

I want to thank the members of the House Families and Aging Committee for allowing me to submit my testimony. My name is Nancy Fingerhood, I live in Canfield, Ohio. I ask that you vote NO on HB 14. The bill would switch the determination for custody from the best interest of children to the best interest of parents. This is a bill for parental rights, not the children's rights to safety and stability.

A bill to actually protect children would be Kayden's Law. Several states such as Utah, Tennessee, Colorado, Arizona, and California have enacted the full version of Kayden's Law or parts of it. In a nutshell, Kayden's Law protects at-risk children through four measures:

1. Restricting expert testimony to only those who are appropriately qualified to provide it.
2. Limiting the use of reunification camps and therapies which cannot be proven to be safe and effective.
3. Providing evidence-based ongoing training to judges and court personnel on family violence subject matter
4. Considering relevant abuse evidence including arrests, convictions and permanent protection orders for family violence perpetration

The vast majority of custody cases are settled out of court. Only 10% of cases end up in family court and of those 10%, 75% involve domestic violence and child abuse. Yet, according to Joan Meier's study, "Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations," courts only believe mothers' abuse claims 39% of the time and if fathers cross claim with parental alienation they reject abuse claims at an even higher rate. The research and studies that I am discussing with you can be found at the end of my submitted written testimony.

The sponsors claim that shared parenting reduces conflict even in cases where there is previous conflict between parents. This is absolutely not true. Here is my personal experience. My child's father would counter parent while I did my best to navigate the chaos that he created. BECAUSE of shared parenting, getting anything for our daughter was a huge issue - from getting her braces to vacation days to allowing her to see a therapist. When someone is using coercive control to continue to have power and control over you, shared parenting only escalates conflict and often prevents the safe parent from taking care of a child's needs. Coercive control leaves no physical bruises so it is not like could file a police report which would be necessary to even consider not having shared parenting if this bill is passed.

Unfortunately, father's rights groups such as the National Parents Organization (formerly Fathers and Families) are exploiting the unfounded fears that family courts are biased against fathers. They are misrepresenting data from Kentucky to make the specious claim that "50/50 presumption laws reduce domestic violence"- and it seems some Ohio lawmakers have fallen for the ruse. Materials have been disseminated in support of the bill making the false claim that the outcome of Kentucky's shared parenting law has had the effect of reducing domestic violence

cases. According to the Data Officer and Information and Technology Services Department of Kentucky Administrative Office of the Courts: "My department makes no such claim about the effect of the [Kentucky 50/50] bill and I am not aware of any particular reason to expect that it is the cause for this trend [of reduced filings]. A reasonable supposition for the decline in 2020 might be the COVID-19 pandemic. A considerable reduction in the rates of filings in most categories can be seen for CY2020." There is no proof this bill would decrease the cost of litigation. Yet the sponsors make this claim with no evidence. In addition, the Kentucky Coalition against Domestic Violence has stated there is "absolutely no correlation between passage of the Kentucky law and the rate of domestic violence in our state."

In a study done in Ohio by Michelle Bemiller called **When Battered Mothers Lose Custody: A Qualitative Study of Abuse at Home and in the Courts**, research found that mothers' allegations of abuse were not believed in the courts and very often they lost custody to the abusers. For example, she cited Gloria, who "had substantiated reports of abuse but her ex-partner was granted custody of their six-year-old daughter. Judges refused to hear undocumented cases of abuse. Lenore in the study, for example, attempted to bring her ex-husband's domestic charges to the judge's attention. Lenore's ex-husband's attorney stated that these charges should not be brought up in court as they had no bearing on the current case. The judge agreed."

Every family is different and each case in family court should be looked at individually. If we are going to focus our energy in any way in the family court system, let it be that judges are ensuring both parents with designated parenting time are truly "fit, willing, and able" in the best interest of the children. Thank you again for this opportunity. Please vote NO on HB 14.