

**Child Welfare Oversight and Advisory Committee  
August 11, 2021 at 1:00 p.m. EST  
Capital Annex Building – Room 131**

**Discussion Notes of Perry A. Newcom, Crittenden County Judge Executive**

**“The Issue of Neglected or Abused Children in the Commonwealth, the state of our Adoption System, and State Funded Assistance Concerns as Recently Experienced”**

**Copy provided to:**

- Senator Julie Raque Adams – Co-Chair
- Representative David Meade – Co. Chair
- Senator Karen Berg
- Senator Denise Harper Angel
- Senator Brandon J. Storm
- Senator Whitney Westerfield
- Representative Kim Banta
- Representative Josie Raymond
- Representative Pamela Stevenson
- Representative Nancy Tate
- Representative C. Lynn Bechler

**Child Welfare Oversight and Advisory Committee**  
**Meeting Notes: Perry A. Newcom, Crittenden County Judge Executive**  
**Wednesday, August 11, 2021 1:00 PM**  
**Annex Room 131**

It is my distinct privilege and honor to be with you today for the purposes of sharing experiences my wife and I have been through regarding the recent adoption of our granddaughter [REDACTED]. I will begin today by providing you with a portion of our history that got us to this point then provide you with some details of our adoption process, all of which have been a learning experience for our entire family. Part of that learning experience led me to question some of the processes required, and some of what I feel could be considerable savings to our Commonwealth all while easing the burdens of the adoption process through which we have just traveled and possibly taking some burden off our foster care system.

The history leading up to where we, as a family, are today begins in 2017 when I received a call from our local police department asking me to come to my daughter's home. I was informed the police and DCFS workers were at the home investigating potential child endangerment issues regarding my granddaughter [REDACTED], who at the time was 2 ½ years old.

The home investigation was initiated by myself upon seeing the living conditions in which [REDACTED] was being kept as well as statements made to me by [REDACTED] saying that her mom's boyfriend had made her drink hot sauce and had beat her with a belt buckle. [REDACTED] from the time she was in utero, had been exposed to a drug infused life of her mother's choosing and neither me nor my wife [REDACTED] was going to stand by and let this continue any longer than it had already.

Once we had [REDACTED] in our care the lengthy process to this point began. First, we had to be awarded custody through an ECO (Emergency Custody Order) which occurred rather quickly. I will forgo the details of the processes that followed the ECO out of respect for the time and simply say that [REDACTED] mother was granted a visitation schedule as part of her case plan with which we completely complied. However, [REDACTED]'s mother did not. She repeatedly missed the approved meeting times that had been set for visitations. When [REDACTED]'s mom did show up it was always later than scheduled and she would only stay a few minutes then leave. Eventually [REDACTED]'s mother simply quit coming to visitations all together and we were awarded permanent custody status.

[REDACTED], like most other children caught in these situations, simply did not understand why her mother would not want to see her. [REDACTED] would ask why she wouldn't talk to her, why she wouldn't play with her, why she only see's her periodically, and on and on. These children ride a roller coaster of emotions while going through this horrible situation, and in my experience

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most of these situations are a result of parents valuing drugs over their children's lives which puts these children in a place of feeling unwanted and uncared for. Every week I see the impacts of children being removed from parental custody for one reason or another, being put back in parental custody only to be removed again later. These children become more and more confused at each occurrence of the process and need to have stability and a feeling they are valued and cared for by someone since their parents will not.

From the time [REDACTED] came to live with us in 2017 until the time we petitioned the court for adoption this year, her mother had only seen her a hand full of times and had not seen her or called her for over two years. It was very clear to [REDACTED] and me that we would be raising [REDACTED] as our own and for us to be able to offer [REDACTED] the most protection we possibly could; well into the future, we felt that we should adopt [REDACTED]. We then spoke to her about being adopted at which time [REDACTED] confirmed it was what she wanted as well. So, the journey to adoption began as did my education of the processes involved, which is what brings me before this esteemed body today.

