TESTIMONY IN FAVOR OF REASONABLE CHILDHOOD INDEPENDENCE LAWS

EXPERT TESTIMONY

Testimony of Peter Gray, Research Professor of Psychology, Boston College
In support of
S.B. No. 806 AN ACT PROHIBITING A FINDING OF NEGLECT IN CERTAIN CIRCUMSTANCES.
Committee on Children – Public Hearing, February 14, 2019

My name is Peter Gray. I am a resident of Millis, MA, and a research professor of developmental psychology at Boston College. I write to you now in support of Raised Senate Bill 806 - An Act Prohibiting a Finding of Neglect in Certain Circumstances.

My research focuses on the developmental value of children's free play. In my book *Free to Learn: Why Unleashing the Instinct to Play Will Make Our Children Happier, More Self-Reliant, and Better Students for Life*, and in various academic articles, I have described and documented the ways by which free outdoor play promotes children's social, emotional, and intellectual development as well as physical development. The research shows that children play more vigorously, more socially, more imaginatively, and for longer periods—and gain more--when they play with other children away from adult control or intervention than when adults are present. When children play independently of adults they learn how to make their own decisions, solve their own problems, create and enforce rules, negotiate differences, and maintain the peace and order necessary for the play to proceed. These are extraordinarily important skills, which cannot be taught but can only be learned through experience, and the

best experience for learning these skills comes from play with other children, away from adults.

Until very recent times, during all of human history with the exception of times of child slavery or intense child labor, children always spent enormous amounts of time playing and exploring with other children away from adults. Natural selection has endowed children with the drive for such play and adventure and with the capacity to develop valuable life skills through these means.

Over the past few decades, various shifts in our culture have worked against children's freedom to occupy public spaces and play independently of adults. There has been an enormous decline in children's freedom not just to play independently outdoors, but also to travel independently to school, friends' homes, shops, and elsewhere. Even young teenagers today are regularly denied the freedoms that children as young as five or six years old enjoyed just a few decades ago. As a culture, we have developed the misguided assumptions that children are in great danger outdoors when not watched by adults and that children gain more when they are guided and controlled by adults than when they are free and must control themselves

Over the same decades that children's freedom has continuously declined, children's mental health has also continuously declined. The best evidence for this comes from analyses of scores on clinical questionnaires that have been given in unchanged form to normative groups of young people over the decades. These data indicate, for example, that rates today of what are now called Major Depressive Disorder and Generalized Anxiety Disorder among young people are roughly 8 times what they were several decades ago, when children were freer. Data from the CDC indicate that the suicide rate among school-aged children is now roughly six times what it was several decades ago. Still other research shows that children today have much less of a sense of control over their own lives—are more likely to consider themselves to be victims of fate or powerful other people and less likely to think they can solve their own problems—than was true in the past.

All of these indices of psychopathology have been rising steadily over the same period in which children's freedom has been declining steadily. I present these data—and describe the reasons for inferring a strong causal link between the decline of freedom and rise of psychopathology--in my book *Free to Learn* and in an academic article entitled *The Decline of Play and Rise of Psychopathology in Childhood and Adolescence,* published in the *American Journal of Play* (Vol. 3, pp 443-463, 2011). The article can be found online here: https://www.psychologytoday.com/files/attachments/1195/ajp-decline-play-published.pdf

You can also see my TEDx talk on this issue here: https://youtu.be/Bg-GEzM7iTk

There are many impediments to children's going outdoors to play and explore in our society today, but one of the most significant of them is parents' fear that they (the parents) will be charged with neglect if their children are found outdoors unaccompanied by an adult. I have heard this from many parents. The parents tell me that they know how mature their children are and how safe the neighborhood is, but, because of fear of others' judgments and possible legal action against them they do not allow their children the freedom that they know their children

can handle and that they know would be best for their children's development. I strongly support SB 806 because it will reduce this fear on the part of parents and thereby help restore the freedom that children need for their healthy development.

Thank you for your kind attention to this testimony.

