

Senate General Government Budget Committee

HB 110 – Interested Party Testimony

Tuesday, May 4, 2021

Good afternoon, Chairman Schaffer, Vice Chair Wilson, Ranking Member Craig and members of the Senate General Government Budget Committee. Thank you for the opportunity to provide testimony in support of provisions for foster youth in House Bill 110.

My name is Nikki Chinn and I am an alumna of foster care. I am representing ACTION Ohio, the statewide organization of former foster youth. I am writing to encourage you to include specific language regarding independent Youth Ombud's Office in Ohio's FY22-23 biennial budget.

This office would act as a safeguard to ensure that youth have someone to call who will listen and advocate for them, protecting the rights of children and youth in care by investigating and resolving reports brought by youth in biological, kinship, foster, adoptive, respite, residential and group home placements.

Governor DeWine included \$1 million in the FY22-23 biennial budget bill, HB110, to establish an Ombud's Office after the Children's Services Transformation Advisory Council recommended creating an Ombud's Office for caregivers and youth in its 2020 report. However, the bill does not include a specific appropriation or clearly state that there will be an office dedicated to foster youth. It also does not clearly state that the office will be independent of the Department of Job and Family Services or that current and former foster youth will have a role in its design and implementation.

Specifically, I am asking for provisions to be added to HB 110 that:

1. State clearly the newly established Youth Ombud's Office will be dedicated to youth and not combined with an office for caregivers;
2. Establish the office as independent from children's services; and
3. Mandate that this office be designed by current and former foster youth.

For years, current and former foster youth have advocated to get the residential facility Sequel Pomegranate shut down due to physical and sexual abuse, illegal restraints, chemical restraints, AWOL youth, and over-medicating youth. We went to every government agency involved in congregate care with police reports and testimony from youth. At one point the county children's services agency acknowledged that they knew the youth were being abused and then stated that they were going to continue sending youth there. It wasn't until a reporter with a local news network began exposing the issues at Pomegranate that action against the facility was taken.

Another facility in Perrysville, Ohio called the Mohican Young Star Academy is currently under litigation due to physical and sexual abuse, illegal restraints, illegal manual labor, and destroying evidence. In both facilities, youth reported the abuse to the staff there, to the county children's services agencies, and at times to the police, only to be punished for it, disbelieved, or be told that the wrongful treatment they received was their own fault. Having a Youth Ombudsman (Ombudsperson) they could have called to investigate the issues and take appropriate action would have prevented these vulnerable young people from having to endure the abuse and trauma so many faced at the facilities.

Stories like these are not isolated to residential facilities, it happens in all types of placements. Having a Youth Ombudsman Office would provide children and teens who are experiencing abuse in biological, kinship, foster, adoptive, respite, residential and group home placements with a resource to reach out to, and have their concerns independently investigated.

It has come to our attention that Ohio foster parents are requesting that that this office serve them too. While we care the challenges that foster care and kinship caregiver experience, trying to serve both youth and caregivers in the same office would create a conflict of interest. For example, if a youth reports abuse by a foster parent. We truly want them to receive whatever mechanism they need, but for it to be separate from the Youth Ombudsman Office. Lessons learned from other states are that when an Ombudsman Office tries to serve both youth and adults, it ends up serving primarily adults.

Likewise, it is vital for the Youth Ombudsman to be housed under a completely autonomous agency from the Ohio Department of Job and Family Services (ODJFS). Since ODJFS oversees and pays for foster care placements, for the ombudsman to be paid by the agency that pays for the placements they would be investigating, would make it entirely impossible for the ombudsman to be impartial.

Thank you again for your work on this critical issue and on behalf of Ohio's children. Thanks for understanding the need for Ohio youth to have a voice in the design of this office and to ensure that they have an advocate when they need one. I am happy to answer any questions.

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