

# **CRC support for HB890.pdf**

Uploaded by: Abigail Steckel

Position: FAV



**February 19, 2026**

**RE: SUPPORT— HB890 “Know Before They Knock” Family Right to Notice Act**

Dear Delegate Crutchfield and members of the House Judiciary 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 HB890. 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, attorney generals, 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.<sup>1</sup> We submit this testimony in support of HB890, with firsthand knowledge that Maryland families are subjected to intense surveillance and mired in onerous requirements when Child Protective Services knocks on their doors. HB890 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. HB890 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—a system that CRC hopes to help transform. HB890 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.<sup>2</sup> 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

---

<sup>1</sup> 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.

<sup>2</sup> 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>



system involvement. In 2022, 17% of Maryland children had working parents living below 200% of the federal poverty line,<sup>3</sup> and in Baltimore, poverty rates for school-age children regularly exceed the national average.<sup>4</sup> Enacting HB890 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—though all they need is support and material resources.

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.<sup>5</sup> One in ten will experience family separation.<sup>6</sup> One in 41 will have their parents’ rights terminated.<sup>7</sup> 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.<sup>8</sup> 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.<sup>9</sup> HB890 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

---

<sup>3</sup> “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>

<sup>4</sup> 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.)

<sup>5</sup> 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/).

<sup>6</sup> 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](https://cssp.org/wp-content/uploads/2022/03/Systemically-Neglected-How-Racism-Structures-Public-Systems-to-Preduce-Child-Neglect.pdf).

<sup>7</sup> “Racial Justice.” *Children’s Rights*, 22 Oct. 2024, [www.childrensrights.org/focus-areas/racial-justice](http://www.childrensrights.org/focus-areas/racial-justice).

<sup>8</sup> 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>.

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



and children to be together.<sup>10</sup> Yet, families are not even afforded minimal procedural protections when the family regulation system knocks on their doors. HB890 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,

Elizabeth Rossi, Strategic Initiatives Director  
Civil Rights Corps  
[elizabeth@civilrightscorps.org](mailto:elizabeth@civilrightscorps.org)

Alexa Richardson, Attorney  
Civil Rights Corps  
[alexa@civilrightscorps.org](mailto:alexa@civilrightscorps.org)

Abigail Steckel, Investigative Fellow  
Civil Rights Corps  
[abigail@civilrightscorps.org](mailto:abigail@civilrightscorps.org)

---

<sup>10</sup> 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).

# **HB 890 - Know Before They Knock - FAVORABLE-MLA-20**

Uploaded by: Ameer Vora

Position: FAV



**House Bill 890**  
**Family Law - Child Abuse and Neglect Investigations**  
**("Know Before They Knock" Family Right to Notice Act)**  
In the House Judiciary Committee  
Hearing on February 19, 2026  
**Position: FAVORABLE**

*Maryland Legal Aid submits its written testimony on HB 890 at the request of Delegate Simpson.*

Maryland Legal Aid submits this testimony in support of HB 890, 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 HB 890 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 HB 890 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. HB 890 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, HB 890 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.

HB 890 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.<sup>1</sup> Unfounded DSS investigations can fundamentally alter family relationships and trust.<sup>2</sup> 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.

HB 890 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 HB 890. If you have any questions, please contact Ameer Vora, Advocacy Director for Family Law, at [avora@mclab.org](mailto:avora@mclab.org).

---

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

<sup>2</sup> 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](https://scholarworks.law.ubalt.edu/all_fac/1085)

# **Delegate Charlotte Crutchfield HB 890 Testimony.pdf**

Uploaded by: Charlotte Crutchfield

Position: FAV

CHARLOTTE A. CRUTCHFIELD, ESQ.  
*Legislative District 19*  
Montgomery County

Government, Labor, and  
Elections Committee

*Subcommittees*

Chair, Corrections

Local Government/Bi-County Agencies  
and Administration



The Maryland House of Delegates  
6 Bladen Street, Room 403  
Annapolis, Maryland 21401  
410-841-3485  
800-492-7122 Ext. 3485  
Charlotte.Crutchfield@house.maryland.gov

THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

February 19, 2026

The House Judiciary Committee  
The Honorable Sandy J. Bartlett  
6 Bladen Street,  
House Office Building, Room 101  
Annapolis, MD 21401

**Re: House Bill 890: Family Law-Child Abuse and Neglect Investigations (“Know Before They Knock” Family Right to Notice Act**

Dear Chairwoman Bartlett and Members of the Committee:

For decades now, “Miranda Rights” have laid the foundation for protecting someone’s Constitutional rights during a criminal investigation. However, these protections are nonexistent for parents or guardians who are involved in child welfare investigations, even though there are many similarities between the intrusive nature of a criminal investigation and a child welfare investigation.