Lenore Skenazy, President of Let Grow
Letter to Gillian Fischer, Oregon Senate Judiciary Committee
March 12, 2019

Dear Ms. Fischer:

This is regarding Oregon's **S.B. 675,** the so-called Free-Range Parenting Bill, which I am in favor of.

My name is Lenore Skenazy. After my column "Why I Let My 9 Year Old Ride the Subway Alone" landed me on every talk show from The Today Show to Dr. Phil, I founded the book, blog and movement Free-Range Kids, which has grown into the non-profit Let Grow. At Let Grow, we believe in safety: Helmets, seatbelts, car seats -- you name it. We just don't believe kids need a security detail every time they leave the house.

And yet, despite crime at a 50-year-low, just 11% of kids walk to school today. One study found that only 6% of kids 9-13 play outside on their own for an hour or more a week!

Instead, many kids are driven from activity to activity, and plenty more spend hours on the couch, staring at a screen. There are many reasons for this, but one is that some parents worry that even if *they* know their kids are capable of walking to grandma's, someone else might consider them "neglected" and call 911.

Indeed, when NPR did a story on parents who want to give their kids more independence, they featured a Portland mom, Laura Randall, whose son Matthew is 7. It said:

> *For her son Matthew to become a confident, competent adult, Randall wants him to go outside, make his own mistakes, and figure things out.*

Laura wants to make sure that is not treated as negligence.

Moms like Laura point to stories of parents whose confidence in their kids was mistaken for neglect. Parents like Kari Anne Roy, who let her 6-year-old play outside within view of the house, but was investigated for neglect when a passerby called the cops. A caseworker interviewed all three of Kari's kids, asking her daughter, age 8, "Do your parents ever show you movies with naked people in them?" What?!? Kari was so upset. But the caseworker had to check off the boxes.

Natasha Felix let her kids, 11, 9 and 5 play at the park across from her apartment and she, too, was investigated for neglect. And there's the famous case of Danielle and Alex Meitiv who let their kids, 10 and 6, walk home from the park together and were investigated not once but twice.

These cases have had a chilling effect. I often get emails from parents who say, "I'm not afraid some predator will snatch my kid. I'm afraid some busybody will call 911 and get my kids taken away!" This is true of suburban moms, city moms, stay-at-home and single moms. And dads!

But childhood freedom is not just a parenting issue. It's a health issue. As children's independence has been going down, childhood obesity, anxiety, and even suicide have been going up.

A Free-Range Parenting Bill like #675 would reassure Oregon parents that giving their kids some old-fashioned freedom, by choice or necessity, will not be mistaken for neglect. Neglect is when you blatantly disregard your child's safety and welfare. Not when you trust them to start becoming part of the world.

America can't be the land of the free if its kids are cooped up inside. It can't be the home of the brave if kids aren't allowed to have a few adventures.

Let the authorities investigate true cases of neglect, not parents who give their kids the kind of childhood we grew up with -- and are grateful for.

Yours sincerely,

Lenore Skenazy
President, Let Grow Inc.
Founder, Free-Range Kids
New York, NY

Diane Redleaf, Legal Consultant to Let Grow; Principal Family Defense Consulting; Co-Chair, United Family Advocates and Lecturer, University of Chicago Law School
In support of
H.B. 1147 An Act Concerning Reasonable Independence for Children
In the Judiciary Committee of the Colorado House of Representatives Public Hearing, February 6, 2020

My name is Diane Redleaf. I am a lawyer and lecturer at the University of Chicago Law School. I am a graduate of Stanford Law School, where I was an Articles Editor of the Law Review. I am also the author of numerous reports and articles (including a 2015 report to the topic of letting children be alone) and a recent book, *They Took the Kids Last Night: How the Child Protection System Puts Children at Risk* (Praeger, 2018). I am the founder and past-executive director and past legal-director of a non-profit legal advocacy office in Chicago, the Family Defense Center. I am also a member of the American Bar Association Center for Children and the Law Steering Committee for its National Alliance for Parent Representation and co-chair of a national policy advocacy group called United Family Advocates which has developed a model child neglect law and other state model law proposals as well as specific proposals related to protections for families under federal child welfare laws.

