May 22, 2018

Chairman Kevin Bacon and members of the Senate Judiciary Committee, thank you for the opportunity to provide proponent testimony in consideration of House Bill 309 (HB 309). I am a member of the National Federation of the Blind of Ohio. We are a consumer organization that believes in the full capacity of blind people, and has the power, influence, diversity, and determination to help transform the dreams of blind people into reality. We believe in blind people because we are blind people. Our democratically elected leaders and our diverse nationwide membership are blind people, our families, and our friends. We are bound together by our belief that the blind are capable of achieving our dreams and living the lives we want, and by the love and respect we have for one another and for all blind Americans. We support one another, act with courage and determination when we encounter barriers or experience setbacks, and engage in collective action to improve our lives.

The National Federation of the Blind fully supports not considering blindness an impediment to caring for minors. We believe that HB 309 will accomplish this task of battling low expectations and misconceptions of the capabilities of blind parents. Without this bill

1. Newborns have been removed from their parents’ care because a social worker assumes that a blind person cannot care for an infant.
2. Blind parents have been denied custody of children in divorce cases because the sighted spouse finds it convenient to claim that the blind parent cannot keep the child safe despite the fact that blind people around the state successfully care for their children every day.
3. Blind parents and prospective blind parents have been denied equal consideration in foster care and adoption.

On a personal note I have raised three children, who are now successful adults with families of their own. When I was six months pregnant with our first child, the spouse of my husband’s colleague on the faculty of Oberlin College dropped by my home to ask how I was planning to care for a child. I asked her if she would have been able to answer that question when she was carrying her son. She admitted that she had not, but it was clear that she thought that she had the right to question my competence. As it turned out, I had no difficulty caring for my children. Luckily no social worker ever interceded with the same question. But I have blind friends who have gone through social worker visits because someone has reported them to Children’s Services—the charges were found to be without merit—and I have talked with lawyers who were defending blind parents in custody disputes over the issue of ability to care for children. When we have lined up blind parents to testify to the ability of blind people to keep children safe, the cases have been dropped.

But no parent should have to prove competence simply because of blindness. Sometimes the best person to care for a child is a blind grandparent or sibling. Blind people can provide foster care and love to needy kids. Blindness should not prevent these people from caring for children who need a home.

The legislature must establish procedural safeguards that require adherence to the Americans with Disabilities Act and respect for the due process and equal protection rights of blind parents or prospective blind parents in child welfare, foster care, family law, and adoption. You have the power to add Ohio to the momentum that is gathering across the country for this kind of preventative legislation that has been passed in ten other states in the past few years, from Maryland to Utah to Illinois.

The National Federation of the Blind of Ohio would like to thank the committee for their hard work on this vital legislation that would protect the rights of blind parents throughout the state of Ohio.

Sincerely,

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