

OHIO COMMISSION ON FATHERHOOD STRICKLAND/FISHER TRANSITION AGENCY REVIEW COMMITTEE REPORT

JANUARY 24, 2007

Introduction

Deliverance. For those who understand – either intuitively or through familiarity with the relevant data – the critical role that a father plays in his child's development, Governor-elect Ted Strickland's call for a team of concerned Ohio citizens to review the operation of the neglected Ohio Commission on Fatherhood ("OFC") was precisely that . . . deliverance. What had for so long been self-evident to the state's "fatherhood" practitioners and advocates was, once again and finally, of concern to Ohio's chief constitutional officer.

The need for such an agency assessment was clear. Over the past decade a litany of studies have been conducted which conclude the obvious: children enjoy far better outcomes when their fathers are constructively engaged in raising, nurturing and supporting them. Where there is "father absence," a child is far more likely to drop out of school, encounter difficulties with legal authorities - both as a juvenile and as an adult - suffer from mental illness, become substance addicted, be consigned to a life of poverty and fall prey to a host of other social maladies.

In a state where in 2005, according to a study by Kids Count, twenty-five percent (25%) of children were being raised in "mothers only" households, the potential of nearly 730,000 minors were being significantly compromised solely as a result of paternal disengagement. Given national surveys revealing that forty percent (40%) of children in the United States live in homes where their biological father does not reside, the risk to children in Ohio posed by the "AWOL" dad is even greater than the Kids Count study suggests. Thus, attention to the issue of paternal involvement, if the best interests of Ohio's children are to be served, is required.

The Review Panel Process

Governor-elect Strickland appointed Cuyahoga County Commissioner Peter Lawson Jones to coordinate the review of the Ohio Commission on Fatherhood. Commissioner Jones, while a member of the Ohio House of Representatives, authored the amendment to the state's 2000 – 2001

biennial budget bill that created the OFC. Thirteen other individuals from throughout Ohio, all of whom had significant engagement – either as practitioners or advocates – in fatherhood programming agreed to serve on the panel. (Please see Appendix A for the committee roster).

In order to review the OFC and formulate a set of recommendations related thereto, the panel as a whole met on December 18, 2006, and January 5, 2007, in Ashland, Ohio. (See minutes of the meetings, Appendices I and J, respectively). In between said sessions, four subcommittees convened to prepare reports in several discrete areas of fatherhood programming: child support, child custody and visitation, juvenile and adult reentry and professional support. (Please see Appendices C, D, E and F, respectively). Following a brief and, we believe, necessary synopsis of the OFC's history, the review panel's primary overall and area-specific public policy recommendations pertaining to fatherhood issues will be set forth.

The Ohio Commission on Fatherhood

The OFC was established through the state's 2000 – 2001 biennial budget bill, effective July 1, 1999, and codified in Section 5101.34 of the Ohio Revised Code. (See Appendix B). The Commission was to be comprised of nineteen members, including, inter alia: six legislators, the governor or his designee, four cabinet officials or their representatives and five members of the general public with extensive involvement in fatherhood issues.

Per Ohio Revised Code Subsection 5101.342, the Commission's primary statutory responsibilities were to:

1. Organize a state summit on fatherhood every four years;
2. Prepare a report each year that identifies resources available to fund fatherhood-related programs and explores the creation of initiatives to do the following:
 - a. Build the parenting skills of fathers;
 - b. Provide employment-related services for low-income, noncustodial fathers;
 - c. Prevent premature fatherhood;
 - d. Provide services to fathers who are inmates in or have just been released from imprisonment in a state correctional or

- in any other detention facility, so that they are able to maintain or reestablish their relationships with their families;
- e. Reconcile fathers with their families; and
- f. Increase public awareness of the critical role fathers play.

As well over a year elapsed before the OFC was duly constituted, the Commission did not actually convene until the second half of 2000. Within a matter of months, however, OFC members met in a retreat, developed a mission statement and allocated several million dollars to support established or promising community-based fatherhood programs. Because of its late start, however, the Commission expended only a fraction of the ten million dollars in TANF funds appropriated to the panel over the biennium.