I regret I can't be present to testify in person, due to my mid-week teaching schedule at the University of Chicago Law School this term.

My Background Leading Up To Presentation of H.B. 1147 in 2020 Colorado Legislative Session: Let Grow, Model Legislation, Natasha Felix Story and Report

In my role as legal director of the Family Defense Center, I provided legal representation to dozens of families who were wrongly accused of neglect as a result of their reasonable decisions to let their children be alone for short periods of time. I handled many cases where the children were in no obvious danger and actually benefited from their time outside or home alone. Indeed, I found that in many of these cases, if there were administrative appeals taken because of indicated/substantiated findings against these parents, the child welfare system attorneys would often readily agree to voluntarily amend these cases to "unfounded.

In the course of my legal work on behalf of these families, I became familiar with Lenore Skenazy's work—including her extensive writing and speaking-- on the topic of giving children reasonable independence. In 2015, I wrote a policy report that directly intersected with the speaking and writing Lenore Skenazy was doing in the movement she founded called "Free Range Kids. *See* https://www.familydefensecenter.net/wp-content/uploads/2015/08/When-Can-Parents-Let-Children-Be-Alone-FINAL.pdf (August 5, 2015, co-authored with M.S.W. student Caitlin Fuller). I also presented a TedX (University of Chicago)(May 2017), on the same topic at https://www.youtube.com/watch?v=cv5JIuOk8yA

As a result of several years of collaboration and informal consulting with Lenore Skenazy, I eventually developed (starting in December 2018) a formal affiliation to become the Legal Consultant to Let Grow, the national 501c3 non-profit that Lenore Skenazy leads as its President.

Let Grow advocates for policies and engages in projects (including school-based projects) and public education to make it normal, easy and legal for parents to allow their children to have reasonable independence. My specific role at Let Grow includes developing legal information for families who contact Let Grow and serving as a liaison to states considering legislation that furthers our core mission of normalizing reasonable independence for children.

In practice, furthering Let Grow's mission requires legal attention because families all across America are running into legal problems under child protection laws and procedures that often operate to chill parents' exercise of good judgment about their children's needs. Many parents, like the ones I represented at the Family Defense Center, find themselves targets of hotline calls made by anonymous individuals who disapprove of even seeing a child walking alone outdoors or believe that because the child might conceivably be unable to handle the situation, they therefore must call child protection authorities. For example, a recent case in the northern suburbs of Chicago made national news because the mother of an 8 year old girl was invited for neglect when she let her daughter walk her own dog around the block in her neighborhood. See, https://www.washingtonpost.com/news/parenting/wp/2018/08/24/an-8-year-old-girl-was-walking-her-dog-on-her-own-and-someone-reported-her-to-the-police/

Unfortunately, throughout my legal career, which spans 40 years, I have seen how neglect laws can sweep many innocent parents into child protection proceedings and force themselves to defend themselves from allegations that have little to do with true danger to their children. *See Dupuy v. McDonald*, 141 F. Supp. 2d 1090 (N.D. Ill.2001) *aff'd*. 397 F. 3d 493 (7th Cir. 2005) (describing "staggering" rates of error and devastating impact of false allegations of abuse or neglect on low-income childcare workers)(Note: I was co-lead counsel in this class action suit).

These investigations inevitably frighten the children too, even if the allegations get unfounded and no legal proceedings ensue.

A specific case in Illinois illustrates why amending these laws can be so important. Natasha Felix was a home health care worker with three children, ages 11, 9 and 5. She is a low income Puerto Rican mother. She let her three children, along with another child age 9 who was visiting, play in a park next door to her home where she could see them out of the window. A daycare teacher whose class was also in the park decided to make a hotline call concerning the children who were not attended by a visible adult. As a result, Ms. Felix was targeted in a neglect allegation for inadequate supervision, even though she could view the children playing outside her window (a fact not known to the person who made the hotline). Nevertheless, Ms. Felix was registered as a child neglector and her name remained in the child abuse register for Illinois for over 2 years while my office, along with pro bono counsel at Winston and Strawn, litigated a register appeal all the way to Illinois' First District Appellate Court. Ms. Felix's children became so fearful of further state intervention in their family life that they stopped playing outside and the oldest stopped even taking out the trash to the back yard.