Our first step was to hire an Attorney to guide us through this legal process which we did immediately upon making the decision to adopt. Our Attorney first ensured [REDACTED]'s mother had not made any attempts to be a part of [REDACTED]'s life. Our Attorney also ensured [REDACTED]'s father had not made any attempts to be a part of [REDACTED]'s life. He then continued his due diligence by asking our reasons for adopting [REDACTED], and if [REDACTED] was supportive of this decision. Our Attorney then proceeded to explain the fees involved and the various processes that would have to be met.

We found that there would have to be an Attorney assigned to represent both [REDACTED]'s birth mother and father which we would be required to pay. An Attorney would be assigned for [REDACTED] which we would be required to pay. Of course, the fee for our Attorney we would be required to pay. An in-home evaluation by either the Cabinet for Child and Family Services or a private social worker/evaluator with a fee to be determined depending on the route of evaluation chosen. All told a total fee of approximately \$2,700.00 or more would be involved. Our attorney went on to explain these processes generally would range in cost from \$3,000.00 and up. Ours ended up costing us \$2,467.50, which did not involve a cost for representation of [REDACTED] due to her attorney donating his time nor the home evaluation due to the DCFS being available to perform the home evaluation.

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Fortunately, for [REDACTED] and myself, we had the means from which we could bare these expenses. However, for many of the children found in similar circumstances, their families cannot bare this financial burden which brings me to the many points of concern I have for this issue which has become all too prevalent, not only in the Commonwealth of Kentucky, but throughout the United States.

Therefore, I would like to submit the following for consideration:

- Understanding hesitancy to revoke parental rights, and with respect to every parent getting a fair chance at redemption, I would submit in these cases of clear abandonment, self-awareness of parents who understand they will never have the capacity nor willingness to provide for their birth children as needed, and in consideration that these abandoned, abused, and neglected children have rights as well; perhaps there could be a process put in place that is not as costly or cumbersome through which these children could be placed in a permanent, loving, caring, and safe home environment.
- Per the National Kids Count information database, as of 2019 there were 63,000 children in Kentucky living in the care of grandparents. I did not see any consideration of children living in the care of great grandparents, and perhaps the number is included with grandparents, however I know of at least 3 families in Crittenden County who are great grandparent raising children.
- National Kids Count Information database also shows that in 2019 there were 87,000 children living with neither parent.
- National Kids Count Information database indicated in a period between 2017-2019 there were 81,000 children living in "kinship" care situation where some family member was responsible for the care of children not in the care of their parents.
- Per National Kids Count Information database between 2017-2019 there were 48.8 children ages 0-17 in Kentucky who were living in foster care.
- I would submit most of these children are on some type of assistance or full support of the Commonwealth of Kentucky. Either by the provision of health insurance coverage, dental coverage, child support, or other costly programs that may be available or maybe on all these means of financial support. All of this is absolutely necessary to provide for the well being of these children, however if we could provide a better option through relaxed requirements for adoption or permanent placement perhaps, we could reduce

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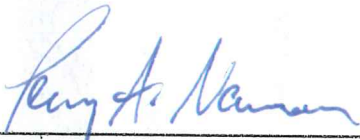
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this burden on the state all while providing a better solution to our children caught up in this extremely unfortunate circumstance of parental neglect and abuse.

In closing I want to thank you for your time and attention to hear from one family's experience with a very sensitive issue. One family's goal of protecting a child that has no means of protecting herself against issues that were not of her choice but of two parents choosing a path of self-destruction over the path of providing for their child. I am not saying that at some point [REDACTED]'s birth parents cannot make a change for the better nor am I saying any other neglectful and abusive parent in this Commonwealth may make better choices in their futures. What I am saying is that these children do not have the time to wait for that choice to be made. These children need our help and protection today, so they have a chance at a better life. Upon the Family Court Judge assigned to our case striking her gavel to signify [REDACTED]'s adoption was final and she now had permanent parents and a forever home; [REDACTED] turned to [REDACTED] and I gave us a "group hug" and stated she had waited her entire life for this! Let's look at our processes and find a better way to provide children their opportunity to achieve a lifetime wish for permanency.