HB890 will require that the Department of Human Services or law enforcement provide parents or guardians notice of their rights prior to the commencement of a non-emergency child welfare investigation resulting from alleged abuse or neglect. Also, known as “Miranda Rights” for parents. Miranda Rights will be given to parents or guardians in writing to explain the details of the proceedings; including rules; and their rights to cooperate or decline any requests during an investigation.

Caseworkers are permitted to do broad, sweeping searches of parent’s homes in the name of child safety. However, the invasiveness of these searches generates more trauma and long-term consequences for the children and family units. Especially since most of these investigations do not find any evidence of child maltreatment. By requiring that case workers

provide parents under investigation with clearly delineated rights, we are taking the first step in a direction towards mitigating institutional harm.

Child welfare investigations are often initiated with a much lower standard of suspicion than criminal investigations, and many of them yield no findings of child abuse or neglect.<sup>1</sup> Yet, homes and even bodies are being searched unfettered, day in and day out, in blatant violation of both parents' and children's constitutionally protected right to privacy and family integrity.

Caseworkers doing investigations not only have the authority to search far outside of the scope of the allegations being investigated, they are also permitted to "strip search children" during their scrutiny into someone's private life under the threat of separating children from their families if parents and caretakers do not cooperate.<sup>2</sup> In Maryland in 2021, 21,367 children were the subjects of child welfare investigations, of those children investigated, approximately 15,000 (71%) of the children investigated had their cases closed with no evidence of abuse or neglect. Of the approximately 6,000 children who had allegations substantiated 60% (approximately 3,718) were found to have experienced some form of neglect. Of which the majority would remain in the home and families would receive services through alternative response.<sup>3</sup> This means that most families that were investigated were unnecessarily subjected to invasive searches without being informed of their rights beforehand. The harms of this kind of intrusive investigation by case workers outweigh the purported goals of keeping children safe.

Further, a child welfare investigation often directly involves police. Caseworkers enlist the help of law enforcement to both enter the home and conduct the investigation, especially when parents refuse entrance into their homes.<sup>4</sup> While police officers are not able to enter and search the home of a criminal suspect without a warrant in a criminal matter, these same police can enter the home, assist the caseworker in searching the home, question parents and use force to remove a child without a warrant and without advising the parent of their rights while on a call for an investigation.

Absent proper Miranda warnings and advisement, parents' rights are further violated in that any evidence collected during a child welfare investigation is automatically forwarded to the State's Attorney's Office under COMAR. Anything that caseworkers find during these investigations may be used to leverage criminal prosecution against the adults in the home.

Requiring caseworkers to inform parents of their rights holds the caseworkers accountable to their actions and creates a means by which individuals can protect themselves against broad, warrantless, and unnecessary searches.<sup>5</sup> It protects children from the trauma that comes from the threat of being removed from a loving home and allows parents to make informed decisions to keep their children and families safe. Additionally, because these systems disproportionately

---

<sup>1</sup> <https://cwoutcomes.acf.hhs.gov/cwodatasite/pdf/maryland.html>

<sup>2</sup> [NY Times](#)

<sup>3</sup> <https://cwoutcomes.acf.hhs.gov/cwodatasite/pdf/maryland.html>

<sup>4</sup> <https://www.propublica.org/article/child-welfare-search-seizure-without-warrants>

<sup>5</sup> [Family Court Justice: Miranda Rights for Families | NYU Wagner](#)

impact black and brown families and their children, it is even more important to enact legislation that protects the marginalized and vulnerable members of our community.<sup>6</sup> Statistically it is projected that by the age of 18, 53% of all black children nationwide will be subject to a child welfare investigation.

Those who are against implementing “Miranda Rights” for parents claim that it will prevent caseworkers from being able to do necessary searches and will jeopardize the safety of children.<sup>7</sup> However, In a Pro Publica article published in 2024, Connecticut, one of the first states in the country to experiment with this issue, has proven that providing parents with “Miranda Rights” actually helps investigations go more smoothly.<sup>8</sup> 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.<sup>9</sup> Texas has also followed suit and they passed their own “Miranda Rights” for parents legislation.<sup>10</sup>

**I respectfully request a favorable report for House Bill 890.**

Sincerely,

Delegate Charlotte Crutchfield

---

<sup>6</sup> *Id.*

<sup>7</sup> <https://hrlr.law.columbia.edu/files/2023/03/Newport-Finalized-5.23.23.pdf>

<sup>8</sup> <https://www.propublica.org/article/child-welfare-search-seizure-without-warrants>

<sup>9</sup> *Id.*

<sup>10</sup> <https://capitol.texas.gov/tlodocs/88R/billtext/pdf/HB00730F.pdf#navpanes=0>

# **HB 890 Hawkins Know Before They Knock.pdf**

Uploaded by: Christina Hawkins

Position: FAV

**POSITION ON PROPOSED LEGISLATION**

**BILL: HB 0890 Know Before They Knock**

**FROM: Christina Hawkins**

**POSITION: Favorable**

**DATE: February 19, 2026**

I am respectfully requesting that the Committee issue a favorable report on House Bill 0890.