The case eventually had a happy ending, though not without great traumatic impact on Ms. Felix's family along the way. Indeed, because Ms. Felix worked in home health care, which was unable to secure employment in her field while the registered finding of neglect was maintained against her. And that happy ending primarily occurred because of media attention due to the pendency of another higher profile story of an upper middle class family in Silver Spring Maryland involving the Meitiv family. *See, e.g.*, "Maryland 'Free-Range' Parents Cleared of Neglect. https://www.washingtonpost.com/local/education/free-range-parents-cleared-in-second-neglect-case-after-children-walked-alone/2015/06/22/82283c24-188c-11e5-bd7f-4611a60dd8e5_story.html (article posted June 22, 2015),; Mother Cleared of Neglect for Letting Kids Play Outside, https://chicago.cbslocal.com/2015/12/16/mother-cleared-of-neglect-for-letting-kids-play-outside-alone/ (Chicago CBS coverage of Natasha Felix story, 12/16/15).

I saw first-hand that low-income working class Latinx parents like Ms. Felix are often the silent victims of broad child protection laws that do not actually protect children who need protection at all. Indeed, but for the national media to the Meitiv case in Silver Spring Maryland, which was similar to Ms. Felix's experience, Ms. Felix's case might never have been settled with sweeping new policies adopted in its wake.

The Felix case was one of many, however, that demonstrated the need for protections for the rights of all children to engage in reasonable independence and the importance of deferring to the parents who know those children best unless there are obvious dangers that those parents blatantly disregard.

1. National Statistical Overview Current Work on Legislative Proposals and Legal Principles

Nationally, statistics are the rates of allegations are going up while numbers of findings are going down. According to the most recent HHS Child Maltreatment Report, over 7,800,000 children (well over 10% of all children) were reported to child protection authorities according to the last published child maltreatment report (2018), but the numbers of substantiated cases are dropping. So too are the rates of serious physical and sexual abuse cases. That's good news, but the bad news is that sweeping categories of amorphous neglect claims are increasing. This

increase in turn challenges hotline response systems to distinguish between the children who truly need help and those who don't instead of overloading systems with allegations that should not even be allegations at all.

That national overall trend actually exaggerated in Colorado's statistics in the category of lack of supervision. One half of all the allegations that get made in Colorado are unfounded neglect charges. But in the category of lack of supervision is especially disproportionate— allegations were made in 3854 but 3169 were unfounded—that's an 82% un-substantiation rate. So narrowing this category to the real cases of neglect when children are left alone in dangerous situations will serve everyone's interests—especially the children's but also the state's, the families and the taxpayers.

In 2018, Utah became the first state to explicitly state that parents who allow their children to engage in independent activities are not neglectful. See below (discussion of Utah approach). Since 2019, many other states have been considering similar legislation. Since I became the legal consultant to Let Grow, I have had contacts with lawyers, parents, and other advocates in over two dozen states about possible legislative efforts we might undertake. Last year, effort were underway in a half a dozen states and currently three states, to my knowledge, are entertaining, or soon will be entertaining bills similar to H.B. 1147. One of those three states is South Carolina, which unanimously passed S. 79 in 2019, providing protection for independent activities for children. Arkansas passed the same language as is now the Let Grow Model Law as a preamble to Arkansas' juvenile neglect code in 2019, and similar language was passed in Texas through both chambers but did not receive a final floor vote (Texas will take this up again in 2021). While to our knowledge, Colorado will be is poised to be the second state (or third, depending on the timing of action in South Carolina's) to adopt a reasonable independence bill for children, efforts in other states make it likely that laws protecting the right of reasonable independence for children will continue to be adopted in the coming years.

