

# Vote FAVORABLE for HB1213

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I thank Delegate Metzgar & your committee for hearing my testimony today in favor of HB1213, Commission for Fatherhood. I wrote the bill. Its goal is data gathering and analysis.

We need to review the State of Fatherhood in Maryland. And we need to promote policies which fosters family in Maryland where fathers are raising their own biological children. The state and society endure enormous cost when fathers are not raising their own children. We have the means to discern positive steps forward which will serve our children, our coming generations of children and ameliorate the terrible harm Maryland has inflicted on its fathers.

Two points before the getting to the merits of the bill:

- 1.) The Commission should focus on biological fatherhood; that was my request when I wrote it and the posture Sen. Jill Carter favors. We, of course, need bi-partisan effort for passage.
- 2.) It should be understood that whoever is leading this commission must have an eye toward business processes to allow this commission to excel through evaluation of systems, services, policies, harmful family law code and the betterment of fathers and their children.

## **INTRODUCTION**

It occurs to me as I'm writing this testimony in 2022 that you had opportunity to read the testimony I provided in 2021. So, being given a chance to read that testimony, some on your HGO committee in 2021 chose to

\* Mock fathers who are experiencing suicide at rates far, far greater than any other group

\* Deride the fact that men (who designed, built and served in your state buildings) have buildings named after them as some kind of a distraction away from the core of this bill. Namely, that fatherhood is being denigrated by State officials and court personnel & that impacts outcomes on a routine basis.

\* Not give the bill the courtesy of a vote when – if you feel negatively toward fathers – you had the opportunity to put your distaste for 40% of Maryland's population on official record

I am hopeful Annapolis honors the matter of fatherhood soon.

I add that - when Maryland Women's Commission came to be - fully 85% of the legislature was male.

I ask you to support HB1213 Fatherhood Protection Act.

## **Tender-Year Doctrine**

So why do fathers need an attorney? Because of Maryland's longstanding "tender-year doctrine", favoring mothers in child custody outcomes. Because it was not just subjective bias by court/family law personnel. Tender-year doctrine has been an established practice in Maryland.

“ ..Moreover, elevation of women's legal status during the nineteenth and twentieth centuries also contributed to the movement from 'paternal' to 'maternal' preference.<sup>8</sup> Maryland adopted the maternal preference presumption, considering mothers to be the natural custodians of young children,<sup>9</sup> and courts generally granted custody to mothers unless they were found to be unfit.<sup>10</sup>”

<http://scholarworks.law.ubalt.edu/cgi/viewcontent.cgi?article=1798&context=lf>

## **Fathers enter family law court with everyone but the fathers themselves knowing the pre-arranged outcome**

### **Delegate M. Smigiel, House Judiciary on Del. Carter's HB1440 (2014) to Domestic Violence crow**

"... I sat in the court, in Cecil County, and heard the judge say, 'The child goes with the mother, because the calf always follows the heifer.' "

<http://mgahouse.maryland.gov/mga/play/88e6074a4f7b464f9c195bf77007f739/?catalog/03e481c7-8a42-4438-a7da-93ff74bdaa4c&playfrom=5070000>

### **Senator A. Muse, Senate Judiciary on SB1004 (previously SB1047)**

"...a simple bill....equal value to each parent in his or her role in rearing a child...  
for decades a de facto presumption in FAVOR of the mother has existed in Maryland courts...  
SB1047.. acknowledging that both parents should equally share in the responsibility of raising a child..."

<https://mgahouse.maryland.gov/mga/play/a99d59956c754404a29ac652173973af/?catalog/03e481c7-8a42-4438-a7da-93ff74bdaa4c&playfrom=1432964>

<https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/sb1004/?ys=2014rs>

## **Our children suffer when fit and good-enough biological fathers are not involved with their children**

### **Senator (former Delegate) Jill P. Carter, House Judiciary on HB1440 to Domestic Violence crow**

"...had we passed it when it made its way to the floor, a child would be ten years old...  
many people are pro se litigants...they CERTAINLY cannot afford appeals...  
when that ruling is made & that parent is essentially ejected at the  
Circuit Court level from that child's life , [that's] a permanent decision....

