



**SB 216**

**Opponent Testimony**

**Amna A. Akbar**

**Professor of Law**

**The Ohio State University, Moritz College of Law**

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Dear Chairman Manning, Vice-Chair McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for the opportunity to offer opponent testimony for SB 216.

I am a Professor of Law at The Ohio State University, Moritz College of Law. For many years, I practiced law, first as a legal services lawyer, and then in various clinical programs at law schools across the country, including at Moritz. Now, I teach courses and write scholarship related to criminal law and mass incarceration.

I write in strong opposition to SB 216, which will further criminalize poor families and families of color in the state. This is the absolute wrong direction to move in for Ohio's families, children and parents alike. We should be working to provide more support for families in need during a time of intense need, rather than dividing and punishing families. I hope you will do everything in your power to stop this legislation in its tracks.

As a considerable body of research shows, separating children from their parents has extraordinarily detrimental effects on children. Moreover, the system of family policing disproportionately targets Black and brown families around the country. It is rooted in the histories of dividing Black families during the period of chattel slavery and the long history of indigenous dispossession.

I would point the Committee to this report by Lisa Sangoi of the Movement for Family Power, and coauthored by NYU Law Family Defense Clinic and the Drug Police Alliance, documenting the harmful effects of further entangling the so-called war on drugs and the system of family policing. The report documents how prosecuting the drug war through the system of family regulation makes no sense as a matter of policy or equity. It piles on harm rather than reducing it and addresses none of the purported safety and well-being concerns for families.

National Advocates for Pregnant Women (NAPW) also has an incredible wealth of resources in the form of reports, fact sheets, and amicus briefs they have filed across the country showing the detrimental effects of criminalizing mothers for drug use. Here you will find an amicus brief that Civil Clinic at Moritz filed with NAPW in the Fourth Appellate District almost ten years ago laying out the research for why punishing parents for substance abuse is detrimental for parents and children alike.

Passing this bill would cause irreparable harm to Ohio's families and its children. Please stop this bill in its tracks. It is bad policy. It is time for the state to stop punishing poor and working-class parents and their children, and instead to provide funding for essential care and support.

Thank you for your time.

Amna A. Akbar  
Professor of Law  
The Ohio State University, Moritz College of Law  
[akbar.20@osu.edu](mailto:akbar.20@osu.edu)  
614-592-5832