2. The Utah "Listing Of Activities" Approach

Utah's law is the first in the nation to specifically clarify that a parent's allowing reasonable independency is not neglect. Utah takes the approach of listing specific activities that children may engage in. This listing allows for "other similar activities" as well.

The basis for the listing is that the activities listed are common ones, usually ones that parents recall doing at ages much younger than children today are allowed or encouraged to do. Deference to parental judgment about what is reasonable for their own child is also an important feature of Utah law. In addition, the Utah law places this right of children and families into its child protection law, as this is the part in of the law that sets forth general parenting standards of which citizens should be aware, setting forth the realm of private family life and decisions and the scope of the state's interest in protecting children from any harm at home if that harm crosses the line into abuse or neglect that the state is entitled to protect children from experience. Having a clear right is important to families, in Utah as everywhere, because parents shape their parenting decisions in light of their understanding of the law.

Vague neglect laws, by contrast, have the opposite effect, just as vague criminal laws over-deter conduct that is lawful. One reason parents today are so fearful of letting their children engage in outdoor and indoor activities unsupervised for reasonable periods of time is that they simply do not know where the line between lawful decisions and unlawful ones lie. The Utah law clarifies most of the common place decisions parents make every day as reasonable ones,

and thus operates to end the chilling effect that overly vague laws create for families everywhere who want to make the best decisions they can but operate under fear of guessing wrong and finding themselves under investigation for neglect.

3. The Illinois "Strengthening-of-Vague-Laws" Approach

In 2013, a mother named Julie Q. was finally successful, after 4 ½ years of litigation, in challenging a child neglect registry that had labeled her a child neglector. The Appellate Court of Illinois declared that the child welfare policy on which the State of Illinois relied was void, because the Illinois legislature in 1980 had specifically narrowed Illinois neglect law. The Illinois child protection agency appealed the case to the Illinois Supreme Court, which affirmed that the rule the agency relied up was contrary to legislative authority. In the wake of these higher court decisions, Illinois had the opportunity to take up amendments to the Illinois neglect law should provide. An agreement of many stakeholders, including the child welfare state agency, guardian ad litem's office state's attorneys, domestic violence advocacy organizations and family advocates, tightened Illinois's child protection legislation by clarifying the meaning of neglect. In the course of the Julie Q. litigation and two class actions that followed, 26,000 people had their names removed from Illinois child abuse register. As a result of the Julie Q. litigation (in which I was co-counsel, as well as serving as counsel in these legislative discussion), Illinois now has a carefully drafted neglect law that captures well what we as citizens, as parents, and decision-makers actually mean when we choose to label a parent as guilty of "neglect." The Illinois definition now includes a definition of neglect as either lack of necessary care (food shelter or medical care) or the "blatant disregard" of likely harm to the child. In turn, blatant disregard is further defined as "an incident where the real, significant, and imminent risk of harm would be so obvious to a reasonable parent or caretaker that it is unlikely that a reasonable parent or caretaker would have exposed the child to the danger without exercising precautionary measures to protect the child from harm. Residents residing in the facility.:

Also, as more specifically relevant to the category of "lack of supervision," Natasha Felix's own case, described above, led to application of the Illinois "blatant disregard of obvious harm" standard to cases involving children playing outside, allowed to sit briefly in cars, and allowed to be home alone. See 89 Ill. Admin. Code 300/74, Illinois Rule and Procedure Manual, Procedure 300 Appendix B-74. Of course, agency guidance, training, and implementation of this policy through practice, through application in administrative hearing decisions and in legal proceedings is essential to ensuring that the right to reasonable independence that is put forth in law is respected in practice.

4. The Combination of the Utah Approach and the Illinois Approach Formed the "Model Law" Approach That Has Been Used to Frame H.B. 1147

Following passage of the Utah law, United Family Advocates, which I co-chair, took up a project to develop a model neglect law that built upon both the Utah framework and the Illinois framework. The "listing of activities" approach from Utah approach was viewed positively but we were concerned the list could be used in a way that limited the right without providing a governing standard as to what "similar activities" include. And because Illinois had the experience of amending its child neglect law to create a clearly defined standard that

distinguishes between reasonable and unreasonable conduct in a way that makes sense to the many parties to child protection cases, United Family Advocates wanted to create a model that combined the strengths of the Utah and Illinois approaches. As a result of United Family Advocates' drafting of a Model Law, Let Grow also adopted this proposal as its recommended framework for legislation is the result of that work by United Family Advocates.

