



# Commission on Improving the Status of Children in Indiana

## Meeting Minutes

Commission on Improving the Status of Children in Indiana  
Monday, February 5<sup>th</sup>, 2024  
Indiana Government Center South

- Terrie Decker, Department of Correction (non-voting attendee for Christine Blessinger, Director, Division of Youth Services)
- Dr. Lindsay Weaver, Indiana State Health Commissioner, Indiana State Department of Health
- Senator Jean Breaux
- Jay Chaudhary, Director, Division of Mental Health and Addiction
- Bernice Corley, Executive Director, Public Defender Council
- Representative Dale DeVon
- Senator Stacey Donato
- Justin Forkner, Chief Administrative Officer, Indiana Office of Judicial Administration
- Kory George, Chief Probation Officer, Wayne County Probation Department
- John Hammond IV, Office of the Governor
- Zac Jackson, Director, State Budget Agency
- Dr. Katie Jenner, Secretary of Education
- Chris Naylor, Executive Director, Indiana Prosecuting Attorneys Council
- Todd Rokita, Indiana Attorney General (non-voting member)
- Dana Kenworthy, Court of Appeals of Indiana
- Dr. Dan Rusyniak, M.D., Secretary, Indiana Family and Social Services Administration
- Eric Miller, Director, Indiana Department of Child Services
- Representative Vanessa Summers
- Aly Leonard, Youth Commission Member, joined via Zoom
- Julia Stumler, Youth Commission Member

### 1. Welcome & Introductions

John Hammond called the meeting to order at 10:00am.

### 2. Consent Agenda

**Action:** To approve the [minutes from the December meeting](#), was motioned by Representative DeVon, seconded by Zac Jackson, and approved unanimously 12-0.

### 3. Legislative Actions & Engagement

#### **Mark Fairchild**

The presentation can be found on slides 3-13 of the [meeting PowerPoint](#). Although [Senate Bill 230](#) and [House Bill 1150](#) had language that was endorsed by the Commission, Mark noted they did not get a hearing this

session. Mark mentioned that the topics in these bills are in talks to be brought back in the 2025 session. He moved to discuss [House Bill 1194](#), which contains language pertaining to the Youth Justice Oversight Committee, which came out of a Task Force of the Commission. Mark explained that the funds made available to localities were not being solicited from smaller, rural counties because the funds were not advanceable. Mark noted that the act is declared an emergency, meaning it will be live upon passage. He mentioned that the Commission offered a letter of support and was available for testimony in committee, but the bill is moving along just fine.

Mark moved to discuss Senate Bills [2](#), [17](#), [45](#), [171](#) and [House Bill 1051](#), noting that while the Commission has not acted on these bills, they contain language that the Commission could act on via letters of support, meeting with legislators, or testifying in committee. Mark highlighted SB2, stating it is one of this session's priority bills. Mark summarized the area of interest for the Commission could be the language addressing the workforce side of the childcare crisis. SB2 would study early childhood educator compensation and unlock vouchers from the Childcare Development Fund (CCDF) and On My Way Pre-K for childcare employees that meet certain income requirements. Mark described that the goal of SB17, a bill that would require age verification for accessing adult content, is pertinent to the Commission as the importance of online safety is noted in the Commission's founding statute. Mark then discussed SB45, a bill focusing on trauma informed care which came directly out of a sub-committee of the Commission. Mark mentioned the original bill contained controversial language that could be seen by nurses as punitive but is now in a form that requires employers to provide and track trauma informed training that is inclusive of factors or signs of trafficking. Mark emphasized that trauma informed care can help front line nurses provide safeguards for individuals they come across, especially those more vulnerable to being victimized. Mark transitioned to SB17, summarizing that it gives discretion to the judiciary to forego reunification efforts in extreme cases where the home is proven to be an unsafe space for the child. Mark opened the floor for discussion.

**Discussion:** Bernice Corley acknowledged Senator Walker's circumspective efforts on this legislation and mentioned that while she can vote to be supportive of the language in section "C" in the legislation, she did want to be transparent about the Public Defender Council's concern regarding individuals required to register as a sex offender. Bernice outlined that the Public Defender Council did not identify a nexus between the sex offense that required the person to register as a sex offender and their ability to parent or provide a safe home. Bernice noted that the Council proposed two ideas that would mitigate the concern. One idea would require the court to find that the person cannot provide a safe environment for their child, and the other would apply the language in section "C" to the offenses where the victim was a child. Bernice noted that while Council understands these decisions are at the court's discretion, they feel their proposed language would help provide a nexus. Eric Miller echoed that DCS felt the bill was very good for child safety and that there are other states who have this in code. Bernice asked Eric if he could explain the cross-reference to the federal sex offense registry, to which Eric answered that there are times where a person commits a sex crime in another state, and when it gets pleaded down to a lesser charge than the equivalent law in Indiana, it would not be eligible to be considered within 'no reasonable effort', and individuals can slip through the cracks. Mark mentioned the conditions would be what the DCS or the courts found in their investigation. Mark also reiterated the importance of judicial discretion and that when legislative action is required, he will only be referencing the more general pieces of language and that anything more broad or specific will be deferred to the experts. Moving onto HB1051, Mark noted the bill's author and sponsor, Representative DeVon and Senator Donato, and mentioned the significance of defining a baseline and extreme line for child safety. HB 1051 would require reasonable efforts for birth parents and current caregiver communication in situations where the child is not in the home. This intends to remove the us versus them mentality in situations like these where the kids get stuck in the middle because both parties are not talking to each other.

**Action:** To approve the Issues for 2024 IGA Legislative Action was moved by Representative DeVon, seconded by Kory George, and approved unanimously 12-0.

