

Dear Senators

My name is JoAnn Barnett, President of Infant Swimming Resource (ISR). I am writing to you concerning Bill SB 309 seeking to allow certified ISR Instructors to conduct one-on-one aquatic survival instruction in Private Pools in the State of Ohio.

There are over 800 Certified ISR Instructors in the United States. As a result of our strict and stringent safety protocols, collectively, since 1966 ISR has delivered more than 6 million lessons without any injuries or mishaps. Lesson settings vary State by State and County by County. It's safe to say that at least one ISR Instructor is teaching in a residential pool in every State where ISR has a presence. Several states have multiple Instructors teaching in private pools. That is, every State except Ohio.

Previous to the Cease and Desist order, Ohio had several ISR Instructors teaching life saving skills in private pools in Ohio. Currently, not one ISR Instructor can give children the opportunity to save themselves.

ISR's lifesaving program is now more important than ever as so many families are staying home and out of their normal routines. Most often it is a change in established routines that results in accidents. Drownings have increased 100% (please see attached article)

<https://www.wflx.com/2020/05/10/drownings-florida-children-have-doubled/?outputType=amp&fbclid=IwAR1ks4iqZN8F7lujNuGhZVuFjcT3qVL0pipdWFe0naDp1x76kmV9oEd0isk>

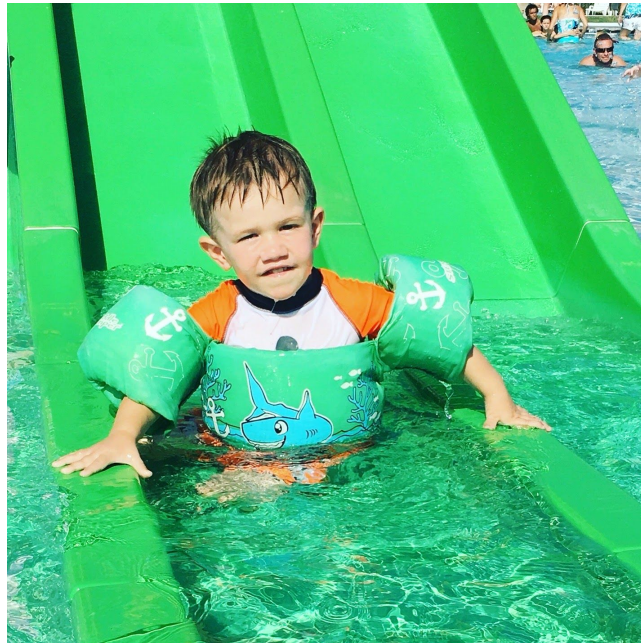
Please take a few moments to read "The Epidemic of Pediatric Drowning", below to fully grasp the gravity of the situation. Drowning really is a silent epidemic and it is the single greatest threat to the health and safety of our communities' youngest and most vulnerable members.

Thank you, in advance, for your kind consideration,

JoAnn Barnett

The Epidemic of Pediatric Drowning - How we are failing our kids.

Every year that we continue to push the same water safety suggestions, stick puddle jumpers on our toddlers, and cross our fingers that maybe THIS is the year the statistics magically change, we are failing our kids. We are telling thousands of children every year: We don't care enough about you to figure out how to stop this epidemic. Your lives are not worth it.



Tragic Consequences:

When my daughter was 8 months old, I willingly handed her to the murderer who took her big brother's life.

And, then I watched as she fought off this killer and learned to live.

My three year old son, Levi, drowned in June 2018, while we were on a beach vacation with friends. One moment, he was sitting on the couch, watching TV while I cleaned up after dinner. In the next, I pulled his lifeless body from the bottom of the pool.



Levi had somehow slipped out of the living room filled with children and adults, including myself, my husband, and five other physician friends. We weren't drinking, weren't on our phones, and the pool was not even in our line of vision.

I was the one who glanced, unsuspectingly, over the balcony and found our Levi, my guttural screams bringing a rush of people outside. My husband, a cardiothoracic anesthesiologist, was the first to perform CPR on his only son. Our older daughters watched in horror from the balcony, until our friends gently ushered them inside.

The confusion of “But, we weren’t even swimming!?” and “Levi was *just* on the couch” hung in the air, as we grappled to make sense of the senseless.

We begged to trade places with this boy who had so much life left to live and who we had *somehow failed to protect*. But, despite immediate attention, including being fully intubated before the ambulance even arrived, we lost Levi just hours later.

How did our son *drown*? How were years of intentional parenting canceled out within seconds?



