

United States Congress

WASHINGTON, DC

May 28, 2021

Acting Assistant Secretary JooYeun Chang
Administration for Children & Families
U.S. Department of Health and Human Services
330 C Street, S.W.
Washington, D.C. 20201

Acting Director Robinsue Frohboese
Office for Civil Rights
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Acting Assistant Secretary Chang & Acting Director Frohboese:

I write to request an investigation into the events leading up to the tragic death of 16-year-old Ma'Khia Bryant on behalf of Paula Bryant and Myron Hammonds, Ma'Khia Bryant's birth parents. Ma'Khia should be alive today. At the time of her death, Ma'Khia was in the custody of Franklin County Children Services (FCCS), which is currently reviewing the details of Ma'Khia's case. I urge the Department of Health and Human Services' (HHS) Administration for Children and Families (ACF) to provide assistance to FCCS during their review of Ma'Khia's case and request HHS' Office for Civil Rights (OCR) launch an independent investigation into events leading up to her death.

The federal government has an obligation to protect the civil rights of all individuals, and especially those children, young people, and parents involved in federally-funded child welfare systems. Federal law requires states receiving funds under Title IV-E of the Social Security Act to comply with State requirements related to the health and safety of children in foster care. When a child dies in foster care, the system has failed. It failed Ma'Khia Bryant, who lived in her foster family home for about two months before a police officer shot and killed her in front of that home on April 20, 2021.

Make no mistake—the foster care system is broken. There is a nationwide shortage of foster parents. Meanwhile, child poverty, a lack of resources for grandparents and kinship care providers, and barriers to affordable housing and quality mental health services all increase the likelihood of child welfare involvement. Data show that young Black Americans are more likely to die from police gunfire than young white Americans.¹ These inequities played out in

¹ <https://pediatrics.aappublications.org/content/146/6/e2020015917>

Ma'Khia's life and are all too familiar for children and young people in the foster care system, particularly Black and brown children who are overrepresented in the child welfare system. OCR's investigation should examine whether the State of Ohio and FCCS complied with federal non-discrimination services in the provision of child welfare programs and activities, including but not limited to child removals, foster care placement, development of maintenance of foster family home standards that protect children's civil rights, and safety risk assessments.

One child's death is one too many, and we cannot let these children slip through the cracks. I support the request of Paula Bryant and Myron Hammonds to initiate an investigation into the circumstances leading up to Ma'Khia's death so that they may receive the clarity they deserve on the death of their daughter. Therefore, it is critical that ACF provide any assistance necessary to support the FCCS review, and that OCR launch an independent investigation into events leading up to Ma'Khia's death and into the local and state entities charged with her care.

Sincerely,



Sherrod Brown
United States Senator



Ron Wyden
United States Senator



Joyce Beatty
Member of Congress