It affects the entire rearing of that child...generations and generations of children that we often struggle to keep parents in the lives of children because we have so many, so many bad consequences resultant from fatherless children...children that are not having enough involvement, attention from fathers."

<http://mgahouse.maryland.gov/mga/play/88e6074a4f7b464f9c195bf77007f739/?catalog/03e481c7-8a42-4438-a7da-93ff74bdaa4c&playfrom=5220000>

## Our policies, systems and family law attack Maryland fathers

### Delegate D. Swain, House Judiciary on Senator Carter's HB1440 to Domestic Violence crowd

"...my concern as a single-dad, I totally DIS-agree that there isn't a bias...

because I experienced that...

FROM THE BENCH ! ...

BY THE JUDGE ! ....

who specifically said that those things you said AREN'T said -- FROM THE BENCH !

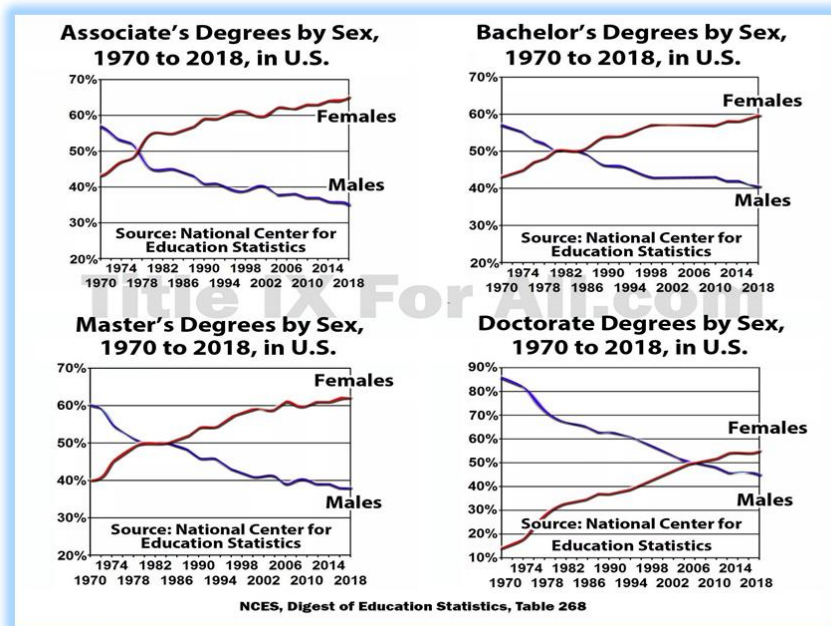
...To say that, I [take offense...what you said] is NOT true...

and when I hear people come in and make these assumptions that that shouldn't be the case, it really disturbs me...

the assumption should be that to the extent possible we should have both parents fully engaged and involved in a child's life...."

<http://mgahouse.maryland.gov/mga/play/88e6074a4f7b464f9c195bf77007f739/?catalog/03e481c7-8a42-4438-a7da-93ff74bdaa4c&playfrom=4175000>

## The State of Fathers



## The State of Fathers (continued)

Research shows that fathers' involvement is important. A 2006 study from the U.S. Department of Health and Human Services found that involved fathers increased academic and social achievement at all stages of childhood, and that adolescents in particular with highly involved dads had better verbal skills and higher overall achievement.

Mark Brentley Sr., school board member who founded and chairs the annual Take a Father to School Day, said that due to "the growing population of children who don't have access to their fathers,"

and family functioning: fatherhood is an important aspect of child development (Lamb, 2010; Lamb & Lewis, 2013; Pleck, 2010). Cohort studies have revealed the overall protective and positive effect of father involvement on offspring social, educational, behavioral, and psychological outcomes – throughout infancy, childhood, adolescence and adulthood. Short- and long-term positive outcomes include those pertaining to psychological health, externalizing and internalizing behavioral problems, substance misuse, criminality or delinquency, economic disadvantage, capacity for empathy, peer relationships, nontraditional attitudes to earning and child care, satisfaction with adult sexual partnerships, and self-esteem and life-satisfaction (Fatherhood Institute, 2013b; Feldman, Bamberger, & Kanat-Maymon, 2013; Flouri, 2005; Flouri & Buchanan, 2004; Kim, Mayes, Feldman, Leckman, & Swain, 2013; Martin, Ryan, & Brooks-Gunn, 2007; Pattnaik & Sriram, 2010; Pleck & Masciadrelli, 2004; Sarkadi, Kristiansson, Oberklaid, & Bremberg, 2008).