House Bill 890 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 ended up with 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 HB0890.

Authored by: Christina Hawkins, [christina.hawkins@maryland.gov](mailto:christina.hawkins@maryland.gov), 410-344-3401.

**Elizabeth Van Horn, LCSW-C KBTK Testimony.pdf**

Uploaded by: Elizabeth Van Horn

Position: FAV

## **POSITION ON PROPOSED LEGISLATION**

BILL: House Bill 890 - Know Before They Knock

FROM: Elizabeth Van Horn, LCSW-C

POSITION: Favorable

DATE: 2/17/2026

Greetings Chair Bartlett, Vice Chair Davis, and members of the Judiciary committee, thank you for the opportunity to provide written testimony.

My name is Elizabeth Van Horn and I am a Clinical Social Worker here in the State of Maryland in support of HB890, which is commonly referred to as the Know Before they Knock Bill. While I am a part of the Parental Defense Division within the Public Defender's Office of Maryland, I am offering testimony in my personal capacity to share insights gained during my longstanding career in the child welfare sector. Prior to my current position, I served as a family advocate in New York City for over ten years. Both there and here in Maryland, I've aided families as they've encountered the most uncertain of times and challenging circumstances navigating the child welfare system. I firmly believe that families access necessary resources and adequate support when they are met with proper information, are given the opportunity to fully understand the process before them, and have the chance to seek clarity when needed.

Every family I've worked with has been deeply traumatized by the often volatile, divisive, and invasive process that a CPS investigation brings. During these moments, parents are not sure what to say, do, or who to turn to for help. Information is often misconstrued and or miscommunicated during heightened moments of stress, leaving a family without a proper understanding of what is happening and why. Knowing, for example, that a parent has the ability to consult with an attorney provides an opportunity for that parent to seek support in understanding a very complex process, the legalese involved, and the reasoning behind what is being asked of them. Parents are often asked to sign documents they don't understand without receiving direction on how it will be used to garner information during the course of an investigation. This often leads to distrust between the community at large and the entities tasked with the incredible role of supporting and protecting children and their families.

As you can imagine, encounters with the child welfare system are equally challenging and nuanced and can totally overwhelm any family's ecosystem. Parents being provided information at the outset of an investigation about what their rights are strengthens their ability to access resources and mitigate any concerns they may have along the way. It allows them to build a bridge of trust within the systems they are navigating and develop a clear path forward. I trust that children and their families will be safely and more thoroughly supported when they have the resources to do so which is why I am in full support of HB890. I ask that you issue a favorable report for HB890.

Sincerely,

Elizabeth Van Horn, LCSW-C

# **OPD HB890 Know Before They Knock Fav Testimony.pd**

Uploaded by: Maria Nenuzka Villamar

Position: FAV



**NATASHA M. DARTIGUE**  
PUBLIC DEFENDER  
**KEITH A. LOTRIDGE**  
DEPUTY PUBLIC DEFENDER  
**ELIZABETH HILLIARD**  
DIRECTOR OF GOVERNMENT RELATIONS

## **POSITION ON PROPOSED LEGISLATION**

**BILL: House Bill 890- Know Before They Knock**  
**FROM: Maryland Office of the Public Defender**  
**POSITION: Favorable**  
**DATE: 2/19/26**

---

The Maryland Office of the Public Defender (OPD) respectfully requests that the Committee issue a favorable report on **House Bill 890, 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.

House Bill 890 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 protect our children while 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. Our clients 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 caseworker<sup>1</sup> 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 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.<sup>2</sup>

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 from a stranger and fear being taken away from their 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.

---

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

<sup>2</sup> 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 take a child from the home in cases of a genuine emergency, where a child’s safety is in immediate jeopardy.**

Family Law Article § 5-709 allows DSS and/or the police to “access the children when there is probable cause to believe that a child is in serious immediate danger.” To be clear: House Bill 890 does not alter § 5-709 and only applies to **non-emergency** situations, which are the vast majority of cases. House Bill 890 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. 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.<sup>3</sup> 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 are 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 19,000 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 enter the home to remove the child – nothing in House Bill 890 changes that. 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.<sup>4</sup> House Bill 890 does not prevent DSS from conducting its investigation of families whose children are alleged to be neglected. This bill simply informs parents as to what their rights are during the investigation and empowers families to make educated choices.

