County
Mark Milspaugh Baltimore County	Cora Grishkot Harford County	Alexis Zoss St. Mary's County
Dr. Melinda Baldwin Calvert County	Geneva Rieu Howard County	Linda Webb Talbot County
Vicky Kretzer Carroll County	Shelly Neal-Edwards Kent County	Tiffany Rexrode Washington County
Dr. Tanisha Sanders Charles County	Oscar Mensah Montgomery County	Roy Brewington Wicomico County
Lisa Beeman Cecil County		Roberta Baldwin Worcester County

SB0650 Opp - Written Testimony - CASA of Baltimore

Uploaded by: Jennifer Stine

Position: UNF

February 24, 2026

**SB0650 - Family Law - Child Abuse and Neglect Investigations
("Know Before They Knock" Family Right to Notice Act)
Senate Judicial Proceedings Committee
February 26, 2026**

Position: OPPOSE

Submitted by:
Jennifer Stine, LMSW
Executive Director, CASA of Baltimore County, Inc.
102 W. Pennsylvania Ave., Ste. 101
Towson, MD 21204

Dear Chair Smith, Vice Chair Waldstreicher, and members of the Committee,

My name is Jennifer Stine, and I am the Executive Director for CASA of Baltimore County. On behalf of the Baltimore County Court Appointed Special Advocates (CASA) program, **I am respectfully requesting that the committee return an unfavorable report on SB0650.**

Court Appointed Special Advocates (CASA) programs recruit, screen, train, and support volunteers who are appointed by the Courts to advocate on behalf of the best interests of children in foster care.

The intent behind SB0650 is an important and positive one – to ensure that parents and legal guardians are aware of their rights when a Child Protective Services representative is investigating a report of child abuse or neglect. We absolutely support that intended goal. In our work advocating for the best interests of children, we engage with parents and guardians as much as possible, and we often advocate for services for them as well, as helping the family will almost always benefit the child. We also know that parents and guardians do not always understand the process when dealing with the Department of Social Services, and we agree that information on that process – and their rights within it – is extremely important to share with them.

However, this effort must not result in children being less safe and without protection. We believe that section (E)(1)(IV), which states,

“The parent or legal guardian is not required to allow the employee of the Department or the Local Department to interview or examine a child, unless the interview or examination is ordered by a court or is required under subsection (C) or (K) of this section;”

puts children’s safety at risk. If, despite existing law stating that the Department “shall...see the child...decide on the safety of the child and other children in the household,” this section allows parents and guardians to refuse to let the Department meet with the child, it directly contradicts the Department’s mandate to ensure that a child is safe. For young or disabled children in particular, who may be unable to speak for themselves, this is especially

concerning. In many cases, even those of neglect (national child fatality data shows that approximately 78% experienced neglect), time is of the essence. It is critical that a professional be able to see the child and assess their safety within the timeframes already established. Allowing a parent to refuse this initial check puts children at significant risk.

Finally, this section creates a situation where not only are children not protected, but the encounter with social services becomes necessarily adversarial and can lead to additional trauma for the child and family, as well as unnecessary removals. If a Department employee is concerned for the welfare of a child and is unable to speak with that child, it dramatically increases the chances of police getting involved, which is almost always traumatic for the child. The inability to assess the situation may also mean that, rather than leaving a child to be possibly further harmed, the Department may choose to remove the child. The removal of a child from their home is *always* traumatic to the child and family, and local Departments typically try to avoid that last-resort approach (Maryland has the second-lowest removal rate in the country). However, implementation of this section of the bill would likely result in a drastic increase in unnecessary removals.

For all of these reasons, and above all, for the safety of children, CASA of Baltimore County opposes Senate Bill 0650 and respectfully requests an unfavorable report from the Senate Judicial Proceedings Committee.

Thank you for your consideration,



Jennifer Stine, LMSW
Executive Director
CASA of Baltimore County, Inc.
jstine@casabaltco.org
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Voices for Children

305 West Chesapeake Avenue, Suite 117 . Towson, Maryland 21204

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Member of the National CASA Association

NASW Maryland - 2026 SB 650 UNF - Child Abuse and

Uploaded by: Karessa Proctor

Position: UNF



**Testimony Before the Senate Judicial Proceedings Committee
February 26, 2026**

Senate Bill 650: Family Law - Child Abuse and Neglect Investigations ("Know Before They Knock" Family Right to Notice Act)

****OPPOSE****

The National Association of Social Workers – Maryland Chapter represents over 3,000 social workers statewide. We oppose Senate Bill 650 because it would inadvertently undermine children’s safety. The bill grants no new substantive rights to parents or legal guardians. Instead, it compels Child Protective Services (CPS) caseworkers to present existing rights in a manner that mirrors a criminal investigation. Forcing CPS into a policing posture undermines the trust-based, family-engagement approach that is central to effective child welfare practice - and it disregards children’s rights as independent human beings entitled to safety and protection.