Disengaged and remote father-child interactions, as early as the third month of life, have been found to predict externalizing problems in children longitudinally (Ramchandani et al., 2013). Fathers' sensitiv-

## The State of Fathers (continued)

“In 2013, 71 percent of black children in America were born to an unwed mother, as were 53 percent of Hispanic children and 36 percent of white children.... At [some point before they turn 18](#), a majority of all American children will likely live with a single mom and no dad.”

“The health of society is primarily determined by the habits and virtues of its citizens. In many parts of America there are no minimally agreed upon standards for what it means to be a father. There are no basic codes and rules woven into daily life, which people can absorb unconsciously and follow automatically.”

According to Sara McLanahan of Princeton and Christopher Jencks of Harvard, a father’s absence increases antisocial behavior, such as aggression, rule-breaking, delinquency and illegal drug use – especially among boys. Having only one parent [reduces the chance that a child will graduate from high school by 40 percent](#).

So why is this happening? One reason is the welfare state. In the 1960s and early 1970s the federal government funded ....

<https://www.forbes.com/sites/johngoodman/2015/03/16/are-liberals-at-fault-for-the-breakup-of-the-family/?sh=13c4a56227ec>

February 4, 2015

## How to Revive the American Dream In Blue-Collar America

By **W. Bradford Wilcox & Robert I. Lerman**

When it comes to marriage, the nation is increasingly divided. Among college-educated Americans the news about marriage is surprisingly **good**: divorce is down, nonmarital childbearing is rare, and the vast majority of children are raised in **stable**, married homes. But for Americans without college degrees, the news is **sobering**: divorce is high, nonmarital childbearing has never been higher, and **about half** of children will see their parents' marriage or relationship break down and spend a portion of their lives in a home headed by a single parent.

This growing marriage divide poses obvious problems for children being raised outside of an intact family in poor and working-class communities. It's now well known that children raised in an unstable or single-parent family are much less likely to acquire the human capital, and to avoid detours like a teenage pregnancy or a spell in prison, they need to flourish in today's increasingly competitive marketplace.

**The State of Fathers (continued)**

For Every 100 Girls/Women.....	There Are This Many Boys/Men....
Who take high school AP/Honors courses in Art/Music	54
Who earn an associate's degree	64
Who take high school AP/Honors courses in Foreign/Classical Languages	64
Who take high school AP/Honors courses in English/Language Arts	64
Who earn a master's degree	65
Who are enrolled in US colleges	71
25 to 29 years who have a master's degree	73
Who earn a bachelor's degree	74
Enrolled in US graduate schools	75
Who are in the top 10% of their high school class	79
Who take AP/Honors courses in Natural Sciences	79
25 to 29 years whose highest level of education is an associate's degree	81
25 to 29 years who have a first professional or doctor's degree	81
Who take high school AP/Honors courses in math	82
25 to 29 years whose highest level of education is a bachelor's degree	85
Who earn a doctor's degree	85
Whose entry into kindergarten is delayed	139
In public schools (K-12) classified as having mental retardation	140
Who repeat kindergarten	145
Ages 3-17 years diagnosed with communication disorders	168
Who abuse illicit drugs and alcohol	180
In K-12 and classified as having a specific learning disability	207
Who are homeless and unsheltered	232
25 to 34 years old who die	233
4-17 years old diagnosed with ADHD	237
Who are suspended from school	240
15 to 24 years who die	262
Expelled from public schools	291
Ages 15 to 19 who commit suicide	293
Who receive services in public schools for autism	300
Who die by opioid overdose	318
In public schools classified as having an emotional disturbance	355
Ages 20 to 29 who commit suicide	441
Incarcerated in local jails	614
Ages 20-29 who die of homicide	648
Who die on the job	1,171
Incarcerated in state and federal prisons	1,314
Incarcerated in federal prisons	1,387
Who died in combat in Afghanistan and Iraq	4,102
Who have been wounded in action in Afghanistan and Iraq	5,026