A concern Let Grow heard voiced as to Utah law was that the right it establishes works only for rural and middle class families, but not for urban and minority communities. One reason for the broader principles, like the one adopted in Illinois is that we believe that the right of independence should be available for all communities. Having a clear standard that enables parents and policymakers to distinguish between real neglect and reasonable parenting is important for all families.

The legislation we support aims to help agencies draw the lines they are called upon to draw. There is a dramatic and important legal difference between a parent who lets her 8 year old child ride her bike around the block or walk the dog for 30 minutes after school, for example, and the father who leaves his 5 year old home alone with knives and guns out in the open. Yet both cases fall within the "lack of supervision." Clearly, clearer standards are needed to confers rights and to provide vital information to families.

These provisions are consonant with some basic principles and policies as well.

(1) The United States Supreme Court, In *Troxel v. Granville,* 530 US.57 (2000) struck down a law that took discretion from parents to determine the activities and associations of their children, declaring that the fundamental right of parents under the 14th Amendment required reasonable deference to them as the persons who should be the first to decide the best interests of their children

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(2) Vague laws have recently been struck down by the current Supreme Court. In *Sessions v. Dimaya 584 U.S.* __ (2018), Judge Gorsuch breathed new life into vagueness doctrine. By clarifying Colorado neglect law to list activities that are lawful and setting a clearer legal standard for decision future cases, H.B. 1147 addresses this concern about the potential undue vagueness of current Colorado law.

(3) Laws that chill lawful conduct hurt children and families. Just as Judge Pallmeyer found in *Dupuy v. McDonald*, the consequences of a neglect investigation and a neglect label can be life altering. S*ee* 141 F. Supp. 2d 1090. (noting that persons who are wrongly listed in the child abuse register can lose not only their livelihood but their self-esteem).

(4) Child protection authorities have important work to do. Many children who are truly endangered in their homes need to receive social service protection. By specifying that independent activities are protected against neglect judgments, the child protection authorities should be authorized to more quickly and summarily limit investigations that lack merit so as to be able to concentrate on cases that truly demand their attention.

(5) Minority communities need protection the most. Discretionary judgments that are not constrained by clear legal principles are prone to abuse when applied to persons of color. For example, in a famous study, reporting laws were applied 9 times more often to low income minority hospital population than to a comparable more affluent hospital even though the incidence of drug use at those two hospitals was the same. *See,* The Prevalence of Illicit-drug or Alcohol Use during Pregnancy and Discrepancies in Mandatory rPporting in Pinellas County,

Florida, N Engl J Med. 1990 Apr 26;322(17):1202-6.For that reason, it is especially important to adopt clear and consistent laws that can be applied evenhandedly to all communities and that set a bar for neglect that does not sweep in every family in a low income community of color.

Conclusion: For all of the of the reasons set out above, I hope that the Judiciary Committee will vote in favor of HB. 1147.

Thank you for your consideration of this testimony,

Yours truly,

Diane L. Redleaf
Legal Consultant to Let Grow
diane@letgrow.org
www.familydefenseconsulting.com
708-927-8169

PARENT AND CHILD TESTIMONY

Brinley Sheffield, Age 10

Hi my name is Brinley Sheffield and I am 10 years old. When I was 7, I wanted to become a better runner. I made a goal to run around the block by my house twice in a row. My mom and Dad ran around our block with me many times before this to make sure I knew the way. I knew where my house was. I felt confident that I was able to do this run by myself and my Mom and Dad said it was okay if I tried. The first day I started running, I saw that someone was following me in their car. I thought about knocking on someone else's door to ask for help but I wasn't very far from my house so I decided to just run home. Minutes after I arrived home a police officer came and knocked on our door. My first thought was that they found the person who followed me and were going to put them in jail. But then I realized that the officer was at our house because of me. The person who followed me called the police because I was outside running by myself. I started to cry because I was scared. I felt like I was going to be in trouble. I didn't get in any trouble that day, but I haven't ran around the block since that day by myself. After this experience, I didn't want to do it ever again. I felt like people would follow me and call the police again for no reason and that scared me.