Thank you!

Respectfully,



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Perry A. Newcom

(Ref.: National Kids Count Information database pages attached.)

(Ref.: When Your Child is Removed from Your Care Guide for Parents.)

# Number of children in reports to DCBS for suspected abuse/neglect in Kentucky

Location	Data Type	2014	2015	2016	2017	2018
Kentucky	Number	160,126	162,753	163,426	177,948	180,805

DATA PROVIDED BY Kentucky Youth Advocates

## DEFINITIONS & SOURCES

**Definitions:** Number of children in reports to the Department for Community Based Services for suspected neglect, physical abuse or sexual abuse that met criteria as a report of abuse/neglect for the reported year.

**Data Source:** Kentucky Cabinet for Health and Family Services, Department for Community Based Services.

**Footnotes:** This data is an unduplicated count, meaning a child is only counted once even if he/she were involved in multiple reports to DCBS throughout the year. Due to a change in the source's data collection system, it is recommended that users compare a given geographies' data starting with CY 2014 to subsequent years, but refrain from comparing the referenced time period and beyond to prior years.

S= number is suppressed for fewer than 6 children.

Updated 8/20/2019

# Children in foster care (3-year) in Kentucky

Location	Data Type	2011 - 2013	2012 - 2014	2013 - 2015	2014 - 2016	2015 - 2017	2016 - 2018	2017 - 2019
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Crittenden County	Rate per 1,000	28.6	38.1	43.1	46.9	50.6	48.6	48.8
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DATA PROVIDED BY Kentucky Youth Advocates

## DEFINITIONS & SOURCES

**Definitions:** Rate per 1,000 children ages 0-17 of children who lived in foster care due to abuse or neglect.

**Data Source:** Kentucky Cabinet for Health and Family Services, Department for Community Based Services. Child population data for rate calculation is from the U.S. Census Bureau, National Center for Health Statistics, processed by Kentucky Youth Advocates.

**Footnotes:** Out-of-home care includes placements with licensed foster homes with relatives or unrelated caregivers, or institutional placements such as group homes and residential treatment facilities. Data are collected to reflect the county of the case manager's office. The numerator for the rate calculation is the sum of three years of data. The denominator for the rate calculation is the midpoint year child population estimate.

\*= Rates not calculated for fewer than 6 events.

Updated 11/12/2020

# Children in kinship care in Kentucky

Location	Data Type	2017 - 2019	2018 - 2020
	Number	81,000	77,000
Kentucky	Percent	8%	8%

## DATA PROVIDED BY National KIDS COUNT

### DEFINITIONS & SOURCES

**Definitions:** Children in kinship care is derived from the relationship to householder items on the Current Population Survey Annual Social and Economic Supplement. Children are considered to be in kinship care when all of the following conditions are true: a parent is not present in the household; the child is not a foster child to the householder; the child is not a housemate/ roommate / border with no relatives in the household; the child is not a householder; and the child is not a spouse or unmarried partner of the householder. The analysis excludes group quarters population.

**Data Source:** 2017 Current Population Survey Annual Social and Economic Supplement (CPS ASEC) Research File, 2018 CPS ASEC Bridge File, 2019-2020 CPS ASEC. Estimates represent a three-year average.

Data users should exercise caution when comparing estimates from the 2020 CPS ASEC to previous years. The data collection for the 2020 CPS ASEC occurred during the coronavirus (COVID-19) pandemic. To protect the health and safety of Census Bureau staff and respondents, interviewing methods were changed, and this led to a lower response rate than in previous years. See the [March 2020 CPS ASEC technical documentation](#) for more information.

Footnotes: Updated September 2020.



# Children living with neither parent in Kentucky

Location	Data Type	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Kentucky	Number	63,000	75,000	75,000	70,000	80,000	76,000	84,000	79,000	84,000	87,000
	Percent	6%	7%	7%	7%	8%	7%	8%	8%	8%	9%

## DATA PROVIDED BY National KIDS COUNT

### DEFINITIONS & SOURCES

**Definitions:** The share of children under age 18 living in households where neither parent resides.

**Data Source:** Population Reference Bureau, analysis of data from the U.S. Census Bureau, Census 2000 Supplementary Survey, 2001 Supplementary Survey, 2002 through 2019 American Community Survey.