Mark said that HB1050, which does not have a pathway to move forward in the current session, was requested to be discussed by some CISC members. Mark summarized that HB1050 creates communication pathways for CHINS (Child in Need of Services) cases where one court is working on reunification efforts, and another is working on adoption proceedings. Mark offered Bernice Corley to go into more detail about the bill. Bernice explained that a court involved with a family through a CHINS or Termination of Parental Rights (TPR) will have dedicated time and resources towards the goal of the case, and without any notice, another party could file for adoption from another court. Bernice explained that judges with knowledge of the case and child are being circumvented and resources are being unreasonably duplicated in other counties. Bernice emphasized that HB1050 was not an attempt to take away anyone's authority, rather a check to ensure everything happens in one place. Bernice explained that the bill simply ran out of time and that the Public Defender Council anticipates bringing it back next year. Representative Summers asked if this issue requires legislation, because sometimes other solutions are found through conversation. Bernice answered that while she wishes this issue could be solved by tacit training and agreement, it seems as though there needs to be legislation. Representative DeVon urged Bernice to talk with the chairperson of the judiciary committee to get him on board, to which Bernice replied that she had spoken to them and understood that the bill simply ran out of time. She also stated that there are a disproportionate number of adoptions at the center of this issue in Hamilton County, with families from Ohio and Dearborn counties struggling with transportation and other needs. Bernice said while this is a marked success for most judges, judges outside of Hamilton County are seeing fewer adoptions. Representative DeVon noted that there is a successful attorney in Hamilton County that prospective adoptive families are favoring, which Bernice confirmed. She also stated that the Council has met with that firm. Mark concluded that this issue is one to pay attention to for the future regarding creating a better pathway for children and their families.

#### 4. Indiana Birth Parent Advisory Board

##### **Monica Roose & Advisory Board Members**

The presentation can be found on slides 14-26 of the [meeting PowerPoint](#). Monica introduced herself and her team, including the purpose of the board and what their goals are. Monica reiterated the role of the Birth Parent Advisory Board (BPAB) and how special it is. In discussing challenges to implementation, parents' past trauma from involvement in the child welfare system stood out. Monica explained that a simple acknowledgement of DCS can be retraumatizing. She also mentioned some resistance surfaces because of how unique the BPAB is. Monica discussed the many benefits of including individuals with lived experience, especially how constructive the parent-DCS relationship can be. Board members Jarrod and Mandy then discussed their journey through DCS, how they came to be on the BPAB, the impact the board had on themselves and others they advocate for. [Jarrod's](#) and [Mandy's](#) videos can be found online. Monica emphasized the board's recruitment goals of having representation from all 18 DCS districts in Indiana and a broader implementation of the Parent Ally Program, where BPAB members act as liaisons to parents involved in the system. Monica also mentioned that Jarrod and Mandy hold a virtual support group for parents currently in the system twice a month. Monica concluded with how members can get in contact with the BPAB.

**Discussion:** Julia Stumler asked if there are any stipulations for being on the board in terms of case outcomes. Monica answered that there are no stipulations other than that a parent's case must be closed for at least a year. Bernice asked if the meetings were virtual and if not, do parents receive per diem. Monica answered that they are virtual, and parents receive an honorarium when they choose to travel to meetings or events. Produced out of concern from Jarrod's testimony about having a negative experience with his appointed council, Bernice acknowledged the Council being open to any feedback that may come from BPAB meetings to help improve the experience with public defenders. John Hammond asked Monica how recruiting outside of central Indiana is going, to which Monica responded that there is not a lot of representation from northern or southern Indiana. Representative DeVon noted that there could be support for the preventative efforts of the BPAB. John Hammond thanked Monica and DCS for their continued work on this initiative, as it is uncharted territory for the Commission but is obviously something worthwhile. Mark echoed that the BPAB was a popular contribution to

the Family Youth Engagement Summit in December. Mark also mentioned that the Commission wants other representation from parents involved in various systems and for Monica to connect him with any other parent groups that would be a good fit.

## 5. Executive Director Updates

### **Mark Fairchild**

The presentation can be found on slide 17 of the [meeting PowerPoint](#). Mark noted that he was asked what the Commission is doing to address suicide and bullying prevention. Mark said that in the April meeting, relevant agencies like Division of Mental Health and Addictions (DMHA), Department of Education (DOE), and Department of Health (DOH) that are tackling these issues will present on what is currently being done as well as any accessible resources and programs exist. From there, the Commission will identify what gaps it can work to bridge. Mark recapped that he was able to address the family and children committees from each chamber and present about what the Commission is, what the involvement can look like, and how it can assist in their spaces. Mark mentioned that this opportunity opened conversations with legislators where information was being passed along or was asked for the Commission's opinion on how it can be addressed. Mark said it was a great opportunity to create awareness about the Commission and thanked Representative DeVon for his role in making the joint presentation happen. Mark mentioned that DCS Executive Director Eric Miller will be reading the Governor's proclamation of February 19<sup>th</sup> as the Day of the Child and that the Indiana Youth Institute (IYI) will be give their State of the Child address, highlighting statistics of childhood conditions in 2023. Mark added that the Marion County Commission on Youth (MCCOY) will be hosting a youth statehouse day with over 200 children registered to attend. Additionally, the Commission's [annual report](#) is available online.

## 6. Commission Member Announcements & Adjournment

The meeting was adjourned at 11:05am.

### **Next Meeting**

Wednesday, April 17th, 2023, 10:00 a.m. – 12 p.m. Indiana Government Center South, Conference Room C 302  
W. Washington St., Indianapolis, IN 46204.