The history of child protection in the United States is sobering. Children were long viewed as the property of their parents rather than as individuals with rights. Even today, children remain the only class of people who may be legally struck, within limits. Before modern child protection laws in the 1960s, the prevailing norm that “what happens in the family stays in the family” routinely shielded abuse and neglect from scrutiny. Policies that delay investigations or deter timely contact with children echo that era. Rolling back child protection under the guise of parents’ “rights” places children at risk and moves Maryland backward.

While anyone may make a report to CPS, local departments screen every referral using standardized tools to determine whether it meets the legal threshold for investigation. When a report is accepted, Maryland law requires that the local department or law enforcement “set eyes” on the child and assess safety within 24 hours for alleged abuse, and within five days for neglect or mental injury. The reason for these timelines is that delay can be deadly.

Some parents’ rights advocates minimize neglect by characterizing it as merely a byproduct of poverty. That framing is inaccurate and harmful; most families living in poverty care for their children safely. Neglect, however, is a leading cause of child fatalities- more common than physical abuse- and days or weeks of delay can mean the difference between life and death. Requiring investigators to notify parents that they may refuse access to the child in response to a maltreatment report creates a serious and foreseeable risk to children’s safety.

Our NASW-MD members bring decades of public child welfare experience. The lurid portrayals of CPS you may hear - resembling made-for-TV melodrama - are not reflective of real practice. Caseworkers do not “ransack” homes or “strip-search” children. Those claims are inflammatory, one-sided, and simply false, apparently made for emotional impact.

In reality, most maltreatment reports reflect families in crisis. CPS interventions prioritize helping families - connecting them to community resources, using flexible funds to address urgent needs, and providing family support services. Maryland's outcomes demonstrate this approach works. The rate of repeat maltreatment within one year is low, and the family separation rate is extremely low - about 1.1 per 1,000 children, the second-lowest placement rate in the nation. These are achievements to be protected, not undermined.

The bill further suggests that exercising the prescribed "rights" may result in the filing of a petition to remove a child from the home. Removal should never be used as a threat or as a default response to noncooperation absent a demonstrable safety risk. Yet without the ability to speak with parents and interview children, risk cannot be assessed. This structure invites removals based on uncertainty and fear of liability, rather than on evidence-based safety assessments and reasonable efforts to preserve families - an outcome that harms children.

In short, Senate Bill 650 expands no new rights, but reframes child maltreatment investigations in a quasi-criminal manner that undermines family engagement and resurrects an outdated view of children as extensions of their parents rather than as individuals with independent rights to safety. Children cannot advocate for themselves. We urge you to oppose Senate Bill 650 on their behalf.

Respectfully,

Judith Schagrin, LCSW-C

MCPA-MSA SB 650 Know Before The Knock - OPPOSE.pdf

Uploaded by: Samira Jackson

Position: UNF



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William C. Smith, Jr., Chair and
Members of the Judicial Proceedings Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 26, 2026

RE: **SB 650 - Family Law - Child Abuse and Neglect Investigations ("Know Before They Knock" Family Right to Notice Act)**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE SB 650**. This bill requires a local department of social services or a law enforcement agency to provide oral and written notice of certain rights to a parent or caretaker of a child at the time of initial contact during an investigation of suspected child abuse or neglect

This bill imposes excessive procedural requirements on law enforcement officers and child protective services during investigations of suspected child abuse and neglect. By mandating written and oral notices at the time of initial contact, the bill creates unnecessary delays that hinder our ability to swiftly assess the safety of at-risk children. The extensive notification process also gives potential abusers the opportunity to evade questioning or manipulate circumstances before a proper evaluation can be conducted, potentially endangering children in immediate danger.

