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**ACLU Statement of Support  
HB 170 Notice of Rights  
Before Senate Judiciary and Rules Committee**

The ACLU of Idaho offers the following comments in support of HB 170 – Notice of Rights. The premise of HB 170 is simple – to ensure that any Idahoan engaging with a government official, in this case, a representative from Child Protection Services (CPS) is notified in writing of their constitutional right to remain silent and refuse entry to one’s home without a legal court warrant. Knowing your rights when interacting with government is critical to protecting your constitutional rights to privacy and due process so that you can better protect yourself and your family. In the case of CPS investigations, parents should be prepared to assert their rights when questioned by government officials who have the authority to enter their home, question their minor children, and remove children from their parents or custodial guardians.

The need to provide parents and custodial guardians with their rights when engaging with CPS officials is even more critical when analyzing the racial impact of the broader child protection service program, specifically which community groups experience higher rates of family separation. Nationally Black families are more than twice as likely to be investigated by child protection agencies and Indian families are nearly four times as likely to be investigated. Idaho statistics remain just as troubling. Despite Idaho’s population being 1.2% Black, Black children make up 2% of children removed for out of home care – a 166% disparity. For the Hispanic community, Idaho is 12.2% Hispanic, yet Hispanic children make up 18% of children removed for out of home care – a 147% disparity. And worse, Idaho is 2% American Indian, yet American Indian children make up 6% of children removed for out of home care – a 300% disparity.

In providing this statement of support for HB 170, the ACLU of Idaho offers no comment on the current functioning of Idaho’s CPS programs. Instead, we invite lawmakers to engage with directly impacted children, parents and local stakeholders to assess the systems current needs.