

FOR IMMEDIATE RELEASE
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STATEMENT BY RICHARD CAMPANELLI
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U.S. Department of Health and Human Services

The Office for Civil Rights (OCR) has issued a Letter of Finding to the Hamilton County Job and Human Services Office in Cincinnati, Ohio, and the Ohio Department of Job and Family Services, apprising them of our determination that the county has violated the civil rights of children eligible for adoption and of foster families and other prospective adoptive families. Following a careful and thorough investigation, we have determined that the county violated Title VI of the Civil Rights Act of 1964, as well as provisions of the Howard M. Metzenbaum Multiethnic Placement Act of 1994 (MEPA), and Section 1808 of the Small Business Job Protection Act of 1996, by making adoption determinations on the basis of race, rather than on the basis of the individual needs of the children. The cited violations included instances where non-African-American foster families were improperly prevented from adopting African-American children in their care with whom they had formed a close bond, because of racial considerations. The county's actions were consistent with the direction and guidance provided in Ohio policies and rules. Under Title VI, it is illegal for federal grantees to discriminate on the basis of race; and MEPA and Section 1808 specifically prohibit adoption decisions from being based on racial considerations, rather than on the circumstances and needs of each individual child.

In the past five years, OCR has initiated more than 130 investigations of racial discrimination in adoption and foster care. In most of these cases, our office has reached a satisfactory conclusion with grantees, either finding no violation or working with grantees to make needed changes in their programs. The Hamilton County case is the first instance in which OCR has had to issue a MEPA/Section 1808 Letter of Finding that the civil rights of individual children or prospective adoptive or foster parents were violated. This action is made necessary due to the prolonged history of discrimination of this kind by the county program and the failure to reach agreement on effective corrections.

We are sharing our findings with HHS' Administration for Children and Families (ACF), which administers federal assistance for foster care and adoption. Under the law governing that federal assistance, ACF will be responsible for working with Ohio to make corrections. As appropriate, ACF may impose reductions in funding.

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