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Chairman Manning,
Vice Chair McColley
Ranking Member Thomas
Senate Judiciary Committee members

Thank you, Chairman Manning, Vice Chair McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee, for the opportunity to offer comments on Senate Bill 216, also known as Dylan's Law, regarding parental custody of infants who are born substance-exposed. While I understand the tragedy that this bill aims to prevent, I must oppose SB 216 in its current form.

I am Margo Spence, LSW, LICDC-CS, President & CEO of First Step Home, which is the premier drug and alcohol treatment agency for women and their children in Cincinnati, where I've served for over 20 years. Prior to that I served as the Director over the Women's Halfway Houses and Jail Treatment Component at Talbert House. We have a very strong Maternal Addiction Program at First Step Home and have a lot of experience dealing with pregnant and postpartum women and their babies and children.

Dylan Groves story is a major tragedy in every respect, from the foster mother who lost him, to the Scioto County Children's Services, to the parents, now in prison for this heinous crime. Dylan's Law is an attempt to right the wrongs, but in my opinion, the law will not work for several reasons. Not all mothers whose children are exposed to drugs in utero kill their children – or even harm or neglect them. Most are struggling to do the right thing and become a caring, competent parent.

- At First Step Home, 69% of our women were able to bring their babies 'home' to our program and were still together with their babies at the point of treatment exit. Of those mothers whose babies did not come back with them at birth, 85% were involved in a reunification process at the time of exit. In general, mothers want to be with their babies and, with support, are able to learn positive parenting skills and bond with their babies during the critical first six months of life.

- Our state's systems, including criminal justice, child welfare and substance abuse treatment agencies do not have the capacity to monitor and measure the ongoing status of every

child and parent every few weeks. Our systems are overtaxed within the current opioid addiction crisis and are unable to take on additional measurement and oversight on each family throughout the years. Greater accountability is an important goal however, it will not work as Dylan's Law is currently written.

- Rather than our focus being on separating mother and child and approaching such a prescriptive approach toward the mother for the original exposure to drugs and subsequent problems; the focus should be on individually designed treatment plans that build healthy bonds between mother and child. We must create nurturing environments while women are pregnant and seek treatment rather than instill fear that the baby will be taken away if they seek help.

There are other programs in Ohio that seek to work toward family unity and believe that it works most of the time, though not always. We oppose SB 216 because of the burden it will place on an already overtaxed system, for the need to focus on the positive relationship that can happen between women with substance use disorder and their babies and for the goal of keeping families together where possible.

Thank you, committee members, for your thoughtful consideration of this letter. If you have any questions or there is anything further I can provide, I may be reached at Margo.Spence@firststephome.org or 513-961-4663.

Sincerely,

Margo Spence

Margo Spence
President & CEO