

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 1-23-02
BILL NO. AB488
OR
SUBJECT _____

Jenny Boese
(NAME)
PO Box 7158
(Street Address or Route Number)
MADISON, WI 53708-7158
(City and Zip Code)
Children and the Law Section of the
(Representing) STATE BAR

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Speaking Against:
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Madison, WI 53707-7882

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DATE: 1.23.02
BILL NO. AB 488
OR
SUBJECT _____

Gary Radloff
(NAME)
1 W. Wilson St
(Street Address or Route Number)
Madison, WI
(City and Zip Code)
DHFS
(Representing)

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DATE: 1-23-02
BILL NO. AB 488
OR
SUBJECT _____

Sen. Brian Burke
(NAME)

(Street Address or Route Number)
Milwaukee, WI
(City and Zip Code)
3rd Sen. Dist
(Representing)

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SENATE HEARING SLIP

(Please Print Plainly)

DATE: 23 January 02

BILL NO. AB 400

OR
SUBJECT _____

Sen. Fred Russer
(NAME)

220 South Capitol
(Street Address or Route Number)

(City and Zip Code)

(Representing)

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SENATE HEARING SLIP

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DATE: 1/23/01

BILL NO. AB 488

OR
SUBJECT _____

Rebecca Lesperance
(NAME)

1221 Sandstone Pl
(Street Address or Route Number)

Green Bay, WI 54301
(City and Zip Code)

Homeless Teen Moms
(Representing)

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DATE: 1-23-02

BILL NO. 488-Assembly

OR
SUBJECT _____

Linda Rogers
(NAME)

4532 N. 45th St.
(Street Address or Route Number)

Milwaukee 53218
(City and Zip Code)

(Representing)

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(Please Print Plainly)

DATE: 1/23/02
BILL NO. AB 488
OF
SUBJECT _____

Rhonda Burrell
(NAME)
7094 W Beckett Ave
(Street Address or Route Number)
Mil, WI 53216
(City and Zip Code)
Second Chance Home
(Representing)

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(Please Print Plainly)

DATE: 1/23/02
BILL NO. AB 488
OF
SUBJECT _____

Julette Francis
(NAME)
5651 N. 96th St
(Street Address or Route Number)
Milwaukee 53225
(City and Zip Code)
Second Chance Home
(Representing)

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(Please Print Plainly)

DATE: 1-23-02
BILL NO. AB 488
OF
SUBJECT _____

Mary Brock
(NAME)
5651 N. 96th St
(Street Address or Route Number)
Milwaukee Wisconsin
(City and Zip Code)
Second Chance Home
(Representing)

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(Please Print Plainly)

DATE: Jan 23 rd
BILL NO. AB 488
OR
SUBJECT _____

Suzanne Jaskwitz
(NAME)
Primary author
(Street Address or Route Number)

(City and Zip Code)

(Representing)

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(Please Print Plainly)

DATE: 1-23-02
BILL NO. AB 488
OR
SUBJECT Second Chance Homes

bl. weather
(NAME)
317 Spoke Cir
(Street Address or Route Number)
Sun Prairie WI 53590
(City and Zip Code)
WI Assoc. for Bayway
(Representing) SUES

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(Please Print Plainly)

DATE: 1/23/02
BILL NO. 488
OR
SUBJECT _____

Monica Zinkel
(NAME)
588 A. Venable Dr
(Street Address or Route Number)
Marisa WI 54455
(City and Zip Code)
M.S.P.S
(Representing)

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(Please Print Plainly)

DATE: 1/23/02

BILL NO. AB 488

OR
SUBJECT _____

Paula VanStraten
(NAME)

4597 Forest Rd
(Street Address or Route Number)

Onoda WI 54155
(City and Zip Code)

Homeless Teen Moms
(Representing)

Speaking in Favor:

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Madison, WI 53707-7882

preparing by Annette Daczyk

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2-23-02

BILL NO. AB 488

OR
SUBJECT Second Chance

Homes

Mike Shęjich
(NAME)

6789 Maichre Trail
(Street Address or Route Number)

Wis. Rapids, WI
(City and Zip Code)

BETH-birei Home
(Representing)

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SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2-23-02

BILL NO. AB 488

OR
SUBJECT Second Chance

Homes

Annette F. Daczyk
(NAME)

2407 Wilard St.
(Street Address or Route Number)

Stevens Point WI 54481
(City and Zip Code)

Beth-birei Sisterhood Home
(Representing)

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Spending w/ MISTAK VISION

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(Please Print Plainly)

DATE: 1-23-2002

BILL NO. AB 488

OR
SUBJECT HomeA

Patty Anglin

(NAME)

29252 Four Corners Store Rd

(Street Address or Route Number)

Mason, WI 54856

(City and Zip Code)

Acres of Hope, inc.