Levi’s death rests on my husband and me. We failed to keep him safe, and there is no denying that fact. But, I have since learned that water safety goes far beyond the assumed foolproof advice of “watch your kids while swimming.”

Here is the truth: parents only know what they know. I *thought* I was doing everything right to keep Levi safe. I have 16 photos of what would be his final day of life, and in 14 of them, he is wearing a life jacket or puddle jumper: time-stamped photos of my boy, grinning proudly in his puddle jumper, as we unknowingly marched toward the end.

Of course, I will never stop wishing I had not momentarily turned to clean up dinner and had seen Levi slip out the door that night. But, over the last year and a half of research and advocacy, **I have realized the most impactful mistake I made that ultimately led to my son's death: I allowed and even encouraged Levi to believe that water was fun.**

We don't stand in a busy parking lot and eagerly proclaim to our impressionable toddlers: "Come on in!!" We don't encourage our kids to "become comfortable" around guns and tell other parents, "We don't want our kids to be afraid of guns."

Yet, this is exactly what we do with water, a substance that is just as deadly as parking lots and guns.

As a society, we brush aside the threat of drowning. "Tsk, tsk," we say from the safety of our iPhones as we casually scroll (often inaccurate, sensationalized) news reports on drowning. We almost smugly view drowning as some sort of just punishment for the parents too neglectful to protect their children. We find the loophole rather than facing the fear that this could be us. *This stigma around drowning is the greatest threat to prevention efforts.*

But, honestly? Here is the real, raw truth that we want to turn our heads and ignore: the implications of neglect are irrelevant, because drowning isn't happening *to the parents*. **It is happening to the children.** It's the 3 year old who will never get another bedtime kiss, the 8 year old who will never again open a Christmas stocking, and the teenager who will never graduate high school. Behind the

statistics are real children and teenagers, with whole lives spread before them. Until those lives are taken.

I'm not just a mom with a broken heart: the statistics back me up. Drowning is the #1 cause of death for kids 1-4, a toddler can drown in less than one minute, and at least 69% happen when kids aren't even swimming. It remains the #2 cause of death for 5-14 year olds. And, then it spikes AGAIN for teens, who are drowning in natural water.

While advancements in other areas of childhood safety push forward each year, drowning prevention watches from the sidelines, ignored, wondering why researchers and the medical community continue to turn their heads. **The statistics have remained stagnant for decades.** The same water safety tips are casually tossed out each year: Watch your kids while swimming! Install a fence! Buy a puddle jumper! Learn CPR!

Well, my son was not swimming; he was wearing khaki shorts and sitting on a couch a moment before he drowned. The beach house had a fence. Levi wore a puddle jumper while swimming. My son had 6 physicians by his side within seconds of being pulled out of the water. AND NONE OF THESE SAVED HIM.

We are failing our kids. Every year that we continue to only push the same suggestions, stick puddle jumpers on our toddlers, and cross our fingers that maybe THIS is the year the statistics magically change, we are failing our kids. We are telling thousands of children every year: *We don't care enough about you to figure out how to stop this epidemic. Your lives are not worth it.*

Then, how *do* we stop this epidemic? We start by looking beyond what we are currently doing and say "**WHAT ELSE?**"

We start by treating water as if it can be a lethal environment, *because it can.* I am not advocating that we avoid water; my older girls still love swimming, and we even live on a lake. But, our culture has the fun aspect of water figured out, and we must add in how to also respect it.

We start by looking at what worked in the past to change the statistics on childhood deaths. When illnesses, such as polio and measles, were impacting thousands of children each year, physicians and parents knew radical change was needed. When the statistics on childhood death from car crashes continued to rise, our culture didn't just keep the same approach year after year and hope for the best. No, instead, vaccines and carseats paused epidemics in their tracks, saving thousands of children from preventable injury and death every year.

And radical change is exactly what is needed to stop this drowning epidemic. We must start treating water with the respect it deserves and teaching our children how to SURVIVE in water. The missing layer of protection is the one that considers the *individual child* while also simultaneously protecting against *multiple* bodies of water.

After Levi died, I started researching drowning prevention and heard about survival swim lessons everywhere I turned. I was admittedly skeptical. "That's some sort of gimmick," I remember thinking. "It wouldn't have worked with Levi."

I saw the videos circulating on social media of babies floating, even had hundreds of parents reach out to me and share their personal stories, passionate testimonials of how survival swim lessons saved their child.

My questions and skepticism outweighed my answers. Does this really work? Is this traumatic for kids?

But, as I delved deeper into the statistics and personal stories around drowning, I saw consistent common factors: children who drown usually loved water, relied on a puddle jumper, and did not know how to survive if they reached water alone.

