

Testimony to the Senate Committee on the Judiciary

Melissa Bennett

Current foster and adoptive parent

Testimony in SUPPORT of SB 216 on behalf of myself

Senate Bill 216 - Dylan's Law

November 8, 2021

Good afternoon Chairman Manning, Vice Chairman McColley, Ranking Member Thomas, Members of the Committee, Ladies and Gentlemen:

My name is Melissa Bennett. I am a teacher, foster parent, and adoptive parent from Scioto County. The reason I am writing to you today is to share my proponent testimony in **support** of Senate Bill 216 - Dylan's Law. I wish I could be there in person, but due to previous appointments and meetings, I cannot be.

I tearfully watched Senator Johnson's compelling testimony to the committee on Tuesday, September 21 at 3:30pm. I am happy Dylan's Law is finally on the senate floor, being discussed, and questioned. I appreciate the opportunity to provide proponent testimony to hopefully help shed more light on the need for S.B. 216 to become law, but regretfully cannot be there in person today, Tuesday, November 9, 2021 due to prior appointments.

Dylan's Law is extremely important to me. We must ensure that the most fragile humans get the love and care they desperately need from the beginning of their life. I have brought home 4 Neonatal Abstinence Syndrome (NAS) babies from the hospital spending many days and nights giving my unconditional love and attention to help them overcome withdrawals in hopes of them thriving with the necessary therapies, doctor appointments, etc. that they need in order to hopefully meet developmental milestones. Neonatal abstinence syndrome (NAS) is a set of symptoms associated with the abrupt withdrawal of opioids and other drugs when infants are born to mothers who were taking these substances.

The symptoms can range from mild to severe and include:

- Low birth weight
- Breathing problems
- Seizures
- Feeding difficulties (cannot suck a bottle)
- Tremors (trembling)
- Irritability (excessive crying)
- Sleep problems
- High-pitched crying
- Yawning, stuffy nose, and sneezing
- Vomiting
- Diarrhea
- Dehydration
- Sweating
- Fever or unstable temperature

I have brought home two newborns who literally did not have the sucking reflex. Until one has had this experience with an infant, you cannot imagine the time and patience it takes to feed these innocent babies. I have taken newborns for visits with their parents. Visits in which parents were still using drugs, obviously high, yet passing the drug test. I have witnessed my now adopted son experience major tremors resulting in seizures following visits with his birth parents due to residue on their clothes, hands, body, etc. I videoed this to show Children's Services. The excessive crying these babies often exhibit can be very difficult to handle even for the most calm person. Now imagine the reaction of a drug addict who has been up for days. These vulnerable babies cannot speak up! However, we can and we should advocate for their safety. Laws need updated to protect these innocent babies, notice I said updating not eliminating. In doing so, this updated change would ensure the most fragile, newborn infants, would have a good start because it is so extremely important for the remainder of their life.

Dylan's Law is a necessary step forward for our state with the drug epidemic we are currently in. Ohio is one of the worst states in the nation for drug overdoses and babies born addicted. These are statistics we need to change. Between June 1, 2020 and May 14, 2021 almost one thousand suspected

cases of Neonatal Abstinence Syndrome (NAS) were reported to the Ohio Department of Health. These children need our support, our courage to stand up for them, and our state to hold parents to standards that will never result in another innocent infant's life. We unfortunately need to use Dylan's death as our wake up call for our state's lackadaisical stance on reunification for the most vulnerable children in our society.

After Dylan's life ended tragically, I decided I needed to advocate more than ever for the most vulnerable. When the local children's services board had an opening, I expressed interest and was ultimately appointed by the county commissioners of Scioto County to help change the dynamic of our agency. I am proud of the staff changes, an additional attorney to help move cases along in court proceedings, the improvement of collaboration between agencies, and the positive changes our community is hopefully seeing in less than a year. However, despite our best efforts, more children are coming into care than ever before. Many of them are newborns due to their mother's use of drugs. This epidemic is not going to stop, but we can help protect the most vulnerable, giving them the best chance at overcoming trauma they must endure at no fault of their own.

Many did not know Dylan, but I did. Dylan's foster mother, Andrea Tackett, and I work together and took foster parent classes together to gain our certification in the winter of 2017. As teachers we both felt led to help our community because we saw the effects of the drugs and trauma children were facing in our classrooms. I gained my license in June of 2017 and have fostered 10 children over the 4 years in my home. I have now adopted two of them. I held Dylan as a newborn. I witnessed the horrible tremors. I observed the excessive sweating and sneezing. I cried with Andrea when she was told he was being "reunited" with family 12 short days after being in her care and I cried with her the day we found out he was found deep down in a well. I sat in a courtroom, listening to the unimaginable, inexcusable events that ultimately ended his little life. We knew this was too soon, but the current laws permitted it!

I am not anti-reunification. As a matter of fact, I am very supportive of parents who follow the case plan and do what is expected of them to care for their children. I have a great relationship with my very first placement who reunified with her mom and speak with them often! However, the purpose of Dylan's Law is to make sure that parents who are drug addicts get the proper treatment, focusing on himself/herself first. Then if they complete rehab and pass monitored drug tests, remain clean and sober so they can take care of their infant child, they can gain visitation privileges at various stages. Finally, a parenting class with proper training of how to deal with an infant who has NAS must be completed. Children should not be reunified just because it is the law. Their safety should be the priority!

Which brings me to the parenting class. Andrea and I have discussed that we will gladly design or construct the framework for this class and help implement it with the Ohio Department of Job and Family Services. Hospitals train foster parents before they leave with the newborn. It only seems reasonable that the biological parents should be trained to recognize the signs of withdrawal and the milestones to be looking for throughout the first year.

As a teacher, I have witnessed many children who have lived through trauma. This bill is simply asking that we try a different approach with infants in hopes of changing the trajectory that we are headed with the drug epidemic. Instead, we want the best start at life we possibly can give these fragile infants with people trained to care for them. This allows the infant to have necessary time for their body to heal from the withdrawals, therapies they need, etc.

According to ORC 2151.414 children can remain in temporary foster care for 12 months before the public children's services agency even begins proceedings for permanent custody. This provides the time we are asking with Dylan's Law. If a biological parent is not willing to make changes to their life within that time frame, then yes, permanent custody needs to be sought so children can grow and thrive in a stable, loving home who will help them work on overcoming trauma.

In conclusion, Senate Bill 216, also known as Dylan's Law, should not be thought of as anti-reunification, but rather pro safety of infants allowing their parents time with very specific guidelines to get their child back. The guidelines are necessary so no tragedy, such as Dylan's, ever happens again!

Please let me know if you have any questions or would like to speak with me. I would be more than willing to share my experiences and my deep desire for this bill to become a law in Ohio.

Thank you for your time and consideration. I look forward to following the updates and helping make changes for infants in foster care. I am willing to answer any questions you may have.

Thank you,

Melissa R. Bennett

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