Unfortunately, with the change in majority party leadership in the 124th Ohio General Assembly and the increasingly partisan tone in Columbus, the OFC – an entity chaired and established via a legislative proposal offered by a Democratic legislator – fell victim to this new hyper-politically charged environment. Although the agency was not decommissioned, neither was it funded in the 2002 – 2003 biennial budget. The OFC's status, despite recent measures like that authored by State Senator Ray Miller, remained unchanged.

General Recommendations

The OFC Strickland/Fisher Agency Review Committee seeks through its recommendations not only to resuscitate the moribund Commission but also to expand its reach and fortify it in its efforts to address the societal scourge that is father absence. Thus, we urge Governor Strickland to:

- Include in the Administration's upcoming state biennial budget proposal twenty million dollars in Temporary Assistance for Needy Families ("TANF") funding for the OFC in each of the next two fiscal years. Only if properly subsidized can the presently defunct Commission fulfill its critical statutory mission. As such an infusion of TANF dollars would not be subject to the recently enacted state appropriations limitation law and as the state has accumulated a shamefully corpulent TANF reserve, the requested allocation would not undermine the Administration's efforts to craft a fiscally responsible budget. Moreover, the recommended amount is, if anything, conservative. Cuyahoga County, which has constructed in three years what is arguably one of the nation's preeminent public sector-driven fatherhood initiatives, appropriated a million

dollars last year for its program alone. Had only the resources been available, Cuyahoga County could easily have tripled its budget in its effort to ensure an engaged father for every child.

- Appoint the twelve members of the OFC under the governor's direct and indirect authority by July 1, 2007, at the latest and encourage the Ohio General Assembly to make its six and the Chief Justice of the Supreme Court of Ohio the Superintendent of Public Instruction and the Chair of the Family and Children First Cabinet Council their single appointments by said date as well. Should the state legislature fund the Administration's budget request for the Commission, the panel must be ready to convene at the beginning of the next fiscal year. One of the problems that plagued the first iteration of the OFC was the laconic pace at which it was constituted.
- Order an audit of all state agencies to ensure that they are "father-friendly." Because of custom, tradition, history and inertia, the programs, policies and procedures of many government offices are structured, albeit without malice, in a manner that discourages, alienates and, sometimes, even discriminates against fathers. In fact, one of the first actions taken by the Cuyahoga County Fatherhood Initiative was to contract with a private consultant to conduct just such an audit. One of the consultant's initial findings was that a national award-winning county program unintentionally discriminated against fathers by providing visits by registered nurses only to all new and teen "mothers" as opposed to all new and teen "parents." A thorough agency-by-agency, worksite-by-worksite assessment could eliminate the ways, both subtle and overt, that state government dissuades paternal involvement in their children's lives.

Although we view the above three recommendations as transcendent, the OFC review committee strongly suggests that whoever is charged with the responsibility of studying this report and, hopefully, implementing its recommendations also read the recently issued Ohio Practitioners Network for Fathers and Families ("OPNFF") Public Policy Agenda. The document, inter alia, sets forth additional ways in which prospects for fathers in our state might generally be enhanced. (See Appendix G).

Child Support Recommendations

As only the state's public education system impacts the lives of more children than the over 1.1 million minors affected by the child support system and as the vast majority of child support obligors are fathers, the OFC review committee concluded that reform of said system – consistent with the fundamental guiding principle of serving “the best interests of the child” – must be undertaken. Although all of the recommendations offered by the panel's Child Support Subcommittee are significant (see Appendix C), only the following will be discussed here:

- Change the culture and paradigm of the child support system by (1) supporting legislation to re-name each county's “Child Support Enforcement Agency” the “Child Support Services Agency”; (2) adopt policies and procedures that distinguish between obligors who cannot pay as opposed to those who refuse to pay; (3) pursue statutory, regulatory and procedural changes that enable more child support matters to be handled administratively rather than through the courts; (4) help replicate programs currently extant in Fairfield and Clermont Counties that divert delinquent obligors to job counseling services as opposed to jail; (5) better link child support and job placement agencies through co-location or other means; and (6) find ways to offer a “one stop” shop and develop “wrap around” and improved case management services for non-custodial parents who are grappling with the range of child support, custody and visitation issues. In short, the Administration must implement where it can and encourage otherwise the development of a child support system that is less expensive, and more equitable, rational, comprehensive and navigable.
- Support the updating of child support guidelines, including the provision of a “parenting time” credit and a fairer income imputation procedure, as well as a simplification of the child support order modification process to ensure that the “right” amount is determined initially and at all subsequent junctures during the tenure of the obligation. Particularly as regards incarcerated parents, child support obligations should be automatically suspended or reduced if the inmate's ability to pay has been adversely impacted as a result of his imprisonment. Otherwise, the chances of his successfully reentering society upon release will be greatly undermined by an overwhelming arrearage. Any child support suspension or reduction should be conditioned upon the

inmate's participation in parenting programs and compliance with other rules in the institution where he is serving his time.

