

Testimony of Davene Roseborough, Lived Expert

Presented to the New York State Senate Standing Committee on Children and Families and Senate Standing Committee on Judiciary

Subject: Conducting oversight of the Family Court throughout the State, including its resources, operations, and outcomes

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My name is Davene Roseborough and I am an advocate and a parent who has been impacted by the family court system. Thank you Chair Hoylman-Sigal and Chair Brisport for the opportunity to testify today.

This system has caused deep physical and mental harm for my whole family—but most importantly, for my children. As a result of the family court system, my son was put in the foster system, where he went through serious abuse and neglect. This case went on for five years and ACS never got involved to protect my son. When he came back home, we had to go through a bunch of mental health counseling—none of which was paid for by the system. Healing from the family court system is a building process that never ends. The harm doesn't just stop when you reunite families. It continues forever.

That's why I am here today to ask you to please not expand the family court system. We can try all we want to make the system more humane—but if ripping families apart is still the outcome, then what's the difference? If our children's trauma is still the outcome, then what's the difference? Instead of relying on band aid solutions, I ask you instead to educate yourselves on the harms of the system and do everything you can to prevent more families from having to experience them.

No matter the outcome, being in family court is a nasty experience. Judges don't listen to families in family court. They don't even allow you to speak. They cut us off. They say: No, I don't want to hear anything you have to say. I know this because it's happened to me and it's

happened to parents I've advocated for. In family court, decisions about children's lives are not based on what is best for the child. These decisions are based on money and politics.

Part of the problem is that judges are far overburdened and have too many cases on their plate. Judges are making decisions to separate families because they have too much on their plate. Judges are making decisions to terminate parental rights because they don't have all of the facts. Judges need lower caseloads—and the answer to that problem is not to hire more judges, but to file less cases.

The largest problem of all is that this system is founded on the belief that Black people are unable to care for our kids. Racial bias training isn't going to fix this. The roots of this system are rotten and we can't train our way out of it.

We must narrow the pathways that push people into the family court system, and there are several bills that New York State can pass this session to do just this. First, we must pass the Anti-Harassment in Reporting Bill to prevent people from using CPS reports as a way to harass people. We must also pass the Family Miranda Rights Act to ensure that all families are informed of their rights, including the right to an attorney, at the start of every CPS investigation. The harms this system has caused to my family can not be undone, but we can prevent even more families from experiencing these harms.

Thank you.