(Representing)

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SENATE HEARING SLIP

(Please Print Plainly)

DATE: 1-23-02

BILL NO. 488 - Assembly

OR
SUBJECT _____

Crystal Olson

(NAME)

29525 Four Corners Store Rd

(Street Address or Route Number)

MASON - 54856

(City and Zip Code)

ACRES OF HOPE

(Representing)

Speaking in Favor:

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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 1-23-02

BILL NO. 488 Assembly

OR
SUBJECT _____

Linda Regens

(NAME)

4532 N. 45th St

(Street Address or Route Number)

Milwaukee WI 53218

(City and Zip Code)

Positive Development Search

(Representing) Chance House

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SENATE HEARING SLIP

(Please Print Plainly)

DATE: 1/23/02

BILL NO. AB 488

OR

SUBJECT _____

Bob Andersen

(NAME) G. N. Carroll

(Street Address or Route Number)

Madison WI 53703

(City and Zip Code) WISCONSIN

COUNCIL ON CHILDREN &

(Representing) FAMILIES

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SUE JESKEWITZ

State Representative • 24th Assembly District

Assembly Bill 488
Second Chance Homes Testimony
Human Services and Aging Committee
January 18, 2002

Good morning Chairman Robson and members of the Human Services and Aging Committee. Thank you for scheduling Assembly Bill 488 this morning and for allowing me to testify. This bill passed unanimously out of the Assembly Children and Families Committee and 92-0 on the Assembly floor.

I am very pleased to be testifying on this legislation today, as it has been a long time in the making. In June of 2000, I formed a task force to help construct legislation to create and run second chance homes. This task force consisted of members from Fiscal Bureau, the Department of Administration, Legislative Council, the Department of Health and Family Services as well as practitioners who can share their firsthand experiences and knowledge. We began our work using legislation from other states as a model. Taking successful elements from each program and incorporating the unique needs of Wisconsin, we have developed a piece of legislation of which we are very proud.

In 1998, there were approximately 7,000 babies born to teen mothers in Wisconsin. Only a third of these women graduated from high school by age 19. They have not received this formal, structured high school education, but also lack the life skills to become productive members of our society and most importantly to be good mothers. Yes, there are teen mothers living in stable environments with a supportive family structure. But there is no disputing the fact that there are others that are in need of a safe, stable and secure environment. There are hundreds that have been abandoned by their families and either hop from home to home, live in homeless shelters, or worse yet, in abandoned buildings or cars. These are the women that we have to reach. These mothers are silent, but they, and their babies, are in dire need of our help.

The legislation that I have introduced will help these mothers who are in need of a protective living environment. This bill allows for Second Chance Homes to be established for young mothers, ages 14-18, who are in need of a safe, stable, secure environment. These homes provide shelter, but also require that the mothers attend school and training. While living in the home they learn money management skills, responsibility, how to be a contributing member of society and most importantly how to be a good mother. These homes allow the mother and child to stay together as a family which promotes a nurturing relationship. Additionally, **states with Second Chance homes report a lower incidence of repeat pregnancies.**

Second Chance Homes are not new to Wisconsin. Currently there are homes serving court ordered mothers and homes for girls ages 18 and 19. This legislation would allow **voluntary placement** for girls under eighteen. The fact that, ---- **currently**, ---- mothers under 18 have to do something to trigger the court system in order to be able to live in a Second Chance Home is counterproductive. We should work to help those in need before they become criminal.