Furthermore, the bill's exclusionary rule, which prohibits the use of evidence obtained in violation of the notification requirement, significantly weakens our ability to prosecute child abuse cases. Law enforcement officers must often act swiftly based on limited information to ensure a child's safety, and the proposed restrictions on obtaining statements or conducting interviews without prior notice will obstruct these urgent efforts. The bill effectively ties the hands of investigators, forcing them to navigate bureaucratic obstacles rather than focusing on the welfare of vulnerable children. The added requirement that parents or caretakers be informed of their rights before questioning further complicates immediate intervention and could lead to lost opportunities to remove children from harmful environments.

Finally, this bill places an undue administrative burden on law enforcement agencies, diverting critical resources away from frontline investigative efforts. Requiring officers to provide written and signed documentation at every stage of interaction reduces efficiency and adds unnecessary legal complexities to child protection cases. Our primary duty is to safeguard children from abuse and neglect, and this bill

532 Baltimore Boulevard, Suite 308
Westminster, Maryland 21157
667-314-3216 / 667-314-3236

obstructs that mission by prioritizing procedural formalities over child safety. We urge this committee to reject this bill and instead work toward policies that enhance, rather than impede, the ability of law enforcement and child protective services to act decisively in the best interests of at-risk children. For these reasons, MCPA and MSA **OPPOSE SB 650** and urge an **UNFAVORABLE** committee report.

SB 650 Family Law - Child Abuse and Neglect Invest

Uploaded by: Scott Shellenberger

Position: UNF

Bill Number: SB 650
Scott D. Shellenberger, State's Attorney for Baltimore County
Opposed

WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,
STATE'S ATTORNEY FOR BALTIMORE COUNTY,
IN OPPOSITION TO SENATE BILL 650
FAMILY LAW – CHILD ABUSE AND NEGLECT INVESTIGATIONS

I write in opposition to Senate Bill 650 Child Abuse and Neglect Investigations.

Senate Bill 650 proposes major changes in the field of the investigation of child abuse and neglect cases, both criminal and civil. SB650 creates more rights in an investigation of these cases that goes far beyond what the Constitution requires. SB650 mainly effects the requirements for taking statements and collecting evidence. It places social workers who investigate child abuse and neglect cases in the role of a police officer.

This Bill would put children in danger by delaying the investigation and limit what evidence can be collected. SB650 gives more rights to those being investigated than Defendants have in criminal cases. That is true even if you are talking to the non-offending parent.

The practical effects of this legislation will have wide-sweeping detrimental impacts to protecting the safety and well-being of children in Maryland. In addition to delaying the assessment of a child's well being, this legislation will lead to more removals of children from homes which will increase the trauma experienced by those children who have already suffered abuse or neglect. When investigators cannot be assured of the safety of children, they will error on the side of safety. Therefore, removal will happen more often. Furthermore, this legislation will have an impact on the ability of investigators to determine what actually happened, potentially leaving a child in a dangerous situation without access to justice or safety.

I urge an unfavorable report. These changes will put children at risk.

SB0650_Emfinger_Testimony_FINAL 02-24-26.pdf

Uploaded by: Susan Emfinger

Position: UNF

SB0650 - Family Law - Child Abuse and Neglect Investigations
("Know Before They Knock" Family Right to Notice Act)
Senate Judicial Proceedings Committee

Position: OPPOSE

February 26, 2026

Dear Chair Smith, Vice Chair Waldstreicher, and members of the Committee,

When I was 3 years old, my mother dragged me into the living room, tied me to a chair and screamed at me at the top of her lungs.

If you had asked my mother, she would have said she did it to keep me safe.

Ironic, right?

However, my mother was mentally ill, and my family needed an intervention. And she was not going to ask for one, and I was too scared to ask, at age 3.

Years later, when I ended up in a hospital emergency room because she had beaten me with a Billy club and my skull was gushing blood, the staff asked me who had hurt me. I told them it was a girl at my school. Why? Because my mother was sitting right there.

My point is this: I have never done anything scarier than to **finally** tell someone, at the age of 15, that my mother was abusing me. It's the law of the abusive household: Omertà. Don't tell...or else.

As you consider this bill, please ask yourselves one question: What is in the best interest of the child?

It strikes me that if we were talking about a woman getting beaten mercilessly by her husband, we wouldn't be asking ourselves whether or not the husband should be standing on the other side of the room, glaring at her threateningly as she tells her story to the police.

And yet, with this bill, we are expecting that child to somehow muster the courage, what I would call the superhuman courage, necessary to say something that could potentially cause the parent to seek retribution later?