## Preventing Hidden Foster Care and Protecting Family Unity

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

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

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

any judicial oversight.<sup>5</sup> 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, HB 890 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, HB 890 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**

House Bill 890 is not about hampering the State’s ability to protect children in genuine emergencies. Rather, it is a measured step that provides families with the information they need to safeguard their rights while collaborating with state agencies to ensure child safety. 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 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 HB 890,** 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:** Nenuzka Villamar, [nenuzka.villamar@maryland.gov](mailto:nenuzka.villamar@maryland.gov), Hayley Lichterman, [hayley.lichterman@maryland.gov](mailto:hayley.lichterman@maryland.gov), and Natasha Khalfani, [natasha.khalfani@maryland.gov](mailto:natasha.khalfani@maryland.gov)

---

<sup>5</sup> 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](mailto:Elizabeth.hilliard@maryland.gov) 443-507-8414.*

## **Late testimony**

Uploaded by: N.Scott Phillips

Position: FAV



# LEGISLATIVE BLACK CAUCUS OF MARYLAND, INC.

The Maryland House of Delegates, 6 Bladen Street, Room 300, Annapolis, Maryland 21401  
410-841-3185 • 800-492-7122 Ext. 3185 • Black.Caucus@house.maryland.gov

## EXECUTIVE OFFICERS

### Chair

Delegate N. Scott Phillips, District 10

### 1st Vice Chair

Senator Shaneka Henson, District 30

### 2nd Vice Chair

Delegate Karen Toles, District 25

### Treasurer

Delegate Marlon Amprey, District 40

### Secretary

Delegate Jamila J. Woods, District 26

### Financial Secretary

Senator Arthur Ellis, District 28

### Chaplain

Delegate Jeffrie E. Long, Jr., District 27B

### Parliamentarian

Delegate Stephanie Smith, District 45

### Historian

Delegate Cheryl E. Pasteur, District 11A

### Chair Emerita

Delegate Jheanelle Wilkins, District 20

### Executive Director

Ufuoma O. Agarín, J.D.

## MEMBERS

Senator Malcolm Augustine, District 47

Senator Benjamin Brooks, District 10

Senator Joanne C. Benson, District 24

Senator Nick Charles, District 25

Senator Kevin M. Harris, District 27

Senator Antonio L. Hayes, District 40

Senator Carl Jackson, District 8

Senator Cory V. McCray, District 45

Senator C. Anthony Muse, District 26

Senator William C. Smith, Jr., District 20

Senator Charles E. Sydnor III, Esq., District 44

Senator Alonzo T. Washington, District 22

Senator Mary L. Washington, District 43

Senator Ron Watson, District 23

Delegate Gabriel Acevero, District 39

Delegate Jacqueline T. Addison, District 45

Delegate Tiffany Alston, District 24

Delegate J. Sandy Bartlett, District 32

Delegate Adrian Boato, District 23

Delegate Regina T. Boyce, District 43A

Delegate Derrick Coley, District 24

Delegate Frank M. Conaway, Jr., District 40

Delegate Charlotte Crutchfield, District 19

Delegate Debra M. Davis, District 28

Delegate Diana M. Fennell, District 47A

Delegate Andrea Fletcher Harrison, District 24

Delegate Terri L. Hill, District 12

Delegate Marvin E. Holmes, Jr., District 23

Delegate Julian Ivey, District 47A

Delegate Andre V. Johnson, Jr., District 34A

Delegate Adrienne A. Jones, District 10

Delegate Robbyn Lewis, District 46

Delegate Ashanti Martinez, District 22

Delegate Alotheia McCaskill, District 44B

Delegate Bernice Mireku-North, District 14

Delegate LaToya Nkongolo, District 31

Delegate Darrell Odum, Sr., District 27A

Delegate Edith J. Patterson, District 28

Delegate Joseline A. Peña-Melnyk, District 21

Delegate Pamela E. Queen, District 14

Delegate Kent Roberson, District 25

Delegate Denise G. Roberts, District 25

Delegate Mike Rogers, District 32

Delegate Kim Ross, District 8

Delegate Malcolm P. Ruff, District 41

Delegate Gary Simmons, District 12B

Delegate Sean A. Shinnett, District 41

Delegate Deni Taveras, District 47B

Delegate Kym Taylor, District 23

Delegate Veronica Turner, District 26

Delegate Melissa Wells, District 40

Delegate Jennifer White Holland, District 10

Delegate Nicole A. Williams, District 22

Delegate C.T. Wilson, District 28

Delegate Greg Wims, District 39

Delegate Caylin Young, District 45

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

**HB890\_ACLUMD\_FAV.pdf**

Uploaded by: Olivia Spaccasi

Position: FAV



## Testimony for the House Judiciary Committee

February 19, 2026

### HB 890 - Family Law - Child Abuse and Neglect Investigations ("Know Before They Knock" Family Right to Notice Act)

#### FAVORABLE

OLIVIA SPACCASI  
PUBLIC POLICY PROGRAM  
ASSOCIATE

AMERICAN CIVIL  
LIBERTIES UNION  
OF MARYLAND

3600 CLIPPER MILL ROAD  
SUITE 200  
BALTIMORE, MD 21211  
T/410-889-8555  
or 240-274-5295  
F/410-366-7838

WWW.ACLU-MD.ORG

OFFICERS AND DIRECTORS  
COREY STOTTLEMYER  
PRESIDENT

DANA VICKERS SHELLEY  
EXECUTIVE DIRECTOR

ANDREW FREEMAN  
GENERAL COUNSEL

The American Civil Liberties of Maryland urges a favorable report on HB 890, which would require that parents and guardians are informed of their rights during a child welfare investigation.

