



House Finance Committee

HB 110 – Proponent Testimony

3/11/2021

Good morning Chairman Oelslager, Vice Chair Plummer, Ranking Member Crawley and members of the House Finance Committee. Thank you for the opportunity to provide testimony on behalf of the Children's Defense Fund-Ohio in support of provisions for foster youth in House Bill 110.

CDF-Ohio is a statewide non-profit organization which serves as an independent voice for all children. Our mission is to ensure every child a *Healthy Start*, a *Head Start*, a *Fair Start*, a *Safe Start* and a *Moral Start* in life and successful passage to adulthood with the help of caring families and communities. We work to champion policies and programs that lift children out of poverty, protect them from abuse and neglect, and ensure quality education as well as appropriate and targeted access to resources to meet children's health and nutrition needs.

As Vice Chair Plummer has demonstrated in the recently introduced House Bill 4, our state and communities have the responsibility to ensure that the systems we have created are well-designed to protect children from abuse and neglect, without doing them further harm. There are currently almost 61,000 children with open child abuse and neglect cases in Ohio and over 15,000 children in foster care. People in the child welfare system work incredibly hard on their behalf, but the need is overwhelming and each child deserves the attention of someone with their best interests at heart, advocating for their safety and well-being.

To that end, we are grateful for the efforts of many of Ohio's leaders for their work to continue to reform the child welfare system, specifically as provided in the budget bill. First, we are grateful for the \$1,000,000 appropriation dedicated to Court Appointed Special Advocates, or CASA in GRF line 600553. CASAs are dedicated volunteers who are trained and supported by professional staff to advocate for the child's best interest during an abuse and neglect case with children's services. CASAs become familiar with the child and the family situation in order to make recommendations, such as requesting legal mediation services, behavioral health and education services, and ultimately decisions about custody. In 2019, Ohio CASA supported 2,500 volunteers to serve over 10,000 children in 56 counties.

There are many children who need an advocate as they confront violations to their rights while they are in foster care. To that end, we are also grateful that the administration has recommended a Foster Youth Bill of Rights and an annual budget of \$500,000 for an ombudsperson to resolve complaints made by foster youth. An independent ombuds office, designed by and for foster youth, would give them a number to call to find an advocate. A Foster Youth Bill of Rights will provide the foundation on which the ombuds office will operate.

New provisions outlined in Section 2151.316 state:



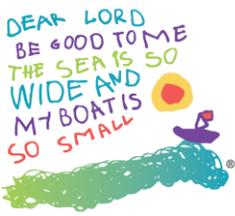
The department of Job and Family Services shall adopt rules in accordance with Chapter 119. of the Revised Code to establish and enforce a foster youth bill of rights for individuals who are in the temporary or permanent custody of a public children services agency or a planned permanent living arrangement or in the Title IV-E eligible care and placement responsibility of a juvenile court or other governmental agency that provides Title IV-E reimbursable placement services and who are subject to out-of-home care or placed with a kinship caregiver as defined in section 5101.85 of the Revised Code (B) If the rights of an individual, as established under division (A) of this section, conflict with the rights of a resource family or resource caregiver, as established in section 5103.163 of the Revised Code, the rights of the individual shall preempt the rights of the resource family or resource caregiver.

It is important that this Foster Youth Bill of Rights, as well as the ombuds office that is established to enforce it, be designed by current and former foster youth. While the needs of resource caregivers are important, children in custody are essentially powerless against the system. This office should be designed exclusively with children in mind in order to maintain its focus. In addition, the ombuds office must maintain its independence, rather than being housed within the Department of Job and Family Services.

HB 110, as it stands, does not have a specific earmark for the ombuds office. The administration has indicated that it will dedicate funding within the existing ODJFS operating budget. We recommend that legislature include specific provisions in HB 110 to set aside a portion of the budget for the ombuds office and clarify that it be created through a procurement process. The requests for proposals should be designed by current and former foster youth and the proposals should be scored by them. In addition, we recommend that the provisions addressing the development of the Foster Youth Bill of Rights explicitly state that they be informed by current and former foster youth.

These amendments would allow the children and adolescents most affected to have a voice in the design and ensure that they have an advocate when they need one. Included in this testimony is a fact sheet developed with ACTION Ohio, or Alumni of Care Together Improving Outcomes Now, with written testimony by a former foster youth. In the future, we hope to coordinate in-person testimony by young people to express in their own words the importance of these provisions.

On behalf of Children's Defense Fund-Ohio, thank you again for your work on this critical issue and on behalf of Ohio's children and families.



Key Components



Independent

Placed outside children's services state and local agencies



Dedicated

A dedicated toll-free number and office designed for foster youth and not combined with a service for foster parents



Holds accountable

Power to hold people and systems accountable to create change



Offers Resources

Refers youth to resources in addition to investigation and resolution services



Responsive

Starts a relationship with youth who seek help and communicates regularly about the status

Foster Youth Ombudsman Issue Brief

Youth who have experienced foster care learn to be resilient and overcome hardships, but they often feel powerless when placed in unsafe conditions after being removed from their homes. We have a responsibility to create a system that allows them to voice concerns when they are placed in harmful situations. We must empower them to change their situations by giving them a direct line to caring adults who can advocate on their behalf.

An Ombudsman office would give youth a voice by documenting and investigating their reports of unsafe conditions in the foster care system.

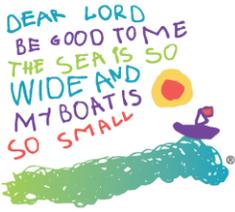


State Spotlight: Texas

The Texas Ombudsman for Children and Youth in Foster Care (FCO) was created in 2015 by [S.B. 830](#).

250

Number of substantiated cases in 2019 [Annual reports](#) show that the office is an effective tool at creating change within the system by empowering youth.



children's defense fund ohio



Former Foster Youth Spotlight: Jonathan Thomas

I dedicate my time advocating for foster youth, and other associations to help youth such as Wood County CASA, ACTION Ohio, and The Ohana Project. I would like to share why having an Ohio Foster Care Ombudsman Office is important. When first entering the foster care system at the age of 14 I was placed into a home in Fremont, Ohio. At first, the family was wonderful; much better than my biological family. But, over the course of the two years I lived there, things began to drastically change. As the stress of adding my two brothers, and I to the household began to settle in, so did the neglect, and mistreatment. The three of us, (and 1 other foster boy) were forced to treatment that their 2 biological children did not have to undergo. I begged my caseworker for over a year to remove my brothers, and I from such an environment, and for the longest time, she refused.

I believe issues like that can be eradicated with an Ombudsman office.

With voices in the Ohio Attorney General's office actively advocating, and investigating children's concerns, and issues, then the system will be that much closer to providing children with what they truly need. A loving, and supportive family.

The Ombudsman office will act as an independent forum for the investigation and resolution of complaints made by, or on behalf of the youth.

A Look at the Numbers

An independent and autonomous Ombudsman office would serve as a protective measure to safeguard the physical safety and emotional well-being of youth whose lives are entrusted to the foster care system.

13

States that have independent Ombudsman Offices established by the legislature

Former foster youth would be involved in design to emphasize youth-centered service delivery

4,826

Ohio teenagers were in care in August 2020

As COVID-19 makes it harder for caring adults like teachers and coaches to identify abuse and neglect, an Ombudsman office would facilitate self-reporting without fear of retribution.

-22%

Decline in reports of child abuse since COVID-19 shut down schools and sports