I want to be able to walk or run around my block when my mom and dad say it's okay. I want to ride my bike to the park and play outside without worrying that someone else will think it's not okay and will call the police. I want to be independent and be able to do things by myself. I

know that I am capable of doing a lot of things and I want to be allowed to play outside when my Mom and Dad say I can. Thank you for hearing my story today.

Christa Sheffield, Mother:

Representatives Buckner and Ransom, Chairman Weissman, and Committee members, Thank you for giving me the opportunity to come here today. You have just heard a story from my daughter Brinley.

I am the mom who ran around this same block many times with my daughter before allowing her to do it on her own.

I am a mom to 4 girls of whom Brinley is the oldest. Physical activity is something that our family values very highly and does a lot together. My husband and I have spent countless hours with our children walking and riding bikes in our neighborhood.

Next to physical activity, we greatly value independence and allowing our children space and freedom to explore the world around them. Not only do we value it, but we encourage it as well.

With 4 kids at home I teach my children that when they are capable of doing something on their own they need to do it. When we go on bike rides we have our children lead the way. They show us that they are capable of navigating our area on their own and love it when they get to be the leader. This is why we made the decision that Brinley would be allowed to run around the block by herself. And like she told you, her very first experience doing it on her own was not a positive one. I was in no way concerned that she would get lost or hurt on her run, but what I didn't realize then was that I really needed to be concerned about the judgement of others.

I don't actually know who it was who called the police that day. I think that they were probably just concerned for her safety and wanted to help. However, that person watched her walk into her own home. Without knowing anything about my daughter they decided that whatever it was she was doing was not okay with them. Instead of knocking on our door and inquiring after her safety, their first response was to call the police. This is the culture that we need to change. Our first response in a case like this should not be to call the authorities. I want the culture in our communities to be where neighbors care for each other and are more concerned with genuinely helping rather than just calling the police when children are outside or doing things on their own. We have created a culture where people are too afraid to talk to their neighbors and where children are not expected to be outside. It's a culture where children are coddled and don't ever get a chance to do something or be somewhere without the interference of a parent.

Since that experience I, like Brinley, have lived in fear. I am a good mom. I care for the safety and well-being of my children. But I am tired of feeling like I can't let them do certain things out of fear that my integrity and judgement as a parent will be called into question. I am tired of parenting out of fear. No one knows my children like I do and I should be able to decide when they are capable of independence, not someone who has never even met me or them.

This Bill is something that can help empower our children. To learn that they are strong. To know that they can do hard things and handle things on their own. I want them to push the limits of their capabilities so they don't become complacent letting their parents do everything for them. I believe in our children. Thank you so much for your time listening to my story and your consideration with this bill.

Video Testimony: Elizabeth Broadbent and son Blaise, 9

https://www.facebook.com/watch/?v=587994591674147

Judith Safern, Mother
To the Texas House Human Services Committee:
TESTIMONY IN SUPPORT OF HB 3331
April 1, 2019

Dear Chairman Frank, Vice Chair Hinojosa, and Members of the Committee:

This is regarding **HB 3331,** the so-called Child Trauma Reduction Act, which I am in favor of. I write specifically in support of provisions in Section 1, Section 3, and Section 8 of the bill that provide common-sense protections for parents who want to give their kids the freedom to just be kids.

I am the editor of The Dallas Jewish Monthly and mother of two Free-Range kids, a 17-year-old boy and a 16-year-old girl. Fortunately, no one has called CPS or waged any "official" protest to my parenting decisions, but I have seen enough families seriously hurt by state involvement to feel it my civic duty to provide testimony to this Committee.

