



# children's defense fund ohio

June 29, 2020

## Statement from Children's Defense Fund-Ohio

Children belong in families and the child welfare system has a duty to provide that for them. We recently heard an account of a child being “housed” at the Cuyahoga County Children's Services Office for an extended period of time as the county searched for appropriate placement. Let's be clear - if the child's birth family was housing them in an office, it would not be seen as acceptable and would likely be seen as grounds for removal. Children need consistency and stability. They need to be able to build connections. They need to know that they are being cared for and taken care of.

To house a child for even one night in the Children's Services offices is unacceptable, to do so for three weeks is a gross violation of that child's rights and indication that our capacity to serve children in need are insufficient. We have heard that this is a practice agencies use as a last resort to house a child when all other placements fall through, but that is treated as a last resort because we know that it is traumatic and harmful for children. However, the extent of this practice is unknown and having this information could reveal additional placement capacity needed within the system. Further, there are legal implications in that U.S. District Judge Janis Jack ruled in 2015 that the state of Texas violated the constitutional rights of foster children by exposing them to unreasonable harm, the fact that children in Texas were being kept in CPS offices overnight when beds weren't available was a factor in that ruling. It was a factor in her 2019 ruling as well that the state child welfare system continued to need oversight. There are some emergency situations that are unavoidable, however we must all do what we can to make sure the system we build to serve children has capacity to respond to their needs in a timely and humane manner. We must strengthen our child welfare system so that it provides for appropriate placement of children with complex needs, mitigates the need to make multiple placements, and protects children from re-traumatizing circumstances.

Though Governor DeWine and the General Assembly have made significant strides much more is needed. Ohio's child welfare system had been starved for years and the last biennial budget included a doubling of state investments. However, it takes more than a couple of years of funding for these investments to build the needed capacity. Further, the DeWine Administration and members of the General Assembly have focused on issues of multi-system youth in the past year – making sure that our youth with complex needs and who are exposed to different systems such as child welfare, juvenile justice, and behavioral health services, are getting the coordinated support they need. These are all steps in the right direction and Ohio must build upon these actions and investments – especially at this moment in time when stressors on families and children are at its highest due to economic downturn, pandemic risks, and the emotional toll of fear and uncertainty.

The following actions must be taken immediately to protect children:

- Place all children currently housed in county offices in suitable foster family homes or high-quality residential care facilities and institute safeguards to prevent children from ever being housed in sub-standard placements. In the event that sub-standard placements are unavoidable, require that county child welfare offices report monthly to the Department of Job and Family Services and the Governor's Office on each child being housed in this manner and the number of days it takes to find a suitable placement for the child. Such reports should be publicly available and drive our state's work to develop a statewide electronic database to support appropriate placement options for children's services;
- Strengthen the private and public placement system and increase the capacity of high quality therapeutic placements available for children who need them;
- Protect funding for child welfare services to support their capacity to train and recruit foster families and to make appropriate placements to decrease the need to move children to multiple homes;
- Urge state policy makers to protect funding and services to most vulnerable and at risk children and families in Ohio in the current budget and the upcoming biennial budget;
- Strengthen our state's commitment to supporting foster parent training, retention, and recruitment by passing H.B. 8 and related legislation; and
- Urge Ohio's Congressional delegates to support increased state stabilization funding to support state and local government during the economic crisis.

The economic crisis we are facing as a result of the global pandemic is having a significant impact on Ohio and a devastating effect on critical child welfare services and programs and ultimately children and families will suffer. The situation we are seeing in Cuyahoga County is no doubt the result of not only the dual crisis Ohio is experiencing, but also a combination of other weaknesses within the child welfare system that must be strengthened and improved. This particular situation is extreme and must be dealt with immediately.

This situation demands needed changes and improvements beginning with collecting data to ensure accountability, strengthening the overall child welfare system to meet the demand, and preserving child welfare funding. We are in a perfect storm and all our elected officials in Cleveland, Columbus, and in Washington, D.C. must do all they can to protect and serve vulnerable children.

Sincerely,

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