The rights outlined in HB 890 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.<sup>1</sup> 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.<sup>2</sup> 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.<sup>3</sup> Additionally, only 4.9% of white children will experience foster care placement before their eighteenth birthday, compared to

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

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

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



## Maryland

15.4% of Native American children and 11% of Black children.<sup>4</sup> 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.<sup>5</sup> In Maryland, Department of Human Services listed indicators of neglect include many symptoms of poverty.<sup>6</sup> Additionally, COMAR definitions of neglect are extremely vague.<sup>7</sup>

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. HB 890 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.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on HB 890.

---

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

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

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

<sup>7</sup> <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%2%20on ot.>

# Written Testimony - HB 890.pdf

Uploaded by: Shanta Trivedi

Position: FAV

## Support HB 890

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

Tuesday, February 17, 2026

House Judiciary Committee

Delegate Bartlett 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 issue a favorable report on HB890.**

HB890 simply makes clear that basic constitutional protections apply in child welfare investigations. It would ensure that child welfare and law enforcement agents advise parents of their rights upon commencement of an investigation, allowing them to make informed decisions throughout the investigation process. States that have passed similar laws have found that they keep children safer because transparency from the agency encourages families to be more forthcoming.<sup>1</sup>

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.<sup>2</sup> Thus, almost 75 percent of those children and their families were subjected to unnecessary intrusions into their lives.

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.<sup>3</sup> 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.

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.

---

<sup>1</sup> 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>

<sup>2</sup> *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>

<sup>3</sup> 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.)

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 HB890.**

# **CFH UNF House Bill 890-Child Protective Services**

Uploaded by: Alison D'Alessandro

Position: UNF



Date: February 19, 2026

House Judiciary Committee

House Bill 890-Child Protective Services – Parental Notification Requirements

**Position: Unfavorable**

Dear Chair Bartlett and Committee Members,

On behalf of the Center for Hope, we respectfully submit this testimony in opposition to House Bill 890. 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 HB890.

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 1,700–2,000 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. HB 890 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, HB 890 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, HB 890 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 House Bill 890.* 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

[Adalessa@lifebridgehealth.org](mailto:Adalessa@lifebridgehealth.org) 410-804-6866

**HB 890 pdf.pdf**

Uploaded by: Darlene Wakefield, Esq.

Position: UNF

Darlene A. Wakefield  
Erica Anaya  
Stefanie Burton-Bragg  
Kelly Donovan-Mazzulli  
Hannah Freeman  
P. Joan Gavigan  
Xuan Mai

**DARLENE A. WAKEFIELD, P.A.**  
**Attorneys at Law**  
**2107 Laurel Bush Rd, Ste 101**  
**Bel Air, Maryland 21015**  
**Phone: 410-574-7032**  
**Fax: 410-574-1198**

John Markus, Jr  
Michael Nehring  
Arlene Prud'homme  
Constance Ridgway  
Randall Schapiro  
Christina Polhamus  
Elise Snyder  
Dewey Brian Stanley  
Jennifer Treff

## HOUSE JUDICIARY COMMITTEE

House Bill 890 : Family Law-Child Abuse and Neglect Investigations (“Know before They Knock” Family Right to Notice Act)

### OPPOSE

February 19, 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 16 attorneys has held contracts with the State for 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. Has any thought been given to forming a taskforce to look at the issues raised? 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, this body 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 opposing HB 890.

Respectfully submitted, Darlene A Wakefield, Esq., President

# **MSAA Opposition HB 890.pdf**

Uploaded by: Debbie Feinstein

Position: UNF

**Ivan Bates**  
President



**Kirsten N. Brown**  
Coordinator

Maryland State's Attorneys' Association  
3300 North Ridge Road, Suite 185  
Ellicott City, Maryland 21043  
[kbrown@mdsaa.org](mailto:kbrown@mdsaa.org) ~ 301-748-1312

February 17, 2026

The Honorable Sandy Bartlett  
House Judiciary Committee  
6 Bladen Street  
Annapolis, MD 21401

Dear Chair Bartlett and Committee Members:

On behalf of the Maryland State's Attorneys' Association (MSAA), we write in opposition to House Bill 890—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.

House Bill 890 proposes significant changes to the investigation of child abuse and neglect criminal and civil investigations in our State. Essentially, HB 890 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 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 a unfavorable report on HB890.

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

Montgomery County State's Attorney's Office

**HB0890 CPMC UNFAV JUD.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.*



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*

[www.protectmarylandschildren.org](http://www.protectmarylandschildren.org) [admin@protectmarylandschildren.org](mailto:admin@protectmarylandschildren.org)

1014 W 36<sup>th</sup> 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.** 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.**<sup>i</sup>

---

<sup>i</sup> 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).