Texas has always pioneered as a leader in civil rights. We have led the country in female governors, senators, mayors, and judges. Let us now lead the country in the preservation and protection of both childhood freedom and parents' rights to define the boundaries of their own children's freedoms.

Permit me to quote Proverb 22:6 which instructs parents to raise and educate each child "*al pi darko,"* which translates as "according to his path." The Jewish position is that **parents must be free to make decisions in the best interests of their children, each according to his or her needs and abilities.**

One of my children -- actually, my younger one -- has always been adventurous and mature. At 14 she applied to attend boarding school in Israel and, at 15, we sent her from Dallas to Israel for the first of what will be four years of high school in the Middle East. To travel home, my daughter must take a train or bus from her school to Ben Gurion International Airport outside Tel Aviv. Between saying goodbye to the armed security guard stationed at her school and arriving to my embrace at DFW, Hannah must navigate security, passport control, customs, and baggage claim and literally thousands of strangers on her own. She will be on her own in no fewer than three international airports within 24 hours with no guardian.

Her 6'2” 200 pound older brother, Joel, is not ready for that. He attends a public school close to home, where he excels in AP and Honors classes. He scored in the 99th percentile on the SAT, but he lacks his little sister's street smarts and grit. They are different people. One is not “better” than the other, but as their parent I have spent the best part of the past 17 years deeply engaged in observing them and thoroughly committed to promoting their welfare. What is best for one is decidedly not at all good for the other.

When my daughter was nine, I gave her money, a grocery list, and a kiss on the cheek before she biked to our local grocery store to pick up a few ingredients we needed for dinner. She knew the way to our Tom Thumb and had a cell phone tucked into her backpack, just in case. She succeeded in her mission to find and purchase butter, avocados, and a lime. After she paid, one of our neighbors saw her about to ride home and insisted on putting the bike in the car and driving her.

My neighbor didn't report me to CPS, but she clearly disapproved. I can't imagine what she'd think of now 16 year-old Hannah travelling alone to and through a series of international airports. But it's not her concern. And it should not be of concern to the State. It should be left to Hannah's parents to decide whether we believe she has the wherewithal to handle that or any other challenge. Nor should anyone question us about why Hannah's genius brother isn't on his school’s basketball or math teams. We understand and respect Joel's boundaries.

To hold Hannah back or to push Joel forward would be equally unfair. So would limiting my freedom to decide what is best for my children.

There is no greater expert on any child than a loving, attentive parent. To limit parental freedom and assume the State has greater wisdom (or concern) than a child's own parents is a grave mistake, not just for the individuals, but for society. We need Hannahs to boldly go forth, and Joels to study and create. Parents have the G-d-given right to raise our children *al pi darko*...but we need the State to proclaim, preserve, and protect that right.

Thank you for taking my testimony into your consideration of passing HB3331, the Child Trauma Reduction Act.

Kind regards,
Judith Tashbook Safern
6907 Levelland Road
Dallas, TX 75252
(214) 592-2125
Jsafern@gmail.com

EASY TEMPLATE TO USE TO WRITE TESTIMONY

Testimony of [NAME]

[Position, Agency/Organization]

In support of

S.B. No. 806 AN ACT PROHIBITING A FINDING OF NEGLECT IN CERTAIN CIRCUMSTANCES.

Committee on Children – Public Hearing, February 14, 2019

Dear Senator Abrams, Representative Linehan, Senator Kelly, Representative Green, and Members of the Committee on Children:

My name is [name], and I am a resident of [Town], CT. [Identify your position or role in any relevant organizations where you work or volunteer. For example," I serve on the Wilton Youth Council's Free Play Matters Task Force"]. I write to you today to support Raised Senate Bill 806 - An Act Prohibiting a Finding of Neglect in Certain Circumstances.

[Then make your argument for why you support this bill. Both personal or professional stories and research based support are impactful.]

[Be sure to thank legislators.]

[Name]

[Address]

[City, State Zip]

[Contact email or phone]