My perception of water safety shifted dramatically, and this carried over to my family.

And, on the exact day that marked 20 months since we last saw our son alive, our 8 month old daughter Willow, Levi's little sister that he will never meet on this Earth, she took her first ISR survival swim lesson.

I was prepared for it to be emotionally challenging. But, ISR took me by the hands and said, "Be open minded and watch *the process*."

I handed my baby to the water, and, my heart pounding at every lesson, I watched as she learned to roll her tiny body, to find the surface, to get air. It has been the most empowering experience I have had in my eleven years of parenting.



Before her lessons started, part of me still expected it to be a trick or just rote training in floating that my baby would soon forget. It is none of that. Rather, survival swim lessons are about a behavioral approach to water. **My daughter was not trained to float; she LEARNED to problem-solve and to survive in water.**

She knows where the air is, knows how to get oxygen, understands that if she gets to the surface that Mommy will scoop her up. And, I do. And, she claps and laughs in delight, proud of the kick-ass job she just

did in learning to save herself. This experience is beyond just teaching her to find the surface and float, though: Willow is developing a respect for water, which will continue for her lifetime.







Let me reassure you that I am not an ISR instructor or some irrational believer. I don't have a financial interest in the company. I do not gain anything from sharing my experience. I am just a mother who lost a perfectly healthy child in seconds to a preventable killer. *I'm a mother trying desperately to figure out where I went wrong and fix it.*

Survival swim lessons do not make a child drown-proof. Nobody has ever argued that point. Layers of protection are vital in drowning prevention. When we were at the beach, I should have made sure the back door was dead bolted, that the pool had an alarm, that my husband and I did not turn our heads to clean up from dinner when our son was sitting safely on the couch. Survival swim is meant to be a last resort, the final chance.

In the best moments of this lifetime of grief and regret, I know my family will survive this tragedy. We are choosing to live purposeful lives for our other children. But, in the worst moments, when I feel certain this is what the depths of Hell must feel like, I think about Levi's final

seconds in the water, and my broken mommy heart cannot help but wonder: *Was he scared?*

When the layers failed and he reached the water without me, he did not have a chance. I was right behind him; I just needed 30 more seconds, just needed him to hold his breath. I wish I had known the real truth about drowning before June 2018, but I know it now. And, should Willow, Levi's baby sister, ever reach the water alone, she will have a fighting chance.



Introduction and background

On June 10th when Levi and Emmy slipped into the water unnoticed, they became two of more than 4,000 children who drown each year in the United States. By any form of measurement, losing 4,000 children per year would be classified as an epidemic. Waterfront homes, drainage retention ponds, backyard swimming pools with waterfalls, and hot tubs have become the greatest threats to the safety and well-being of our communities' most precious and innocent members.

Compounding these environmental threats are the cultural beliefs and practices that persist and thereby contribute to drowning remaining the number one cause of accidental death for children under the age of four years in the United States.

The process of challenging current dogma can be unsettling, but the life and death consequences are too important to ignore. *Why are our children drowning and what can we do about it?*

Traditionally, drowning prevention efforts have utilized and advocated three levels of defense:

1. Adult supervision
2. Fencing or other protective barriers, and
3. CPR techniques applied after the fact

Clearly, the mortality rate of more than 4,000 drowning incidents per year is a grim testimony to the failure of the traditional approaches when the victim had not been effectively trained to survive an aquatic accident.

Certainly, appropriate adult supervision and effective physical barriers (i.e., pool fencing) are helpful. Yet, at the same time, they are subject to human error. CPR, the recommended "last line of defense" is, at best, an after the fact, emergency management procedure with a highly uncertain outcome. Per American Heart Association data, even with effective CPR, survival of a prehospital cardiac arrest is only around 14%. Of the victims who do survive the initial submersion incident, thousands suffer severe and permanent neurological damage. It is estimated that for every child who drowns another four will suffer permanent brain damage.

The need for an effective defense, after adult supervision and pool barriers have failed, is self-evident. A moment's inattention does not have to cost a baby his life. A baby or toddler who has the physical strength and motor skills to escape adult supervision, defeat a pool barrier, and enter the water can, with effective instruction, be trained to float on his/her back to breathe and survive.

Problem and challenges

There are times when behaviors and beliefs become established and popular, even though they don't actually work. Through sheer acceptance and inertia they get handed down from one generation to the next and persist for a surprisingly long time despite their lack of effectiveness.