# **Know Before They Knock%22 Family Right to Notice A**

Uploaded by: Elizabeth diTargiani

Position: UNF

**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**

**Legal Guardian Angels (LGA)** is a student organization at the University of Maryland committed to serving and advocating for vulnerable youth. LGA respectfully urges an unfavorable report on **HB0890 – Family Law – Child Abuse and Neglect Investigations (“Know Before They Knock” Family Right to Notice Act)**.

The bill seeks to clarify the rights of parents and legal guardians during initial contacts by child welfare professionals assigned to investigate child abuse or neglect claims regarding their families. While we support ensuring that parents and legal guardians understand their rights, proposed subsection (E)(1)(IV) establishes a new right for a parent or legal guardian to refuse to allow a child to be interviewed or examined unless court-ordered or required under subsection (c) or (k) of Family Law §5-706. Because of limitations placed by §5-709 allowing the parent or legal guardian the right to block an investigator to enter the residence of the child in order to make initial contact, this provision is not limited by location and appears to apply wherever the child may be whether at school, daycare, a relative’s home, extracurricular activities, or other safe environments. As written, it may be interpreted to prevent not only delayed initial contacts outside the 24-hour or 5-day statutory timeframes, but also essential follow-up interviews necessary to assess ongoing safety.

The bill also risks reframing child welfare professionals as punitive or enforcement-focused agents rather than trauma-informed practitioners working to protect children and stabilize families. If access to a child is denied, caseworkers may be forced to escalate to law enforcement under § 5-709 to gain entry. This escalation can heighten tensions, increase the likelihood of unnecessary removals, or conversely result in incomplete assessments if workers are unable to safely conduct interviews. The outcome may be both over-intervention and under-intervention—neither of which serves children’s best interests.

When the person you depend on and love is also the person causing harm it is almost impossible to reach for help. In those moments, a private conversation with a trained professional can be the difference between silence and safety. HB0890 creates additional restrictions on LDSS employees, risking delay or obstruction at the very moment a child may need protection most.

For these reasons, Legal Guardian Angels respectfully urges an unfavorable report on HB0890 - *Family Law - Child Abuse and Neglect Investigations ("Know Before They Knock" Family Right to Notice Act)*.

**HB890.pdf**

Uploaded by: Grant Handley

Position: UNF

## Board Members

*Giulia M. Hodge*  
**Executive Director**

*Greg Birney*  
**Interim President**

*Mary Rhodes*  
**Treasurer**

*Ruth Bilas*  
**Secretary**

*Emily Falone*

*Maryann Othello*

*Janice Palmer*

*Shane Polk*

## Other Board Members

*Paul Elwood*  
**President and Founding  
Member  
2016-2018**

Honorable Chair Bartlett and Members of the Committee,

On behalf of CASA of Cecil County, we submit testimony in opposition to House Bill 890, the *Know Before They Knock Family Right to Notice Act*.

HB 890 alters Maryland's child abuse and neglect investigation process by requiring that on-site interviews be attempted with a child's parent or legal guardian and by mandating that investigators provide detailed notice of parental rights at the time of initial contact. The bill includes provisions stating that a parent or guardian is not required to allow entry into the home or permit an interview or examination of a child without a court order under certain circumstances.

From CASA's direct work in child welfare cases, we know that timely access to children is essential in situations involving suspected abuse or neglect. In many cases, the parent or guardian may be the alleged abuser or may be in a position to influence, intimidate, or prevent a child from speaking freely. Policies that allow a parent or guardian to deny access to investigators can unintentionally place control back into the hands of those who may be causing harm.

Child protective investigations must prioritize the safety of vulnerable children and ensure that trained professionals are able to see and speak with children promptly when concerns are raised. Any barriers that delay or restrict that access increase risk and undermine the ability of the system to respond effectively.

For these reasons, CASA of Cecil County strongly urges an unfavorable report on HB 890.

Respectfully submitted,  
Grant Handley  
CASA of Cecil County



Scan to sign up for  
our newsletter!



CASA of Cecil County is a non-profit 501(c)(3) corporation, ID# 52-1734508



# **HB890 Opp - Written Testimony - CASA of Baltimore**

Uploaded by: Jennifer Stine

Position: UNF

February 17, 2026

**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**

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

Dear Chair Bartlett, Vice Chair Davis, and members of the House Judiciary 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 HB0890.**

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 HB0890 is 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. This is an important goal, and one that we support. 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 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 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 House Bill 0890 and respectfully requests an unfavorable report from the House Judiciary Committee.

Thank you for your consideration,



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

*Voices for Children*

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

410-828-0515 . 410-828-0517 fax [www.casabaltco.org](http://www.casabaltco.org)

*Member of the National CASA Association*

# **NASW Maryland - 2026 HB 890 UNF - Child Abuse and**

Uploaded by: Karessa Proctor

Position: UNF



**Testimony Before the House Judiciary Committee  
February 19, 2026**

**House Bill 890: 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 House Bill 890 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, HB 890 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 HB 890 on their behalf.