I personally know children who have reported their parents to the authorities and who lived thorough even more abuse as a result.

If an abusive spouse lies about abuse, what makes us think an abusive parent won't?

My experience as an alumna of foster care, and as someone who is active in foster care alumni networks throughout this country, is that the only way an abusive parent can live with him or herself is to lie, even to himself or herself.

Yet, we ask Child Protective Service (CPS) workers to go into an impossible situation, to gather as much information as they possibly can, and to make the best decision in view of the child's needs.

This bill would not only make that information gathering well-nigh impossible.

When I think about what Maryland CPS workers have to see every day, for what they get paid every day, I wonder why anyone would want to make their jobs even harder.

To my mind, like CASA volunteers, social workers are the glue of our civilization. They intervene in situations that would most of us crumble.

CPS Workers and social workers have literally saved my life. They made it safe for me to talk.

And yet, when a child dies, we through these same child welfare professionals under the bus. When we don't give them enough money or resources to do their jobs, we call out DSS, or DHS, and we, "demand answers."

Shouldn't we be looking a bit deeper, at the chronic underfunding and misunderstanding of child welfare issues, particularly when it comes to foster care ?

The time to get answers, the time for an effective intervention, is precisely the moment that the first intervention happens, not when the process ends in - may God help us - the death of a child.

I thank the committee for the opportunity to state my position as someone who actually needed intervention as a child, and who, if this bill had been passed, might not be here today.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "S. Emfinger", is written over a light pink rectangular background.

Susan L. Emfinger
Alumna of Foster Care

Appendix

The following CPS worker wage information is based on initial research I was able to discover today; however, I believe it bears further verification and careful study.

* MIT, the Massachusetts Institute of Technology, runs a widely used Living Wage Calculator that estimates what someone actually needs to earn to cover basic costs like housing, food, transportation, and healthcare.

For Maryland, MIT estimates that a single adult with no children needs to earn about \$25.94 an hour to meet basic living expenses, which works out to roughly \$53,955 a year if working full time.

By comparison, the U.S. Bureau of Labor Statistics (BLS) reports that ***Social and Human Service Assistants, those who are often the front-line workers in CPS situations in Maryland***, earn a median wage of \$19.12 an hour, or about \$39,770 a year. That puts these workers more than \$14,000 a year below what MIT considers a bare-bones living wage.

Sources:

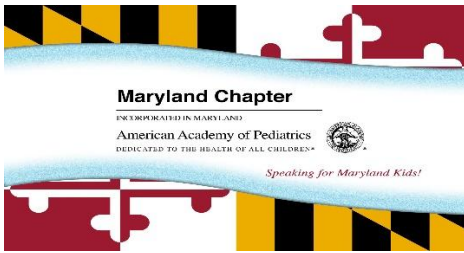
MIT Living Wage Calculator (Maryland): <https://livingwage.mit.edu/states/24>

U.S. Bureau of Labor Statistics, Occupational Employment and Wage Statistics (Maryland): https://www.bls.gov/oes/current/oes_md.html

SB 650 - Know Before they Knock -MDAAP Unfav.pdf

Uploaded by: Wendy Lane

Position: UNF



TO: The Honorable William Smith, Chair
Members, Judicial Proceedings Committee

FROM: Wendy Lane, MD, MPH
Co-Chair, MDAAP Maltreatment and Foster Care Committee
J. Steven Wise
Danna L. Kauffman
Christine K. Krone
410-244-7000

DATE: February 26th, 2026

RE: **OPPOSE** – Senate Bill 650 – *Family Law – Child Abuse and Neglect Investigations (“Know Before They Knock” Family Right to Notice Act)*

The Maryland Chapter of the American Academy of Pediatrics (MDAAP) is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of **opposition** to Senate Bill 650.

