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March 2, 2015

Senator Les Seiler, Chariman – Judiciary Committee  
Room 1113, State Capitol Lincoln NE, 68509

**RE: Support for LB 302 – Create the offense of rehomeing a child**

Dear Chairman Seiler and Members of the Judiciary Committee,

Children need safe and loving homes to thrive and reach their full potential as adults. As a state, we have a responsibility to ensure that children remain with a stable family that can guide them into adulthood. Voices for Children in Nebraska supports LB 302, which would classify the act of privately “re-homeing” a child as a class IV felony.

Tragic stories of children who have been re-homed through private arrangements, often by adoptive parents who no longer wish to care for them<sup>1</sup> have sparked states to take legislative action in recent years.<sup>2</sup> The instances that have been reported across the country represent some of the most egregious cases of the exploitation of children, exposing them to unimaginable levels of trauma, and we fully support legislation that will seek to prevent and prosecute this crime.

As we proceed in considering how Nebraska can best respond to the practice of re-homeing, **we would like to raise the possibility of unintended consequences of legislation that criminalizes this act specifically when children are placed with nonrelatives.** In Nebraska, many children currently reside with nonparent caregivers—who may not be blood relatives, but as “fictive kin” are able to provide a home where children can maintain important familial and cultural connections.<sup>3</sup> We believe that legislation should reflect this by **specifying the crime as one that takes place when a child is placed with an individual with whom they have no significant or preexisting relationship with.**

These fictive kin arrangements arise when extended family, neighbors, and other trusted adults step up to care for children, typically without adequate time, resources, or finances, but choose to do so out of love and a deep interest in their well-being. Although not ideal, such arrangements allow for some continuity and stability through an otherwise extremely disruptive time in a child’s life, and in most cases, prevent the child from otherwise entering the state foster care system.

<sup>1</sup> “The Child Exchange: Inside America’s Underground Market for Adopted Children,” *Reuters* Sept. 9, 2013.

<sup>2</sup> Administration for Children and Families, “Re-homeing of Adopted Children,” U.S. Department of Health and Human Services Information Memorandum, May 30, 2014.

<sup>3</sup> *Supporting Informal Kinship Families in Nebraska*, Voices for Children in Nebraska, 2014.

We want to thank Senator Campbell for bringing this issue to the forefront in Nebraska, and urge the Committee to consider our concerns in continuing to work towards ensuring that all children in Nebraska have an opportunity to be happy and healthy. We look forward to working with this Committee on this issue in the future and thank you for your time and consideration. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Julia Tse". The signature is fluid and cursive, with the first name "Julia" written in a larger, more prominent script than the last name "Tse".

Julia Tse, Child Welfare Policy Associate