Respectfully,

Judith Schagrin, LCSW-C

# **HB 890 - Know before they knock opposition.pdf**

Uploaded by: Lindsey Carpenter

Position: UNF

J. CHARLES SMITH, III  
STATE'S ATTORNEY

JOYCE R. KING  
DEPUTY STATE'S ATTORNEY

RICKY W. LEWIS  
CHIEF COUNSEL



**STATE'S ATTORNEY'S OFFICE**

County Courthouse  
100 West Patrick Street  
Frederick, Maryland 21701

[www.statesattorney.us](http://www.statesattorney.us)

CIRCUIT COURT DIVISION  
301-600-1523

DISTRICT COURT DIVISION  
301-600-2573

CHILD SUPPORT DIVISION  
301-600-1538

JUVENILE DIVISION  
301-600-2980

DATE: February 19, 2026

BILL NUMBER: HB 890

POSITION: Unfavorable

Dear Chair Bartlett, Vice Chair Davis, and Members of the Judiciary Committee:

On behalf of the Maryland State's Attorney's Association and the Frederick County State's Attorney's Office I write in strong opposition to HB 890.

HB 890 mandates rights to individuals who are not necessarily the subject of a criminal investigation, that are far beyond the constitutional rights even afforded to individuals who are the subject of a criminal investigation, while putting the safety and well-being of children at significant risk.

The cases that are referred to the Department of Social Services and Child Protective Services (CPS) inherently involve offenders who are parents, caregivers, family members, and household members. CPS's mission is to protect children from abuse and/or neglect by those who are entrusted with their care and well-being. Moreover, CPS investigations are not necessarily criminal investigations. Instead, under current law, a joint investigation with law enforcement is only required if the report involves sexual abuse of a child. Many CPS investigations involving physical abuse or neglect of a child are never investigated by law enforcement.

Under this proposed legislation the CPS worker would be required to notify the parent or legal guardian of all of the allegations being investigated at the outset of the investigation even if the parent or legal guardian is the maltreater or abuser. This puts the child victim at significant risk and jeopardizes the integrity of the investigation. This notification is not even required for individuals who are the subject of a criminal investigation.

Under the legislation as proposed, consider the following hypothetical scenario: a child reports at school that they are being abused by a parent or legal guardian. Within 24 hours CPS responds to the home to do an initial assessment. Upon making contact with the parent/maltreater/abuser, the CPS worker notifies the parent/maltreater/abuser of their rights pursuant to the proposed legislation as well as all of the allegations being investigated. The parent/maltreater/abuser determines that (1) they will not allow the worker into the home to assess the safety of the victim or any other child, (2) they will not allow the worker to interview the victim or any other child, (3) they will not sign or verbally agree to a safety plan, (4) they want an opportunity to consult with an attorney regarding the investigation, (5) they will not agree to sign a release for the Department to obtain medical information regarding the child's injuries, and (6) they will not allow the non-offending parent/legal guardian to speak with the CPS investigator. What

can the CPS investigator do at that time to be able to assess the safety/well-being of the child? What will happen to the child(ren) inside the home with the maltreater/abuser once the CPS worker leaves the residence? What has occurred to the child(ren) during the time it takes the CPS worker to get a court order to authorize entry into the home? What has happened to any potential evidence that may have existed within the home? Has there been witness tampering in the time between the CPS worker notifying the maltreater/abuser of all of the allegations against them and the CPS worker having an opportunity to interview the child after obtaining a court order? Have the injuries on the child dissipated in the time it takes to obtain a court order for medical evaluation of the child? Has the child's health and safety been threatened by the delay?

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. 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.

Additionally, this legislation could cause more harm to children who were not abused or neglected. Many times CPS is able to quickly rule out an allegation of abuse or neglect just by the CPS investigator having an opportunity to speak with the child. By a parent or legal guardian prohibiting this access, the investigation may take longer or lead to unnecessary removal or court-ordered intervention just for an investigator to determine whether or not a report can be substantiated.

The very nature of Child Protective Services investigations is to protect our most vulnerable community members, children, from abuse or neglect perpetrated by their parents, legal guardians or others entrusted with their care. We ask the committee to consider the potentially devastating consequences this may have on the ability to identify children who are being abused and neglected and the ability of CPS to ensure those children's safety.

For these reasons, the Maryland State's Attorney's Association and the Frederick County State's Attorney's Office request an unfavorable report on HB 890.



Lindsey M. Carpenter  
Chief, Special Victims Unit  
Frederick County State's Attorney's Office

**Testimony HB-890.pdf**

Uploaded by: Mary Jo Buchanan

Position: UNF

## HOUSE JUDICIARY COMMITTEE

### House Bill 890: "Know Before They Knock" Family Right to Notice Act *Family Law – Child Abuse and Neglect Investigations*

**\*\*OPPOSE\*\***

I am Mary Jo Buchanan, a retired social worker with 45 years of service to children, youth and families. I have served on the front lines as a social worker and as an Executive Director/CEO of several child serving nonprofits.