This bill allows an organization to establish a Second Chance Home, but does not provide any state or federal funding. Fortunately, we have been in contact with many organizations that have expressed interest in opening and operating a second chance home once this legislation is passed even without state aid. In the 2002 budget, Congress added \$19 million to the Transitional Living Program budget -- with a strong recommendation that the Department of Health and Human Services use these funds to support and create Second Chance Homes. The \$19 million was in addition to the existing \$21 million allocated to the transitional living program budget with the encouragement of the conferees to the Secretary of Health and Human Services use some of these funds "to address the unique needs of pregnant and parenting youth."

It is my hope that second chance homes will help mothers realize the responsibility that comes with giving birth to a child. Unfortunately, if they are in need of this program, their current family structure is not giving them the support that they need. I believe that this program will give these young women the tools to start a new cycle; that in the future these teen mothers will grow to become loving, accepting and responsible parents. I hope you will support me and this legislation aimed at giving teen moms in Wisconsin a Second Chance.

**WISCONSIN ASSOCIATION FOR RUNAWAY SERVICES/
WISCONSIN ASSOCIATION FOR SECOND CHANCE HOMES**

Testimony of Joli Guenther, Program Director 1/23/02

I would like to thank you for this opportunity to testify in support of this bill providing for the development of Second Chance Homes in Wisconsin. I am speaking on behalf of members of the Wisconsin Association for Runaway Services and the newly developed Wisconsin Association for Second Chance Homes. Programs serving runaway and homeless youth have long recognized the need for services to teen mothers and their babies. Statistics back up the need for support for these youth and their children. The majority of teen mothers have been sexually assaulted and/or neglected as children. Babies of teen parents are more likely to be born prematurely and have a low birth rate. In addition, children of teen mothers are more likely to be physically abused, abandoned, neglected, and end up in the prison system. Second Chance Homes provide pregnant and parenting teens, who have no appropriate adult relative, with a safe, stable, nurturing residence as an alternative to the street. Parenting teens learn child development, family budgeting, health and nutrition, parenting skills, and other skills to promote long-term independence and to ensure the well being of their children. In addition, pregnant teens are provided with critical pre-natal care.

The importance of Second Chance Homes has been recognized both on a state and national level. This December, Congress appropriated the largest funding increase ever allocated to Runaway and Homeless Youth Transitional Living Programs. This increase raised funding for the Transitional Living Programs to \$39.74 million nearly doubling the program from its fiscal year 2001 funding. It is expected that this increase will allow for the additional funding of 80 new Transitional Living Programs nationwide. **Congress made this decision in order to support the Bush Administration's interest in developing and expanding maternity group homes for young mothers without alternative living arrangements.**

Recognizing the great overlap between their clientele, the Wisconsin Association for Runaway Services (WARS) and the Wisconsin Association for Second Chance Homes (WASCH), have agreed to work collaboratively to provide quality services to their clients. Teen mothers experience many of same problems within their families as runaways, including physical/sexual abuse, neglect, drug and alcohol issues, and abandonment by their family. These issues are further complicated by the addition of a young life dependent on the youth for survival and a chance to thrive. Second Chance Homes provide a safe alternative to the streets and other dangerous environments to which these teens frequently turn when remaining with their families is not an option.

WARS and WASCH recently agreed to formally collaborate on the development and implementation of Second Chance Homes throughout the state. WARS will be assisting in the development of WASCH, a cooperative statewide coalition of Second Chance Homes, based on the WARS model. The agencies are holding their first, quarterly, joint meeting today to work on the development of the coalition and statewide standards for Second Chance Homes. Under a new grant from the Office of Justice Assistance, the Wisconsin Association for Runaway Services will be developing WASCH, replicating the services offered by WARS. Like WARS, the Wisconsin Association for Second Chance Homes will serve as an advocate and liaison on behalf of Second Chance Home Service providers on state, regional and national levels. The agency will also provide training and technical assistance on program development and implementation, aid the coalition in enabling the programs to be self-sufficient through technical assistance with seeking funding, provide opportunities for best practice and program sharing among service providers, enable program self-sufficiency through assistance with seeking funding, and work on the assurance of a cooperative forum providing proportionate funding to all areas of the state.

Both members of WARS and WASCH strongly encourage you to support the development of these critical resources for pregnant teens and their babies through your support for this legislation.