The intent of SB 650 is to require that Child Protective Services personnel tasked with investigating a report of suspected child abuse or neglect provide a parent or legal guardian with oral and written notice of their rights. Of specific concern to MDAAP is one provision in the list of required notifications:

(E) (1) (IV) “The parent or legal guardian is not required to allow the employee of the Department or the Local Department to interview or examine a child, unless the interview or examination is ordered by a court or is required under subsection (C) or (K) of this section;”

This is problematic because it contradicts requirements for the local department to see the child. Current Maryland law stipulates that **the “local department or appropriate law enforcement...shall see the child...(and) decide on the safety of the child, and of other children in the household”** within 24 hours when abuse is alleged and 5 days for neglect or mental injury. This becomes impossible if the parent or guardian refuses access and the Department employee is unable to speak with and observe the child. A child with severe abuse or neglect will then remain unidentified and at ongoing risk of harm unless the Department obtains a court order or returns with a police officer who may use force to gain entry. This response may not be rapid enough to ensure the safety of infants and children in danger of continuing harm. In addition, forced entry by police may be more traumatic to a child than speaking to a Child Protective Services worker. Likewise, removal from the home for lack of parental cooperation will surely be traumatic.

MDAAP supports the concept of people knowing their rights. However, the above provision could pose a serious threat to child safety. **It places the rights of parents above the rights of their children to health, safety, and protection.**

The provisions of SB 650 place children at risk of ongoing abuse and neglect and possible death from maltreatment. Maryland children deserve better but cannot speak on their own behalf. **For these reasons, we urge an unfavorable report.**

SB0650_DHS_INFO.pdf

Uploaded by: Justin Hayes

Position: INFO



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Gloria Brown Burnett, Interim Secretary

February 26, 2026

The Honorable William C. Smith, Jr., Chair
Senate Judicial Proceedings Committee
11 Bladen Street
Annapolis, Maryland 21401

RE: TESTIMONY ON SB 650 - FAMILY LAW - CHILD ABUSE AND NEGLECT INVESTIGATIONS ("KNOW BEFORE THEY KNOCK" FAMILY RIGHT TO NOTICE ACT) - POSITION: INFORMATION

Dear Chair Smith and Members of the Judicial Proceedings Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully submits informational testimony for its consideration of Senate Bill (SB 650).

With offices in every one of Maryland's jurisdictions, DHS empowers Marylanders to reach their full potential by providing preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities. DHS' Social Services Administration (SSA) oversees Maryland's Child Protective Services (CPS) program, which would be directly impacted by SB 650. This bill would require social workers with the local department of social services (LDSS) attempting to assess allegations of child abuse and neglect to provide both oral and written notice to the child's parent or guardian about their legal rights. The proposed notice resembles Miranda rights read aloud to criminal suspects interrogated in police custody, despite the fact that child welfare investigations are not criminal in nature.

Our CPS team worked extensively over the interim months to address the House sponsor's concerns, including revising our existing parents' brochure to make legal information clear and accessible. The updated brochure, titled "A Family Guide to Child Protective Services," is attached to our written testimony, and is distributed to families at initial contact as required under [COMAR 07.02.04.04 \(E\)](#). We are also prepared to publish similar, more detailed information on the DHS website. Both of those items are pending publication, as DHS is awaiting an informational video from the Office of the

Public Defender (OPD), the state agency better-positioned to provide legal counsel to Marylanders. We agree that greater transparency about legal information can help families better understand their legal rights and resources. However, choosing the appropriate messenger to deliver this information is vital. Social workers are not lawyers or process servers, and SB 650 would have them act outside the bounds of social work practice, unnecessarily escalating tension and creating confusion for families by conflating child welfare responses with criminal investigations.

Child Protective Services investigations and criminal investigations have different statutory purposes and authority. Social workers are responsible for investigating alleged child abuse and neglect, and assessing the child's well-being under [Family Law Art. §5-706](#) with strict timeliness requirements. Social workers do not have the authority to conduct criminal investigations, file criminal charges, give legal advice, make arrests, or prosecute alleged abusers. [National Association of Social Workers standards](#) confirm that social workers have a role in providing information about legal resources for parents, but not in the prescriptive notice model outlined in SB 650.

DHS worked hard to shift the culture of child welfare practice in Maryland by prioritizing collaboration with families, and moving away from an adversarial investigative approach to supportive alternative response when possible. DHS offers extensive [family preservation services](#) to prevent children from unnecessarily entering out-of-home (foster) care. We are proud of Maryland's [low rate](#) of children entering into out-of-home care, which is the second lowest in the nation, at 0.9 entries per thousand children. If passed as drafted, SB 650 would undermine the cultural shift toward supportive alternative responses that helped put Maryland into this position.