- Support the development of a more sensible child support arrearage system. The state should be willing to waive or compromise uncollectible debt owed it and permit parties to more easily agree – as Hamilton County currently does – to arrears forgiveness. Such waivers or compromises should, again, be contingent upon the obligor's participation in parenting or other relevant programs.
- Pursuant to the federal Deficit Reduction Act of 2005, increase the pass through of child support paid to a recipient of public assistance and allow a larger disregard, for purposes of determining the obligee's TANF eligibility. Numerous studies have demonstrated that the money the state would forego by doing this is more than counterbalanced by the additional income taxes the state would receive from the non-custodial parent and the entire family's reduced reliance on public welfare.
- Finally, but, perhaps, most importantly, convene the key public, private and non-profit stakeholders to review the state's child support/custody/visitation laws, regulations and procedures to recommend and help implement the requisite reforms.

Child Custody and Visitation Recommendations

In addition to advancing its own discrete set of recommendations, the OFC review panel's Child Custody and Visitation Subcommittee heartily endorses those of the Child Support Subcommittee which call for the creation of "one stop shop" opportunities for non-custodial parents with child support/custody/visitation concerns and for convening a series of stakeholder meetings. Moreover, the Child Custody and Visitation Subcommittee urges the Administration to:

- Support legislative, regulatory and procedural reform to "equalize" the rights of fathers and mothers, custodial and non-custodial parents. For example, current law grants custody of a newborn to the mother even if the father signs the birth certificate at the hospital or shortly acknowledges paternity. Under such circumstances neither parent should be afforded rights superior to the other, and both parties should be mandated to appear in juvenile court to mediate all custody, visitation and support issues.

Cooperative parenting programs, like the “Strong Start for Cuyahoga County’s Families” pilot program, should be required of all unmarried new parents in Ohio.

- Advocate and work for the elimination of gender bias in the administration of state benefit programs and the enforcement of the legal rights, e.g., visitation, of non-custodial parents. In short, there exists a need to ensure that all units of state government are father friendly and supportive. Furthermore, regulations regarding custodial and non-custodial parents should be evaluated for fairness and the OFC should have the right to review all new such promulgations before they are adopted.
- Change the policy of the Children and Family Services county agencies that look first to place a child with his/her maternal grandparents as opposed to his/her father.
- Support legislative and procedural changes to require child support, custody and visitation issues to be resolved either directly or indirectly within the same time frame.

(Please see Appendix D for the remainder of the subcommittee’s recommendations).

Ohio Department of Rehabilitation and Correction/Ohio Department of Youth Services Reentry Subcommittee Recommendations

The reasons why a review of ODRC and ODYS policy must be included in any comprehensive assessment of the Ohio Commission on Fatherhood and fatherhood programming in our state is manifest. First, the Ohio Revised Code requires that the OFC provide services to incarcerated fathers. More importantly, given the states interest in ensuring optimal reentry outcomes for the nearly 30,000 inmates who are annually released back into Ohio’s cities, towns and villages and the direct correlation between the successful reentry and the strength of the returnee’s support system in the community to which he is being released, due attention must be paid to preserving familial bonds during their incarceration.

Based on a 2004 study, the state determined that nearly half of those imprisoned in state correctional facilities were fathers of minor children. Thus, on any given day, approximately 50,000 children have a parent in prison and, given the protean nature of the prison population, as many as 75,000 of Ohio’s children will, in any year, lose a parent to incarceration.

Furthermore, although less than the national average of twenty-five percent (25%), a substantial number of the young men who have been committed to the state's juvenile facilities are fathers and many more will shortly become so after their release. Thus, the case for the need to provide comprehensive and effective fatherhood programming for "residents" of our correctional institutions is patently clear.