Thank you for your time and consideration. If you would like additional information regarding this important issue affecting Wisconsin youth and their babies, please contact:

**WARS/WASCH
2318 East Dayton St.
Madison, WI 53704
608-241-2649**

**Patricia Balke, Executive Director
Joli Guenther, Program Director
pbalke@chorus.net**



DIVISION OF CHILDREN AND FAMILY SERVICES

Scott McCallum
Governor

Phyllis J. Dubé
Secretary

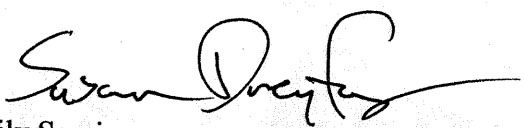
State of Wisconsin
Department of Health and Family Services

1 WEST WILSON STREET
P O BOX 8916
MADISON WI 53708-8916

Telephone: 608-267-3905
FAX: 608-266-8836
www.dhfs.state.wi.us

DATE: January 25, 2002

TO: Senator Moore

FROM: Susan Dreyfus, Administrator 
Division of Children and Family Services

CC: Senator Hansen
Representative Jeskewitz
Senator Kanavas
Senator Robson
Senator Roessler
Anne Sappenfield
Senator Welch
Senator Wirch

RE: Assembly Bill 488

The Department of Health and Family Services felt it was necessary to include Sections 5 and 6 in AB488 because we have witnessed quite often, outside of Milwaukee County, that young girls who are pregnant or expecting and in need of a safe and structured living environment, are not brought under the jurisdiction of the court and thus do not have the opportunity to receive services.

Under current statutes, specifically s.48.13(9), many of these children, on their own initiative, request the court to take jurisdiction over their cases. Some of these children could also come under the jurisdiction of the court under other subsections in s.48.13. However, given the fact that this statute has been in existence for some time and yet the problem of not serving these children continues to exist, it can be argued that the existing jurisdictional criteria are not clear or are not universally interpreted to include these children.

The language proposed in Sections 5 and 6 of this legislation makes it clear that a child in these circumstances need not be required to take her own initiative to seek court intervention. In addition, it makes it clear that the child of one of these children is automatically under the jurisdiction of the court if a need is seen to exercise that jurisdiction. It is our experience that if a mother is under a CHIPS or JIPS, that her child more often than not needs access to services as

well. It's also important that a court order be in place for these babies in cases where the mother leaves the group home without her baby. This creates an emergency situation where we have "possession" of a baby with none of the required legal authority.

In addition, without a court-order, there is no ability to recoup federal funds to offset the costs of placement. Thus, the placement costs of a young mother and her child are borne 100% by local and state funds.

Overall, Sections 5 and 6 were added to assure the safety and protection of young girls and their babies. If the sections are left out, the legislation still meets the author's intent, which is to provide a safe, structured living environment for girls who are pregnant and voluntarily choose to live in a second chance home. However, it will not reach those girls who choose not to voluntarily agree to live in a second chance home and there is no court order. Based on the testimony of several advocates at the hearing on Wednesday, January 23, 2002, these are the girls that are in dire need of a safe, structured living environment. By leaving out Sections 5 and 6, these are the girls that will potentially fall through the cracks.


I hope this information has been helpful. Please let me know if you have any questions.



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NAN BRIEN, *Associate Director*

TO: Senate Committee on Human Services and Aging
FROM: Bob Andersen 
RE: January 25, 2002 Memorandum from DHFS, regarding sections 5 and 6 of AB 488, relating to Second Chance Homes
DATE: January 28, 2002

As the department's own memorandum acknowledges, there are already grounds under section 48.13 of the statutes which confer Children's Court jurisdiction over these young mothers and over their babies. Nothing is gained by repeating the same jurisdictional authority in the statutes another time. If there is a problem in this area it is not with the law, it is with the enforcement of the law. The solution to that problem does not lie in restating the law, but rather lies in the supervision of how the law is enforced or in ensuring that there is sufficient funding at the county level to enforce the Children's Code for all those who are in need.

The Children's Code includes **several grounds** for the Court to take jurisdiction over the mothers and their babies. **Under section 48.13, the Court has exclusive jurisdiction over a child alleged to be in need of protection or services because the child is "abandoned," under sub. (2).** This applies to both the teen mom and to the baby. Of course, where a teen mom leaves her baby in the group home, the court would have jurisdiction under this section and under the other sections listed below. The department's memo states that "it is also important that a court order *be in place* for these babies in cases where the mother leaves the group home without her baby." That statement is at odds with what this bill is all about. If the courts had orders on these children, this bill would not be necessary. It is because the courts do not have orders on these children that the bill is necessary.