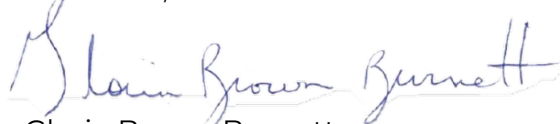
For over a decade, local departments of social services have used the [alternative response model](#) for low risk reports, at [the direction of the General Assembly](#). In alternative response, a social worker is required to collaborate with family members, jointly assessing the situation and developing service recommendations to ensure children's safety. The goal of alternative response is intentional partnership with families to safely divert an investigative response, which often comes with serious legal consequences. [SSA's Public Data Dashboard](#) (slide 2) shows that since January of 2024, nearly half of all DHS' Child Protective Services responses were conducted using the alternative response model. DHS is concerned that our meaningful cultural change built over years will dissipate under SB 650. Mandating legal *notice* as opposed to legal *information* would escalate tensions unnecessarily, driving eligible families to decline alternative response, and forcing local departments to assess low risk cases through investigative response.

DHS strives to be data-driven and heart-led, and is concerned that similar legal notice policies are associated with negative trends in child safety. For example, the Connecticut General Assembly enacted [Public Act No. 11-112](#) in 2011, a parent's rights bill with provisions substantially similar to SB 650, requiring that parents be notified of their right to refuse entry and speak with counsel. In the three years following implementation, child fatalities rose 45%, including a notable fatality where a parent denied the child welfare agency's entry on multiple occasions to assess the safety of the young person. In direct response to this tragedy, Connecticut was forced to narrow the scope of their original legal rights bill, passing [Public Act No. 18-67](#) in 2018.

DHS believes that families should be directed toward resources to address holistic legal needs with child safety implications, including tenant advocacy, domestic violence protective orders, temporary custody filings, and public benefits appeals. This type of program is known as prepetition legal representation, offered to families ahead of a court petition for state custody of the child. National policy stakeholders broadly support prepetition legal services, including the [American Bar Association's Center on Children and the Law](#), the [National Council of Juvenile and Family Court Judges](#), and the [Annie E. Casey Foundation](#). Pre-petition legal representation would effectively achieve our shared goals; preventing child abuse and neglect, protecting parents' rights, and strengthening and preserving families. OPD is already offering limited prepetition legal representation in Baltimore City and Baltimore County through its Better Together program, and the General Assembly could opt to expand the program. DHS continues to discuss with OPD additional ways of facilitating access to legal services for families with child welfare involvement, including increasing our referrals to the Better Together program and exploring federal resources to create a legal hotline for families.

We appreciate the opportunity to offer informational testimony to the Committee for consideration during your deliberations. If you require additional information, please contact Justin Hayes, Acting Director of Government Affairs, at justin.hayes1@maryland.gov.

In service,

A handwritten signature in blue ink that reads "Gloria Brown Burnett". The signature is fluid and cursive, with the first name "Gloria" being the most prominent.

Gloria Brown Burnett
Interim Secretary

WHAT HAPPENS AT THE CONCLUSION OF A CPS RESPONSE?

What CPS decides	What it means	How long the CPS record is kept	If you can appeal
Ruled Out	CPS did not find enough evidence of abuse/neglect	Removed after 2 years	N/A
Unsubstantiated	CPS couldn't tell if abuse/neglect happened	Removed after 5 years	Yes—within 60 days of the notice
Indicated	CPS found abuse/neglect happened	Kept indefinitely	Yes—within 60 days of the notice

Additionally, if CPS receives a request for background clearance information concerning employment or voluntary service, we may respond whether the individual has been found responsible for the indicated abuse or neglect, if no appeal is pending.

HOW ARE COMPLAINTS HANDLED?

Everyone has the right to be treated with dignity and respect by CPS during their response to a report of suspected child abuse or neglect. Local departments of social services train our team members to engage in open discussions with anyone who has a complaint about CPS involvement. We encourage anyone with a complaint to first discuss their concerns with their CPS worker. If that's not possible, you may also speak with the CPS worker's supervisor at the number provided on this form. You may also contact the Constituent Experience Office of the Maryland Department of Human Services at 1-800-332-6347.

WHO REPORTS ABUSE/NEGLECT?

Maryland law requires everyone in the state who has reason to believe that a child has been subjected to abuse or neglect to make a report to their local department of social services. Certain professionals—such as doctors, nurses, police officers, teachers, educators, and human services workers—are required to report suspected abuse or neglect, and may be sanctioned by their licensing board or employer if they fail to do so.

IS THE NAME OF THE PERSON WHO REPORTED ABUSE OR NEGLECT PUBLIC INFORMATION? ?

