

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.



CPMC
COALITION TO PROTECT
MARYLAND'S CHILDREN

HB0890 - Family Law - Child Abuse and Neglect Investigations ("Know Before They Knock" Family Right to Notice Act)

House Judiciary Committee

February 19, 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 HB0890 - 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

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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.** HB0890 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. Perhaps there should be a sanction against parents or legal guardians for failure to comply with child safety assessments.

It is for these reasons that the Coalition to Protect Maryland's Children **CPMC urges an unfavorable report on HB0890 - 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), and the State Council on Child Abuse & Neglect (SCCAN).