

SENATE No. 102

The Commonwealth of Massachusetts

PRESENTED BY:

Robyn K. Kennedy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to bias-free child removals.

PETITION OF:

NAME:

Robyn K. Kennedy

DISTRICT/ADDRESS:

First Worcester

SENATE No. 102

By Ms. Kennedy, a petition (accompanied by bill, Senate, No. 102) of Robyn K. Kennedy for legislation to authorize the Department of Children and Families to develop a bias-free child review team to review emergency child removals. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act relative to bias-free child removals.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. As used in this section, the following words shall, unless the context clearly
2 requires otherwise, have the following meanings:-

3 "Bias-free" to review a case file without the following identifying demographic
4 information on the parent and child: gender, race, ethnicity, disability, geographic location, and
5 socioeconomic status, which prevents a reader from inserting bias, implicit or explicit, into
6 critical decisions such as removing a child from the child's family.

7 (a) The Department of Children and Families shall develop a permanent Bias-Free Case
8 Review Team for each Area Office, consisting of no less than three staff, to screen all proposed
9 emergency child removals under section 51B chapter 119 of the General Laws. The department
10 shall develop a bias-free case summary which removes all demographics and identifying
11 information, and presents evidence of safety factors that place the child(ren) in immediate or

impending danger of serious harm, the family's strengths, and opportunities for supportive interventions prior to removal. Prior to the Review Team convening, the following demographic and identifiable information must be removed from the case notes, intake summary, and investigation:

(i) The name of the child and the child's parents.

(ii) The race or ethnicity of the child and the child's parents, except when the allegations require thoughtful considerations pertaining to a family's culture, ethnicity, or religion.

(iii) The sexual orientation or gender identity of the child and the child's parents, except when the allegations require thoughtful considerations pertaining to the LGBTQ+ status or gender identity of the child.

(iv) The religious affiliation or beliefs of the child and the child's parents, except when the allegations require thoughtful considerations pertaining to a family's culture, ethnicity, or religion.

(v) The disability status of a parent, except when the allegations require thoughtful considerations pertaining to a family's disability status.

(vi) The political affiliation or beliefs of the child and the child's parents.

(vii) The marital status of the child's parents.

(viii) The income level of the child's parents.

(ix) The education level of the child's parents.

(x) Any reference to the location of the neighborhood or county of the parent's address.

32 (b) The Department of Children and Families shall submit an annual evaluation report to
33 the joint committee on children, families and persons with disabilities that details the program's
34 implementation and that provides an analysis of the program's effect and impact on the removal
35 rates of black, indigenous and children of color.