**Footnotes:** Updated December 2020.

S - Estimates suppressed when the confidence interval around the percentage is greater than or equal to 10 percentage points.

N.A. - Data not available.

Data are provided for the 50 most populous cities according to the most recent Census counts. Cities for which data is collected may change over time.

A 90 percent confidence interval for each estimate can be found at [Children living with neither parent](#).

# Children in the care of grandparents in Kentucky

Location	Data Type	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Location	Data Type	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
	Number	51,000	58,000	62,000	56,000	55,000	62,000	60,000	63,000	60,000	63,000
Kentucky	Percent	5%	6%	6%	6%	5%	6%	6%	6%	6%	6%

## DATA PROVIDED BY National KIDS COUNT

### DEFINITIONS & SOURCES

**Definitions:** The share of children under age 18 living in households where a grandparent provides that child's primary care. Any data accessed for this indicator before October 2011 may differ from the current tables. In October 2011, the definition of the measure was slightly revised.

**Data Source:** Population Reference Bureau, analysis of data from the U.S. Census Bureau, 2005 through 2019 American Community Survey.

These data were derived from ACS table B10002.

**Footnotes:** Updated October 2020.

S - Estimates suppressed when the confidence interval around the percentage is greater than or equal to 10 percentage points. N.A. - Data not available.

Data are provided for the 50 most populous cities according to the most recent Census counts. Cities for which data is collected may change over time.

Use caution when comparing congressional districts over time. Congressional district boundaries may change between decennial censuses. Annual data for each congressional district refers to the boundaries for that district in that year.

A 90 percent confidence interval for each estimate can be found at [Children in the care of grandparents](#).

- **Parents'/guardians' rights include:** • The right to be treated with respect; • The right to be heard and to help make decisions about your family; • The right to know about your child's physical and mental health; • The right to know about your child's school progress and participate in decisions concerning their educational needs; • The right to provide consent to and attend your child's physical and mental health appointment; • The right to visit and maintain contact with your child; • The right to determine your child's religious affiliation; and • The right to file a service appeal if you are not satisfied with your case plan or visitation agreement.
- **Parents'/guardians' responsibilities include:** • Providing information about relatives on both the mother's and father's side of the family using a specific form provided by your social service worker during or after the 72-hour temporary removal hearing. You will bring the completed form to the first case planning conference called the five-day conference; • Being supportive of your child in the place where they are receiving care. (Tell your child it is "OK" to be where they are with the people they are with); • Actively participating in your treatment and your child's treatment; • Communicating with your social service worker and child's caregiver; • Providing financial or other support to your child as court ordered; • Attending all of the scheduled visitations with your child and share information about your child with the caregiver. (Visitation provides an opportunity for you and caregivers to share information about your child); and • Doing your part to remove the reason(s) why your child was removed to get your children back into your care
- **How was your child removed from your care?** • A social service worker asked the court for an emergency custody order (ECO) on behalf of your child.
- **Your child will be appointed an attorney known as a guardian ad litem (GAL).**
- **How do I get my child back?** Within five working days of the temporary removal hearing, an initial case planning conference will be held regarding your case. You, your DCBS social service worker and other supportive people you may want to include, will then sit down and work together to develop a plan on how to correct the situation that resulted in your child being removed from your care. This is called your case plan.
- If your child can not be safe in your care, your DCBS social service worker must have a plan, in no longer than 12 months from the ECO for placing your child in a safe and permanent home.
- How soon and how often will I see my child? The initial visitation agreement is negotiated during the initial case planning conference. Visits between parent and children must happen at least every two weeks for at least one hour. The place and time you visit with your child will depend on the situation and circumstances of the case. As you make progress on your case plan, more visitation may be negotiated if it is appropriate
- **Reference: When Your Child is Removed from Your Care Guide for Parents**