Unfortunately, swimming lessons for infants and young children are one such example. Swimming is defined as *the sport or activity of propelling oneself through water using the limbs*. An objective evaluation of traditional swimming lessons for infants and toddlers reveals that the curriculums and their implementation do not promote or result in the acquisition of effective aquatic survival skills, specifically the ability to rollover to float, rest and breathe.

Parents who have spent countless hours, months, years, and dollars investing in traditional swimming lessons for their babies and toddlers can attest to their failure. By objective measurement, these types of lessons are ineffective at producing results and, in some cases, may even be deleterious. Yet, the same fruitless efforts continue generation after generation. These methods prevail as the approach of choice and have been inexplicably supported by many national organizations, despite a lack of evidence proving they work.

Parents rely on recommendations about when to start swim lessons from influential stakeholders in their child's health such as the American Academy of Pediatrics (AAP). Yet, prior AAP member survey data shows that most pediatricians are not providing parents with guidance on drowning prevention. Furthermore, guidance from the AAP is vague at best by

recommending the parent wait until the child is 'developmentally ready' without defining criteria.

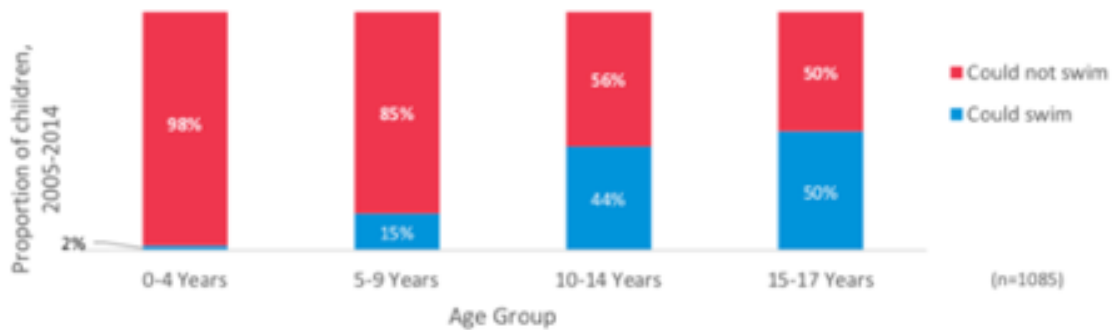
Compounding the danger is that the conventional approach of introducing infants and young children to the water do not make sense:

- Teach unskilled children that water is fun by spending countless hours playing in the pool.
- Encourage children with no swimming or survival skills to jump into the water.
- Blow in their faces so they learn to hold their breath.

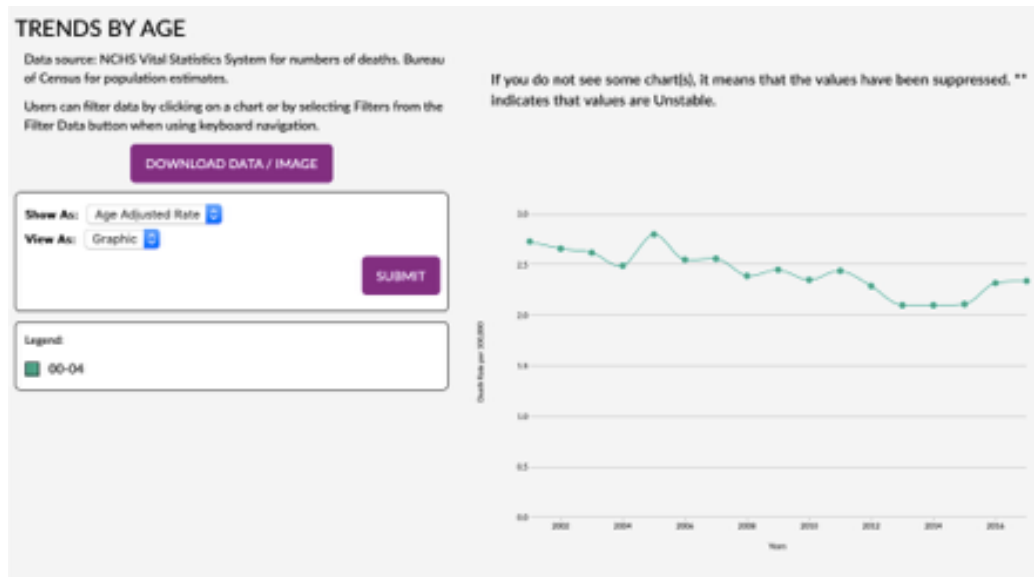
Some facts and graphics about drowning:

- children 0-4 years drown at 3 times the rate of 5-17 year olds
- children < 2 years are more likely to drown in a bathtub while 1-4 year olds drown more often in swimming pools where child death review investigations showed lack of supervision and failure of physical barriers to be key factors.
- it is estimated that for every death, 5 children visit the emergency room for non fatal drowning
- Current supported drowning prevention approach consists of Layers of Protection that include Barriers around pools, adult supervision, water safety education (may include swim lessons) and CPR
- 2004-2014 Child Death Review data on Pool Drownings found that "breaches in these layers of protection ranged from 7-91% of cases meaning that at least one layer was breached in 9 out of 10 fatal drownings reviewed...Barriers failed 47% of the time, supervision was missing in 49% of the time, and only 2% of children < 5 yrs reported to be able to swim". (Dangerous Waters - SKWW)

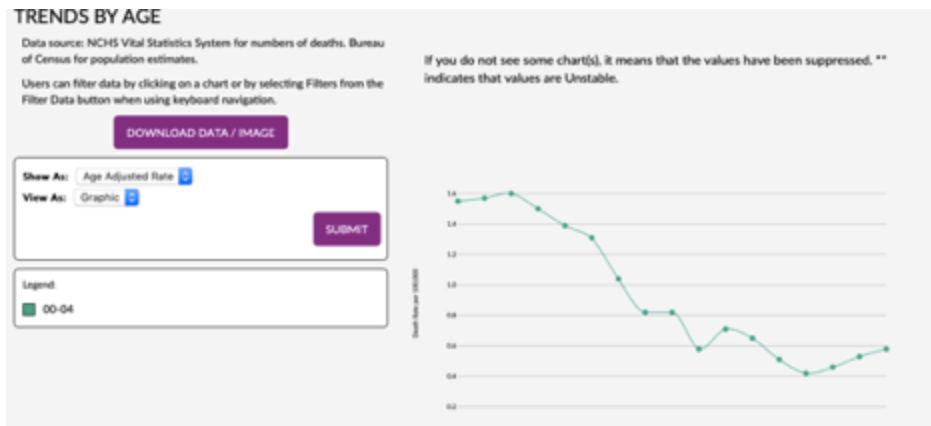
Child Death Review Data 2005-2014 on Swimming Ability by Age



CDC data on Fatal Drownings age 0-4 years from 2002 to 2016



Contrast to reduction in death rate for children 0-4 years of age in Motor Vehicle Crashes 2002 to 2016 – CDC Data.



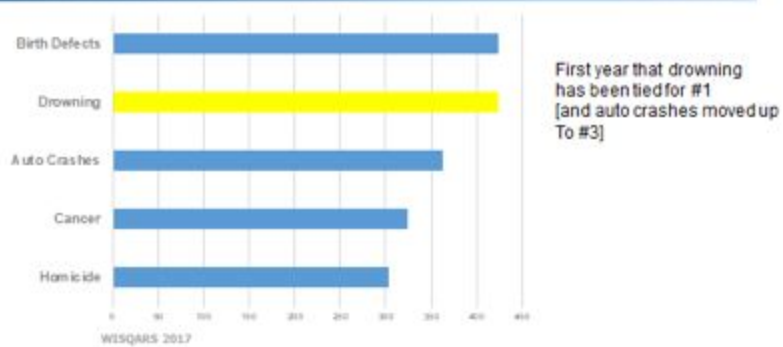
CDC Wonder Data 2004 - 2013 on lack of reduction in Child Pool Drowning Deaths by Age

Figure 5. There have been no significant improvements in age-specific pool fatalities in the last 10 years⁴



CDC 2017 Data showing drowning now tied for #1 cause of deaths in 1-4 year olds

Deaths among Children 1-4 years



The above graphics clearly display the lack of meaningful reduction in child drowning deaths specifically in the 0-4 year age group over the past 15 years. So much emphasis has been placed on layers of protection and despite having great potential to reduce drownings (pool fences / covers / PFDs / supervision), data has shown that all of these have the potential to fail and they all depend on placing responsibility on something and someone else external to the child.



The statistics on drowning have remained stagnant for decades. How many more thousands of children must drown? How many more parents, brothers and sisters, aunts and uncles, and grandparents will have to sit on the front row of a funeral for precious children who had full lives snatched away from them in seconds

We have the power to fix this epidemic. We are speaking for every child who fell into the water and tried to scream, but nobody could hear them, for every child who thought water was fun but didn't know to also respect it. We have the chance to save sons and daughters, grandchildren, nieces and nephews. This is it. It's time to learn from the past, to change the future, to stop the epidemic.