No. By law, under [Maryland Human Services Article 51-202](#), the identity of a person who reports suspected child abuse or neglect is confidential unless a court specifically orders its release. A person who makes a report of suspected abuse or neglect generally receives immunity in criminal or civil proceedings.

WHAT HAPPENS IF I DISAGREE THAT CPS NEEDS TO BE INVOLVED?

CPS encourages you to discuss the reasons why you do not believe CPS needs to be involved with your CPS worker. You can choose not to speak with your worker, but we are still required by law to complete our response or investigation. You may choose to consult with an attorney before speaking to a CPS worker. If we determine that services are needed to provide for a child's safety from abuse or neglect, and you do not agree, the local department of social services will petition the juvenile court to consider whether the child needs the court's assistance and supervision. The juvenile court will then ensure that you have a right to legal counsel and an opportunity to be heard, and a judge will decide whether further local department involvement is necessary.

HOME VISITS AND ENTRY

We visit homes to understand your family's circumstances and to make sure children are safe. You can ask to see our ID and we will tell you the purpose of our visit. We will always ask for your consent to enter and will not enter the household unless we have credible information that a child is likely in serious, immediate danger.

MEDICAL EXAMS

We seek your consent first for any medical exam of your child(ren). If you do not consent, and we believe a child is or may have been abused or neglected, Maryland law under [Family Law Article 55-712](#) allows CPS to consent for the child to receive an exam. The purpose of the medical exam is to determine the nature of abuse or neglect, and/or treat any emergency medical conditions identified during the exam. You may ask for the name of the provider, what the exam includes, and how you will receive results.

LAW ENFORCEMENT'S ROLE

We focus on child safety and family support. Police focus on investigating criminal allegations. We are required to investigate child sexual abuse cases together, but we handle other types of investigations or assessments independently. We are required by law to notify law enforcement of reports of child abuse or neglect, but we do not share information about unrelated matters. Our CPS staff are not police officers.

ADA ACCOMMODATIONS AND LANGUAGE ACCESS STATEMENT

Local departments of social services shall provide accommodations in accordance with the Americans with Disabilities Act (ADA), including language access and other necessary supports, to ensure equitable participation and effective communication for all individuals.

We hope this guide helps you understand the role of Child Protective Services and how it supports families and protects children. Do you have any further questions about specific services or procedures?

CONTACT INFORMATION

Your worker's name:

Your worker's contact information:

Your worker's supervisor:

Your worker's supervisor's contact information:

CASE TYPE

- Investigation
- Alternative Response
- Other _____



FAMILY GUIDE TO CPS

HOW CPS CAN SUPPORT YOU AND SERVICES THAT WE OFFER



WHO WE ARE AND WHAT WE DO (AND DON'T DO)

Child Protective Services (CPS) is part of your Local Department of Social Services (LDSS). Our job is to partner with families to reduce risks and keep children safe. We assess reported concerns, offer services, and, when needed, create safety plans with you. We are not law enforcement nor legal counsel; our focus is on child safety and family services.



WHAT IS AN INVESTIGATIVE RESPONSE? WHAT IS AN ALTERNATIVE RESPONSE?

By law, under [Maryland Family Law Article 5-706](#), CPS must see a child(ren) when we receive a report alleging child abuse or neglect and gather more information from the family. This initial step helps us determine the safety of the child, including other children in the household, and any other children cared for by the person who has allegedly committed child abuse and/or neglect. Depending on the risk level of the report, we could pursue either an alternative response (low-risk) or an investigative response (high-risk):

Alternative Response	Investigative Response
For some lower-risk reports, CPS may attempt to resolve the report of child abuse or neglect through Alternative Response. It starts with an open conversation with your family about safety concerns raised in the report. The goal is to develop strategies that you agree to implement to ensure your child's safety. CPS will provide or refer you to services to support your family in achieving those objectives.	In an Investigative Response, CPS determines the nature and cause of the abuse or neglect and determines what services that best serve the child's interests and help the family. In some situations, if the family agrees that accept services to address child safety and prevent abuse or neglect, an investigation may be converted to an Alternative Response.

HOW CAN CPS SUPPORT, AND WHAT SAFETY SERVICES MAY BE OFFERED?

