

House Judiciary Committee Hearing - H.B. 20-1052

January 23, 2020

Testimony of Jeff Ball

Chairman Weissman and members of the House Judiciary Committee:

Thank you for the opportunity to appear before you as a representative of the privatized Title IV-D child support community, allied with the government-provided Title IV-D child support services found throughout most of the state. My name is Jeff Ball, and I would like to add my support to H.B. 20-1052. We truly appreciate the inclusion of the contracted child support services worker in the bill. I thank specifically Director Julie Krow and Rep. Carver for including us.

Section 26-13-124 of the Colorado Revised Code permits counties to privatize their child support programs with state approval. As the administrator of El Paso County and Teller County Child Support Services offices, I am under contract to both counties. I am an employee and Vice President of YoungWilliams, Inc., a Mississippi-based company. We also provide some staffing to the Douglas County Child Support Services office.

I am also chair of the Colorado Child Support Commission and Co-chair of the State IV-D Task Force. I have been an attorney for 38 years, although I am not licensed in Colorado. I have been involved in child support 33 years at the federal, state, and local levels. Allow me to state in general, threats are all too common in our field.

There are about 150,000 child support cases in Colorado that are handled by over 600 workers in the child support agencies at the county level. We establish paternity and support orders, and then seek enforcement of them when they are not followed. In El Paso County, we have about 18,000 cases and oversee the transfer of about \$52 million from non-custodial parents to custodial parents. Most parents obey their orders, while some resist. Some resist passively and others more aggressively, sometimes resulting in highly confrontational situations, which may include threats.

While we do not receive personal threats every day in our offices, they do occur too frequently. I would divide the threats our customers make into four categories: one, they will escalate our disagreement

with what we are doing to county, state or federal elected public officials; two, they will consider taking action against themselves, with some people threatening suicide; three, they will make an amorphous but unmistakable threat that there will be consequences to the office or to people who work in the office because of their past action or inaction; and, four, they make an outright threat that the office or a specific worker faces harm because of the office's past action or inaction.

The first category of escalation is fine; it is a customer's right to do so. The second category of threatening harm to oneself usually results in our call to law enforcement, with a subsequent wellness visit by police. The third category of vague threats is when we try to deduce if it is something we need to take seriously, and if so, what our response should be. We consider our past interaction with the customer, whether the customer is in town or from a distant point, the intensity with which the customer made the threat, and any history of restraining orders, domestic violence, or child abuse of which we are aware.

The fourth category of specific threats are all taken seriously. These occur perhaps less than a handful of times a year, and are often aimed at the caseworker, an attorney in our office, a supervisor, the deputy project manager, or me.

One specific example resulted in a permanent restraining order against the customer in 2013. He threatened harm against several individuals, including me, for work done on his case in 2009, before some of us worked in the office. A few years after the restraining order this individual sued several of us in federal district court for one billion dollars for violating his rights. The federal court dismissed the suit. He wrote a threatening letter after that, which we reported to the police, and he was taken into custody for violating the restraining order. The court admonished him for his violation.

We know a restraining order works if the restrained person obeys the order, and we know that not everyone follows the terms of the order. Once in a while a car pulls up in front of my house with the driver staring at my front window from the car. I wonder who he or she is and whether they are an angry customer, or perhaps a friend of the person against whom we have a restraining order. I sometimes worry about my pets being out in the backyard and if someone will harm them. Luckily, my children are adults and live elsewhere.

More and more persons who call themselves "Sovereign Citizens" use litigation as a harassment technique. They do not believe in the authority of the federal, state or local government, except for the power of sheriffs and notaries public. The Uniform Commercial Code is the one law by which they

abide. They will sue someone who uses their names without their permission, and they will attempt to place liens on real estate of those who have sought traditional civil action against them or who have not paid them for use of their name. To clear the unwarranted cloud on one's real estate title can be an expensive proposition.

Our office has routinely gone through active-shooter training over the past nine years to ensure that when an event is live we know where to go and what to do. We have had the Colorado Springs Police's SWAT team conduct training for us twice.

So while it is the exception and not the rule that customers threaten us, it does occur. To protect our families and to give us a modicum of relief from worry, the amendments proposed in H.B.20-1052 should thwart many of those who threaten us. Of course, we must remain vigilant, noting that a sophisticated cyber sleuth may be able still find out about us, but by having the state and local databases block the release of our addresses, we will have an additional layer of protection to keep us safe and free from harassment and harm.

Last week the state-county IV-D Task Force of the Colorado Department of Human Services reviewed the bill. While the state task force members could not take a position until the state has formulated one, those task force members who are county administrators of child support programs voted to support the bill. (There were a few abstentions from people whose county may not have taken a position yet.)

I very much appreciate the efforts of the bill sponsors to help protect those of us who work in the child support field, whether as government workers or contractors. This bill will be very helpful to workers who want to discharge their duties without constant concern about their well-being.