

Senate Bill 164 (Cates)  
Sponsor Testimony  
Health, Human Services and Aging – May 16, 2007

**Marcus Fiesel**



**June 24, 2003**  
**August 5, 2006**

**For Marcus**

A young life taken too soon,  
Tragically ripped from our arms.  
What you could have become,  
Would someone not have stolen you away.  
But in three short years,  
Your life was not in vain.  
Those you touched felt your energy,  
Were soothed by your spirit.  
A laugh, a hug, maybe even a smile,  
One look and we were hooked.  
God had plans for you, sweet Marcus,  
And while hard to understand,  
They were fulfilled.  
Evil may have taken your life,  
But it didn't dampen your spirit,  
Your song.  
In your memory your joy will live,  
Forever reminding us of love.  
Forever reminding us . . .  
Of Marcus.

Tanya L. Wells

***In Loving Memory of***  
**Marcus Fiesel**

***Date of Birth***

June 24, 2003  
Middletown, Ohio

***Entered Into Rest***

August 5, 2006  
Lewis Twp., Ohio

***Place and Time of Services***

2:00 pm Friday May 4, 2007  
Baker-Stevens Funeral Home  
Middletown, Ohio

***Officiant***

Rev. John Albin  
Jerry Minor

***Interment***

Friday May 4, 2007  
Woodside Cemetery

Arrangements By  
Baker-Stevens Funeral Home  
Middletown, Ohio

Chairman Coughlin, members of the Senate Health, Human Services and Aging Committee, I come before you today to introduce Senate Bill 164. This bill makes a variety of changes to Ohio's foster care system.

The impetus for this legislation stems from the events that led to the tragic death of three-year-old Marcus Fiesel who died while in the hands of Ohio's foster care system. The tragedy united a working group of concerned legislators, government agency representatives, child advocates, foster parents and foster children to take a hard look at the system that failed young Marcus and to propose systematic changes aimed at better protecting all foster children in Ohio.

Marcus Fiesel spent the first three years of his life living with his mother, Donna Trevino, and two siblings in Middletown in my Senate district. Trevino told police that "she didn't know if she could care for her children anymore and that it was getting to be too much for her." She handed Marcus over to Butler County Children Services Board. The county contracted with Lifeway for Youth, a private state-certified agency, who ultimately placed Marcus in the custody of foster parents Liz and David Carroll. The Carrolls bound Marcus in a blanket and left him alone in a closet amid 80-degree temperatures while they attended an out-of-state, weekend-long family reunion. When they returned home, Marcus was dead. Sadly, the subsequent investigation into this tragedy has provided more information to the general public than the public agencies responsible for his care possessed when the decision was made to place him in the care of Liz and David Carroll.

This bill is part of a package of bills that are designed to improve the foster care system in Ohio in order to reduce the likelihood of similar tragedies from taking place. Senator Niehaus is the sponsor of Senate Bill 163 which was referred to the Judiciary Committee on Criminal Justice. My bill, Senate Bill 164, is a companion to House Bill 214 sponsored by Rep. Wagner and House Bill 213, sponsored by Rep. Combs, is a companion to Senate Bill 163.

Senate Bill 164 does several things.

- First, it would expand the number of training hours required for prospective foster parents from 24 hours to 36 hours to help ensure the foster parents are prepared for the special needs of the children placed in their care.
- It establishes a Child Placement Level of Care Tool pilot program in 10 counties to combine best practices and ensure foster care placement agencies have the ability and resources to properly measure the needs of the child they are looking to place.
- Under this legislation, Pre-Service Training Stipends would be paid in a lump sum at the time of first child placement to support travel and child care costs.
- It allows mentoring a new foster parent or assisting in training activities to count toward a continuing education requirement for foster caregivers.
- Furthermore, it would enable private agencies to receive reimbursement for foster parent training according to statewide required hours of training.

- This bill would also protect the privacy of foster parents, as it specifies that identifying information of foster caregivers and prospective foster caregivers are not considered public record when contained in a record held by the Ohio Department of Job & Family Services or a county agency.
- It also authorizes the Ohio Department of Job & Family Services to petition Congress to allow Title IV-E funding to include an additional standard of foster care certification for child specific foster placements in which the child has an existing relationship with the foster caregivers.
- Additionally, juvenile courts would be empowered by this legislation to provide Title IV-E services for eligible youth who are determined to be at serious risk of removal from the home and for whom the court has undertaken a plan of reasonable efforts to prevent such removal.
- Finally, this bill would add two certified foster parents to the mandated members of the Ohio Child Welfare Training Program Steering Committee.

This bill will not bring Marcus Fiesel back to life, but it is a major step in the right direction by helping to attract better foster parents and giving them the tools they need to be successful in caring for the children placed in their care. This in turn will better serve the needs of foster children by creating a better environment for them to thrive. I am grateful to all of the interested parties who participated and contributed to the contents of this legislation, including ODJFS, the Attorney General's office, The Public Children Services Association of Ohio, the Ohio Association of Child Caring Agencies, the Ohio Family Care Association, the Adoption Network, the Family Service Council, the Institute for Human Services, the Ohio

Judicial Conference, the County Commissioners Association, and many representatives of County Job and Family Services and Children Services Boards.

I thank Chairman Coughlin, and the members of this committee for your consideration of this bill, and respectfully ask the chairman if there are any questions from members of the committee regarding either my sponsor testimony or this piece of legislation.