

February 8, 2021
Opponent Testimony SB216
Senate Judiciary Committee
Trumbull County Children Services
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Chair Manning, Vice-Chair McColley, Ranking Member Thomas, and Members of the Committee, this written testimony is on behalf of Trumbull County Children Services (TCCS). TCCS is the public child welfare agency that serves Trumbull County. Thank you for the opportunity to submit this written testimony.

TCCS and all of Ohio's PCSAs are committed to ensuring that Ohio's infants affected by substance use are safe and receiving the services they need. It is what we do every day, which is why I must voice my strong opposition to Senate Bill 216 (SB 216), *Enact Dylan's Law*. SB 216 contradicts current research and practice in the areas of substance use treatment and child development and attachment; works against child welfare's core mandates and evidence-informed programs like Ohio START and the Maternal Opiate Medical Support (MOMS) program; and is incompatible with the basic tenets of both the Family First Prevention Services Act of 2018 and the Comprehensive Addiction and Recovery Act of 2016. Unlike SB 216, these best practice treatment approaches, service programs, and federal legislations all accept the medical model of addiction and do not attempt to punish those who suffer from it. But, if enacted, by ignoring the research and embracing a one-size-fits-all punitive approach to addiction, SB 216 would be a draconian step backward for Ohio, detrimental to Ohio's children and families, and financially devastating for the child welfare system.

Child safety, permanency, and well-being are child welfare's goals for every family, and SB 216 challenges two out of three of these desired outcomes. By consuming a significant portion of the 12 to 22 months mandated by law to work towards reunification, SB 216 would significantly delay permanency. And, with the separation that this law would mandate, child bonding would be complicated, if not permanently impaired. A secure attachment with a parent helps promote a child's cognitive, emotional, and social development. It is the key to producing happy, healthy, contributing adults. Consequently, while SB 216 might address safety for a handful of children in the short term, the long-term emotional damage it could cause is incalculable. Hundreds, if not thousands, of children would suffer, all due to Ohio's unwillingness to help their parents humanely battle the disease of addiction.

Addiction is defined as a disease by most medical associations, including the American Medical Association and the American Society of Addiction Medicine. It disrupts regions of the brain responsible for reward, motivation, learning, judgment, and memory. Using forced parent-child separation to motivate parental engagement and response to treatment is not only shockingly uncompassionate; it also ignores the fact that there is no empirical research that supports the use of punishment to improve treatment outcomes. To the contrary, research shows that regular visitation is good for the parent, and much more importantly, the child. This is not debatable. Even when the parent is in early treatment, evidence shows that parent-child visitation can and should occur with actions taken to safeguard visits and that it helps support long-term recovery.

No one likes to talk about the cost of child safety, but the uncomfortable reality is that there must be a fiscal analysis of every bill, even SB 216. Keeping things simple, my agency receives 20-30 referrals involving infants impacted by parental substance use every month. SB 216 requires all substance-exposed infants (except for those whose mothers are in medication-assisted treatment) to enter child welfare's custody for at least six months. Conservatively, if we assume that SB 216 would only require us to make 20 additional foster care placements every month, my county's foster care expenses would increase more than \$2,000,000 every year. It would likely be much more for the larger counties. And, even if Ohio's child welfare system could afford this law, and we cannot, where would we place all these children? There are simply not enough homes. SB 216 would only further stress Ohio's already fragile foster care system.

My agency has had tremendous success working with families impacted by addiction through innovative approaches like Ohio START. START is a community-based, child welfare-led initiative that has been empirically shown to improve outcomes for both parents and children. It recognizes that addiction is a family disease, recovery occurs in the context of families, and adult recovery should have a parent-child component. With programs like START, my agency can help families heal while keeping children safe.

Ohio's child welfare agencies need laws grounded in research and recognized best practice approaches that strengthen our work with children, families, and community partners in both language and spirit, not limit and financially cripple it. Consequently, for all the reasons I have cited and many more, I urge the Committee to oppose Senate Bill 216, *Enact Dylan's Law*.

I am available to answer any questions you may have. Thank you.