Under sub. (4) of section 48.13 the Court has jurisdiction where the parent voluntarily requests jurisdiction.

Under sub. (8), the Court has jurisdiction over a child who is receiving inadequate care during the period of time a parent is missing. This would obviously apply where the parent has gone, even where the parent may not have deliberately "abandoned" the child.



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www.wccf.org

Under sub. (9), the Court has jurisdiction where the child over the age of 12 voluntarily requests jurisdiction.

Under sub. (10), the Court has jurisdiction where the parent is unable to care for the child so as to “seriously endanger the physical health of the child.” This would apply to a child who is living in the home and whose physical health is in danger, as well as a child who has left the home and whose physical health is in danger. These are the very circumstances cited by most of the advocates as the reason for this bill. The problem is that these teen moms are forced to live with strangers who sexually or physically abuse them. Others are forced to become homeless, where their physical health is in serious jeopardy.

Sub. (11) of the statutes was added to cover the alternative to physical harm – emotional harm. It covers the situation where the teen mom is suffering “emotional damage” because the parent is unable to care for her. There is no doubt that these teen moms suffer emotional damage as they leave home and are living in transient circumstances that endanger their health and safety.

Sub. (11m) confers jurisdiction on the Court over children who are suffering from alcohol or other abuse, which the parent is unable to provide treatment for.

In addition, section 48.133 confers jurisdiction on Children’s Court over unborn children where there is a substantial risk that the mother’s use of alcohol or controlled substances will seriously impair the unborn child’s health. This would allow the court to take jurisdiction to protect the unborn child of an expectant mother who is acting irresponsibly with the use of alcohol or other drugs.

Given this extensive list of jurisdictional bases for Children’s Court to protect these teen moms and their babies, it is difficult to imagine what good will be done by adding sections 5 and 6 to AB 488.

The department says that the fact that the statutes have always included these provisions, while the counties and the courts do not act to protect these children, leads to the conclusion that current law does not cover these situations. First, this contradicts the department’s own conclusion at the outset of the memo – that current law does cover these situations. Moreover, there is another explanation for why these children are not protected. The counties do not have the resources to protect all the children who fall within the scope of the Children’s Code.

Finally, the department says that without these two sections in the bill, children who do not agree to live in second chance homes will not be protected. Again this contradicts what the department acknowledges in the first paragraph of this memorandum – current law already covers these children. Saying the same thing over again in the statutes is not going to change things. As for the department’s argument that the situation would be better were the Children’s Courts to be involved, so as to maximize the receipt of federal dollars, AB 488 was never intended to rectify the larger problems that exist in the child welfare system. If the counties and the courts exercised their current jurisdictional authority, this bill would not have been necessary. This bill is designed to fill a gap that exists because the counties and the courts do not take jurisdiction.

Vote Record

Senate - Committee on Human Services and Aging

Date: 1/31/02
 Moved by: Robson Seconded by: ~~Robson~~ Welch
 AB: 488 SB: _____ Clearinghouse Rule: _____
 AJR: _____ SJR: _____ Appointment: _____
 AR: _____ SR: _____ Other: _____

A/S Amdt: LRBa 1165/2
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt:
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- Passage
- Introduction
- Adoption
- Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

Committee Member

Sen. Judith Robson, Chair
 Sen. Gwendolynne Moore
 Sen. Robert Wirch
 Sen. David Hansen
 Sen. Carol Roessler
 Sen. Robert Welch
 Sen. Ted Kanavas

<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: _____

AB 488 - amendment LRBa 1165/2

Motion Carried

Motion Failed

Vote Record

Senate - Committee on Human Services and Aging

Date: 1/31/02
Bill Number: AB 488
Moved by: Robson Seconded by: Welch
Motion: passage as amended

Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Sen. Judith Robson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gwendolynne Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Robert Wirch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. David Hansen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Carol Roessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Robert Welch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ted Kanavas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: _____

Motion Carried

Motion Failed