

March 5, 2013

Mary Del Re  
47 Nichols Street  
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Dear Senators and Representatives,

***Fourth Amendment***

*"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."*

My husband and I strongly urge you to **oppose S.B. 374** along with 3 other proposed bills that are similar in topic (S.B. 169, 5534, and 5567). These bills will require behavioral health assessments on children without any indication of a problem.

These behavioral health assessments would be unlawful according to the Fourth Amendment of the federal Constitution. There is not a probable cause to assess a child who does not indicate behavioral health issues. Systematically assessing children's mental health without having any indication that there is any behavioral health issue violates our law and our rights as U.S. citizens. This bill would also violate the Fourth Amendment in our right "to be secure in their persons...against unreasonable search". Who ever would be administering the assessment would be searching for signs of behavioral health in a child without a "probable cause", forcing them to answer questions.

My husband and I homeschool our children. S.B. 374 would be unlawful in another way by making homeschoolers report to the State Board of Education. This bill shows that these assessments would be provided to health care providers by the State Board of Education. No where in our law does the State Board of Education have any jurisdiction over homeschoolers.

We believe that parents want what is best for their children. Parents are the best advocate for a child, not the government.

If there are signs that indicate a possible behavioral health problem, assessments are available so that parents can seek help for their child. Pediatricians already assess children at their yearly physicals. Teachers already assess students as they are with them long enough to recognize behavioral issues. They have a system that will lead a child to being diagnosed.

Being that teachers and pediatricians already have systems in place to identify children with behavioral health issues, I have to ask...what kind of questions will

these assessments ask? It is pretty obvious that these bills are all driven by the tragedy that occurred in Sandy Hook. Will they ask such questions as: Have you ever thought about killing anyone? Have you ever thought about committing suicide? Do you have access to guns? These would not be appropriate questions to ask children.

I have a personal experience seeking state assessment for one of my children. I contacted the Birth to Three program to have my daughter assessed for delayed speech. When they were assessing her, they informed me that Birth to Three would not be able to give her services unless she had two different problems. So, if her speech was delayed, she would need to have another problem in addition to the speech for her to be eligible for any services. If our state services can not help a child with a simple need of speech therapy, unless it is coupled with another problem, how will it be able to help the assessed children with behavioral health issues? These assessments will be a financial burden that will not bring about help to the children who truly need it.

Therefore, this leads me to the question of what happens to all the children who are assessed and labeled with behavioral health issues? Would they now carry a label that would deem them a threat to society for the rest of their life? In speaking to other parents and reading articles written by parents with special needs children that have been diagnosed, the problem is not getting the children diagnosed, it is getting the proper help that the children need. Mandating these assessments on children, most of them without behavioral health problems, is a waste of money whether it is through taxpayers' dollars or through citizens' co-pays and deductibles.

When I attended school as a child, there were plenty of people in the world with mental and behavioral health issues. School shootings were not a threat to us. We did not have drills in school to prepare for them and we did not need police officers on school property. Making more regulations for behavioral health assessments will not be a solution to school shootings. I do not have the answer on how to prevent tragedies like the Sandy Hook shooting, but taking away freedom is not the answer.

Passing a bill mandating these assessments will cause more harm than not. They will be intrusive to the children, cost more money, put more regulations on teachers and pediatricians, and label people and possibly deem them a threat to society without truly helping them. But most importantly, they unlawfully take away our freedoms stated in the Fourth Amendment.

We are opposed to ALL bills that take away a parent's right to make decisions for their children.

Sincerely,

Mary Del Re