Therefore, the ODRC/ODYS Reentry Subcommittee recommends, in addition to the governor's support for the adoption of the ODRC's Ohio Plan for Productive Offender Reentry and Recidivism Reduction, that the Administration also, as regards the state's prison population:

- Expand, enhance and standardize the curriculum available in Ohio's adult correctional facilities to help inmates maintain their relationships with their minor children during incarceration. In order to achieve this objective, a fatherhood coordinator should be designated at each institution and the system-wide implementation of the "Inside Out Dad" and similar programs must be studiously considered.
- Enhance the quality of inmates' engagement with their children by expanding both play/interaction areas for parent-child visits and parent-child real-time teleconferencing opportunities.
- Family orientation programs should be conducted for an inmate's spouse/significant other and children at every reception center to prepare them for life without their loved one, assist them in sustaining their bond and link those left on the "outside" to community-based support services available during the period of incarceration.
- Extend membership to the OFC in both the State Agency Offender Reentry Coalition and the ODRC Family Council, the creation of which council has been proposed in the Ohio Plan. Clearly, the Commission must have a voice in all fatherhood-related programming decisions made at the state's penal institutions.

The ODRC/ODYS Reentry Subcommittee offered a series of similar recommendations to serve youth who have been committed to state detention centers. The suggested policy reforms include the following:

- Identify current and soon-to-be fathers in the ODYS system in order that parenthood-related services can be targeted to them.

- Implement a comprehensive curriculum at ODYS facilities that helps those who are or will imminently be fathers develop their parenting skills, deters the other young men at the institutions from premature fatherhood and assists both groups in forming healthier social relationships. A staff member should be designated at each facility to coordinate such programming.
- Ensure that every young man released from ODYS's custody has a reentry plan that includes education/employment and, where appropriate, parenting components. Each returnee should also be assigned a mentor. All local Family and Children First Councils should be required to join with the OFC to establish a reentry protocol that facilitates the effective reintegration of the youth back into his community.

Please see Appendix E for the remaining ODRC/ODYS Reentry Subcommittee recommendations not described in the above summary. The bottom line: a father, whether an adult or a minor, cannot successfully reenter the community if the need to maintain and nurture his relationship with his children is ignored during his detention.

Professional Support Subcommittee Recommendations

The series of public policy modifications which the OFC review panel has suggested will have far-reaching ramifications that will require virtually every state agency to rethink, at least as regards its programs that impact fathers, its service delivery system. Moreover, the community-based organizations that assist the state in delivering services must be equally father friendly. Such a change in culture will not occur without some stimulus.

Thus, the review team's Professional Support Subcommittee has recommended that at least \$200,000 of the OFC's annual budget be reserved for professional development activities at both the state and local levels. The Administration is also being asked to strongly consider engaging the Ohio Practitioners Network for Fathers and Families in providing such technical support. Significant expertise in fatherhood-programming resides in both the organization and its membership, which knowledge should be fully utilized. Finally, the governor should also consider making the OPNFF president one of his OFC private citizen appointees.

Conclusion

The Strickland/Fisher Administration faces a daunting litany of challenges in its endeavor to return Ohio to preeminence: an under performing economy, a reeling public education system, skyrocketing tuition at the state's institutions of higher learning, a burgeoning and increasingly more expensive penal system and a far too large segment of the state's population whose aspirations are suffocated by substance abuse, mental illness and abject poverty. Although for every problem confronting Ohio, there exists a host of solutions, it is doubtlessly self-evident that, unless our state is strengthened at its most atomistic level – the family – success in “turning Ohio around” will be limited at best . . . and that critical to reinvigorating Ohio's families is combating the deleterious effects of father absence by re-engaging dads in a real and genuine way as providers and as parents.

The members of the Ohio Fatherhood Commission Strickland/Fisher Transition Agency Review Committee feel privileged to have been asked to serve both the Administration and the citizens of the State of Ohio. We have, understanding the connection between paternal involvement and a child's success, worked diligently to craft a set of coherent, comprehensive and viable recommendations to help the state's fathers and – more importantly – through them its families and children realize their potential. We are resolute and unambivalent in our belief that the adoption of our recommendations will lay the cornerstone in efforts to rebuild Ohio. Our dedication to ensuring the implementation of the suggested public policy reforms does not end with the submission of this report. We are imbued with the passion of the evangelical. Call upon us.