

September 20, 2021

Representative Rodney Wakeman, Chair  
Families, Children, and Seniors  
House of Representatives  
P. O. Box 30014  
Lansing, Mi. 48909-7514

Via E Mail

Re: H.B. 5293

Dear Rep. Wakeman;

I am writing to express my strong opposition to H.B. 5293. This bill represents the third time in 2 years that Rep. Reilly has introduced this same measure. The two prior bills (H.B. 6499 of 2018 and H. B. 4095 of 2020) were both worded the same and designed to create a legislative "carve out" intended to benefit a single Child Caring Institution licensee by codifying their preferred business model (7-10 children per facility on 20 acres) in an effort to exempt these facilities from local zoning ordinance requirements. Neither of the previous bills became law and likewise nor should H. B. 5293.

This bill is undesirable and not needed for the follow zoning ordinance reasons:

- 1) Current statute permits for licensing of child caring facilities for 7 to 10 children.
- 2) Exempts a license dependent, commercial business from local zoning requirements, permits said facility in any zoning district and allows for the creation of institutional "campus -like" settings without community oversight.
- 3) Lot size has no relevance to the nature of services provided nor the success thereof.
- 4) The reliance on parcel size (20 acres) as a spacing requirement violates the court's ruling in Larkin v. State of Michigan Dept. of Social Services. 89 F . 3<sup>rd</sup> 285 (6th Cir. 1996)

While I recognize the need for a stable and quality foster parenting for children, smaller homes with less children are a best practices issue for Michigan. Nationally, states are moving away from placing children in congregated care settings. This trend has demonstrated greater strides in reducing the number of children spending time in foster care. HB 5293 reinforces the failed practices of the past by promoting institutional and congregate living situations over small foster homes.

The Federal Administration for Children and Families, Children's Bureau, federal legislation (e.g. Family First Prevention Services Act), child development experts, and best practices encourage children being placed in developmentally appropriate family environment in the least restrictive foster care home available. This objective is best achieved when smaller numbers of children live together in foster care homes and non-congregate care settings in their own community. Investing in families to connect and commit to these children will help to develop a network of natural support systems when they grow into adulthood. In congregate settings, it has been demonstrated that children have trouble developing independent living skills and support systems to guide them as adults.

The fewer numbers of children residing in foster care homes, the greater the opportunity for foster parents to promote the physical and mental health needs of the children under their care. This is important point of consideration in light of national studies that demonstrate that many children in the foster care system have suffered significant trauma and have intricate physical and behavioral health needs. Psychotic symptoms, post-traumatic stress, disruptive behavior disorders, lack of intact thought process are some of common diagnoses of children between 6 and 11 years old in foster care homes.

Children in the Michigan foster care system with a need for services deserve better. They need to live in a family setting with the appropriate, community-based support that promotes inclusion, choice and a future success. It would be better to invest in these programs rather pursue failed policy of the past. They also need your "no" vote on this bill.

Sincerely,

A handwritten signature in black ink that reads "Chester Koop". The signature is written in a cursive style with a large, prominent "K" and "o" in "Koop".

Chester Koop  
Rose Twp., Oakland County

cc: Families, Children, and Seniors Committee Members  
Rep. Mike Muller