I oppose House Bill 890 as I am first and foremost concerned with the safety of the child. This simple focus has guided me throughout my career and why I am here to express grave concerns over the 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."

I believe the safety of the child is absolutely paramount and want to share an example of how precarious that can be. When my agency received a referral for outreach to a family to offer service, we sent out a care manager to learn how we could assist. While the parents expressed interest in our services, which were voluntary, they refused to let the care manager see their child. This was puzzling to our care manager as our protocol is always to meet in person with the family and to 'lay eyes' on the child and do a full assessment of needs to see how we can help. In spite of the care manager's explanation about the need to meet in person with all involved, including the children, the parents still refused that access.

Because of this concern, we involved our child welfare partners, who then involved law enforcement.

What we discovered when we finally laid eyes on all of the children will haunt me for the rest of my life.

In the basement, we found their 9-year-old chained to a metal bed. The bed was bare except for a hard mattress. It reeked of urine and feces. The child was extremely malnourished, severely underweight, his hair matted and covered in feces and urine. It was obvious that he had not been bathed for quite some time. There was no evidence of food and for water, the child had a dog bowl. There was no light in the basement except for a nightlight. This child had no activities, no tv or books to read. The only exception were two coloring books and crayons. As we could tell from the teeth marks, that he had tried to eat the crayons because he was so hungry.

It was truly the most horrific scene that I had ever witnessed in my social work career. What haunts me still is that any further delay in our finally seeing this child may have resulted in his death.

That is why I'm here today urging you to oppose any delay, especially if a parent or caregiver is has the ability to deny access to see and examine the child, which this bill includes. While I absolutely respect parental rights, they must never come before the safety of a child. This bill in my opinion, has the potential for catastrophic outcomes for children, at a time when they are potentially most vulnerable or at worse, in danger.

I will continue for the rest of my days to hear the voice of this child, who in a very quiet, almost inaudible whisper, said thank you for finally coming to help me. And I will always remember that had it not been for the ability to lay eyes on that child, that his voice may have been silenced.

My hope is that you too will remember his voice and the voices of all children who need our protection and care. And that you will act accordingly to oppose this bill.

Thank you.



Mary Jo Buchanan, LCSW (NJ), MPA  
1505 Potomac View Parkway  
Brunswick, MD 21716  
(908) 295-4615  
mjgwelb@gmail.com

**MCPA-MSA HB 890 Know Before The Knock - OPPOSE.pdf**

Uploaded by: Samira Jackson

Position: UNF



# Maryland Chiefs of Police Association

## Maryland Sheriffs' Association



### MEMORANDUM

TO: The Honorable Sandy Bartlett, Chair and  
Members of the Judiciary 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 19, 2026

RE: **HB 890 - 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 HB 890**. 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

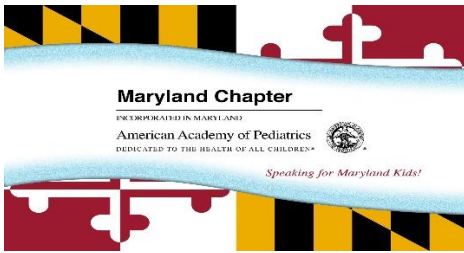
532 Baltimore Boulevard, Suite 308  
Westminster, Maryland 21157  
667-314-3216 / 667-314-3236

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 HB 890** and urge an **UNFAVORABLE** committee report.

# **HB 890 - Know Before they Knock .pdf**

Uploaded by: Wendy Lane

Position: UNF



TO: The Honorable Sandy Bartlett, Chair  
Members, Judiciary 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 17<sup>th</sup>, 2026

RE: **OPPOSE** – House Bill 890 – *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 House Bill 890.

The intent of HB 890 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 confusing 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 HB 890 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.**

**HB0890\_DHS\_INFO.pdf**

Uploaded by: Justin Hayes

Position: INFO



**DEPARTMENT OF HUMAN SERVICES**

*Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary*

February 19, 2026

The Honorable Sandy Bartlett, Chair  
House Judiciary Committee  
100 Lowe House Office Building  
Annapolis, Maryland 21401

**RE: TESTIMONY ON HB 890 - FAMILY LAW - CHILD ABUSE AND NEGLECT  
INVESTIGATIONS ("KNOW BEFORE THEY KNOCK" FAMILY RIGHT TO NOTICE ACT) -  
POSITION: INFORMATION**

Dear Chair Bartlett and Members of the Judiciary Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully submits information for its consideration on House Bill 890 (HB 890).

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 HB 890. 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 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 HB 890 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 HB 890.

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, HB 890 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 HB 890. 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 HB 890, 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](mailto:justin.hayes1@maryland.gov).

In service,



Rafael López  
Secretary