



**State Representative Erica C. Crawley
Ohio House District 26
House Bill 188 Sponsor Testimony (as prepared)**

Chairman Merrin, Vice Chair Manning, Ranking Member Boyd, and members of the House Health Committee, thank you for the opportunity for Representative Cross and I to provide sponsor testimony on House Bill 188, regarding prohibiting blindness from denying or limiting the care of a minor.

This legislation is being brought before you today because it is important that we establish procedural safeguards for blind people who have the same right as any parent to care for their children successfully. However, there are currently biases and preconceived attitudes that have made it possible for blind parents to be denied the opportunity to raise their children in a loving environment simply because of their blindness.

These preconceived attitudes have resulted in parents being denied the custody of their children in divorce cases and newborns being removed from their parents care because a social worker made an assumption that a blind person could not care for an infant as well as a sighted parent. We need to establish procedural safeguards that require adherence to the Americans with Disabilities Act and respect the due process and equal protection rights of blind parents or prospective blind parents in child welfare, foster care, family law, and adoption.

No one should have the burden to prove that they are a good parent. Rather, the burden should be to prove that you are not a fit parent. In 2013, a Columbus man named Dan was going through a divorce. His blindness came up a lot where it was used by his son's mother to show he was an unfit parent. She would talk about how he could not drive therefore he could not get the boys to and from school, doctor's appointments, or transport them at all. Other things also came up like how he couldn't keep the house clean or cook. Multiple other issues came up throughout the case as well. Once a guardian ad-litem entered the case and was able to make recommendations to the court concerning the boys' best interest, based on observing things like the boys interactions and relationships with their parents, both parents were able to obtain shared responsibility. The boys see both their parents every day and Dan is involved in both boys' school and extra-curricular activities such as scouts, sports and band. A person's disability should not be the sole basis on determining parental rights and responsibilities. Whether blind or sighted, a good parent will figure things out and do what is best for their

children. Further, if a person uses supportive services to make their lives more manageable, the use of these services should not be used as evidence to support a claim that their blindness makes them unfit. Dan is gainfully employed, provides for his family, pays child support, and splits the cost of extracurricular activities that his sons are involved in.

A person's disability does not limit their ability to be a responsible, productive, and engaging parent. An individual's blindness should not serve as a basis for denial or restriction of visitation or custody in family or dependency cases. An individual's blindness should not serve as a basis for denial of his or her participation in public or private adoption when the adoption is determined to be otherwise in the best interests of the child. Finally, an individual's blindness should not serve as a basis for denial of foster care or guardianship when the appointment is determined to be otherwise in the best interests of the child.

This is not the first time this legislation has been introduced. In the 132nd General Assembly, Representatives Anne Gonzales and Jeff Rezabek, presented this bill and it passed unanimously out of the Community and Family Advancement committee as well as unopposed out of the House. It is important that we ensure the protection of blind parents and their rights to raise and care for their children and we ask for your favorable consideration of this legislation. Thank you again for the opportunity to testify, and at this time Representative Cross and I will be happy to answer any questions you may have.