CPS may offer community-based supportive services to empower families to provide for the safety, emotional support, and financial needs of children. The goal is to identify factors that may be impacting the family's well-being and support families to maintain stable and nurturing homes for children. We may offer referrals for services such as:

- Parenting skill building
- Domestic violence interventions
- Counseling
- Substance abuse assessments and treatment
- Other assistance program(s)



If necessary, we may offer you the opportunity to collaborate on creating a written safety plan that outlines specific actions needed to prevent abuse and manage any identified risk factors. Safety plans are time-limited and routinely re-evaluated. More information about CPS and Safety Plans can be found on the DHS website at this [link](#).

If we determine that services and safety plans cannot provide for a child's safety and that abuse or neglect has occurred, the local department of social services may petition the juvenile court to consider whether the child needs the court's assistance and supervision. If the local department seeks court involvement, a child and the child's parents will have the opportunity to participate in a hearing before a judge.

The child and the child's parents have the right to counsel in every stage of the juvenile court proceedings, and an attorney may be appointed for a parent at no cost if the court determines the family is financially eligible.

If the juvenile court finds the child to be in need of assistance (a "CINA"), the court may then maintain the child in a parent's home with restrictions ordered by the court to ensure the child's safety. If the court orders the child to be placed outside the home, the local department will prioritize placement with kin.

Before court involvement, CPS may remove the child from the household if it determines that the child is in serious, immediate danger. If this happens, a judge will conduct an emergency hearing to determine if temporary placement of the child outside the home continues to be warranted.

WHAT ARE MY RIGHTS AND RESPONSIBILITIES AS A FAMILY MEMBER IN A CPS INVESTIGATIVE OR ALTERNATIVE RESPONSE? WHAT LEGAL RESOURCES ARE AVAILABLE TO ME?

For more information on your rights and legal resources available to you, please see more details on the DHS website at this QR code.

Maryland Department of Human Services cannot provide you with legal advice, guidance, or recommendations. However, our website provides resources where you can seek outside legal counsel, including an informational video from the Maryland Office of the Public Defender.



IMPORTANT NOTE FOR FEDERALLY RECOGNIZED INDIAN TRIBES

If you or your child is a member of a federally recognized Indian tribe or eligible for membership in such a tribe, please inform your CPS worker of your tribal affiliation because that will provide you with specific rights and additional services.

HOW IS MY CONFIDENTIALITY PROTECTED?

Maryland law protects the confidentiality of all information that you share with us. Under Maryland law, [Human Services Article §§ 1-201 and 1-202](#), all CPS records, and other Local Department of Social Services records concerning child welfare services, are considered highly confidential and generally cannot be disclosed unless necessary to protect children or provide services. We maintain those records in secure systems and facilities accessible only to authorized personnel. The limited



exceptions to confidentiality generally permit CPS to share information only when needed to carry out official duties or to assist in providing services to the child or the family. We may also share certain child abuse and neglect information if necessary to prevent further abuse or neglect at the child's school or child care facility.

WHAT HAPPENS AT THE CONCLUSION OF A CPS RESPONSE?

At the conclusion of a CPS response, you may receive a referral to the LDSS's Family Preservation Services program. This program offers ongoing access to services and service referrals to support your family in providing a safe and nurturing environment for your child(ren).

Following an Alternative Response, we will provide family members who participated in the Alternative Response assessment with information regarding any services needed to address child safety. With an Alternative Response, CPS does not make a finding about whether the alleged abuse or neglect occurred or who might be responsible.

At the conclusion of a CPS Investigative Response, we determine whether the abuse or neglect reported occurred and, if it occurred, whether any person was responsible for the abuse or neglect.

- If CPS finds that the evidence does not support a conclusion that abuse or neglect occurred, CPS will close the investigation with a finding of "ruled out."
- If CPS is unable to determine whether the abuse or neglect occurred, CPS will enter a finding of "unsubstantiated."
- If CPS finds that the abuse or neglect did occur, CPS will enter a finding of "indicated" and then determine if an individual was responsible for the abuse or neglect.

We aim to complete our investigation within 60 days and will provide the alleged maltreater (an individual who has allegedly committed child abuse or neglect) with written notice of its findings after the investigation is completed. An alleged maltreater may appeal findings of "unsubstantiated" or "indicated" by following instructions provided in the written notice.

Unless there's a new report of abuse or neglect:

- CPS records with a "ruled out" finding will be removed after two years.
- Records with an "unsubstantiated" finding will be removed after five years.
- Records with an "indicated" finding are kept indefinitely.

