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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**2005-06**

(session year)

**Assembly**

(Assembly, Senate or Joint)

**Committee on ... Children and Families (AC-CF)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Stefanie Rose (LRB) (May 2012)

## Assembly

### Record of Committee Proceedings

#### **Committee on Children and Families**

##### **Assembly Bill 522**

Relating to: considering a person's criminal record and evidence of abuse or neglect of a child when modifying custody or physical placement of a child.

By Representatives Wood, Lamb, Ainsworth, Albers, J. Fitzgerald, Freese, Gard, Gronemus, Gunderson, Gundrum, Hines, Honadel, Jensen, Kleefisch, Krawczyk, Kreibich, Lehman, Moulton, Petrowski, Pettis, Rhoades, Strachota, Suder, Townsend, Wasserman and Jeskewitz; cosponsored by Senators Harsdorf, Lassa, Carpenter, Darling, A. Lasee, Reynolds, Risser, Roessler, Stepp, Zien and Brown.

June 28, 2005

Referred to Committee on Children and Families.

August 4, 2005

#### **PUBLIC HEARING HELD**

Present: (5) Representatives Kestell, Albers, Jeskewitz,  
Grigsby and Seidel.

Absent: (3) Representatives Vos, Vukmir and Sinicki.

#### Appearances For

- Joe Novak, Eau Claire — Himself and his children
- Jeff Wood — State Representative, 67th Assembly District
- James Michel — Office of Rep. Andy Lamb

#### Appearances Against

- None.

#### Appearances for Information Only

- None.

#### Registrations For

- None.

#### Registrations Against

- None.

September 8, 2005

#### **EXECUTIVE SESSION HELD**

Present: (6) Representatives Kestell, Vos, Albers,  
Jeskewitz, Grigsby and Seidel.

Absent: (2) Representatives Vukmir and Sinicki.

Moved by Representative Jeskewitz, seconded by Representative Vos that **s0175** be recommended for introduction.

Ayes: (6) Representatives Kestell, Vos, Albers,  
Jeskewitz, Grigsby and Seidel.  
Noes: (0) None.  
Absent: (2) Representatives Vukmir and Sinicki.

INTRODUCTION RECOMMENDED, Ayes 6, Noes 0

Moved by Representative Vos, seconded by Representative Jeskewitz that **s0175** be recommended for adoption.

Ayes: (6) Representatives Kestell, Vos, Albers,  
Jeskewitz, Grigsby and Seidel.  
Noes: (0) None.  
Absent: (2) Representatives Vukmir and Sinicki.

ADOPTION RECOMMENDED, Ayes 6, Noes 0

Moved by Representative Albers, seconded by Representative Vos that **Assembly Bill 522** be recommended for passage as amended.

Ayes: (6) Representatives Kestell, Vos, Albers,  
Jeskewitz, Grigsby and Seidel.  
Noes: (0) None.  
Absent: (2) Representatives Vukmir and Sinicki.

PASSAGE AS AMENDED RECOMMENDED, Ayes 6, Noes 0

---

David Matzen  
Committee Clerk

## Vote Record Committee on Children and Families

Date: 9-8-05

Moved by: Jeskewitz      Seconded by: Vos

AB 522      SB \_\_\_\_\_      Clearinghouse Rule \_\_\_\_\_  
 AJR \_\_\_\_\_      SJR \_\_\_\_\_      Appointment \_\_\_\_\_  
 AR \_\_\_\_\_      SR \_\_\_\_\_      Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_  
 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       Adoption       Confirmation       Concurrence       Indefinite Postponement  
 Introduction       Rejection       Tabling       Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<b>Representative Steve Kestell, Chair</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Robin Vos</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Sheryl Albers</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Suzanne Jeskewitz</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Leah Vukmir</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Tamara Grigsby</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Christine Sinicki</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Donna Seidel</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Totals:**      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_

Motion Carried       Motion Failed

# History of Assembly Bill 522

ASSEMBLY BILL 522

LC Amendment Memo

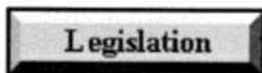
An Act to renumber and amend 767.325 (5m); and to create 767.325 (5m) (b) of the statutes; relating to: considering a person's criminal record and evidence of abuse or neglect of a child when modifying custody or physical placement of a child.

2005

- 06-28. A. Introduced by Representatives Wood, Lamb, Ainsworth, Albers, J. Fitzgerald, Freese, Gard, Gronemus, Gunderson, Gundrum, Hines, Honadel, Jensen, Kleefisch, Krawczyk, Kreibich, Lehman, Moulton, Petrowski, Pettis, Rhoades, Strachota, Suder, Townsend, Wasserman and Jeskewitz; cosponsored by Senators Harsdorf, Lassa, Carpenter, Darling, A. Lasee, Reynolds, Risser, Roessler, Stepp, Zien and Brown.
- 06-28. A. Read first time and referred to committee on Children and Families ..... 341
- 08-04. A. Public hearing held.
- 09-08. A. Executive action taken.
- 09-08. A. Assembly substitute amendment 1 offered by committee on Children and Families ..... 452
- 09-09. A. Report Assembly Substitute Amendment 1 adoption recommended by committee on Children and Families, Ayes 6, Noes 0 ..... 454
- 09-09. A. Report passage as amended recommended by committee on Children and Families, Ayes 6, Noes 0 ..... 454
- 09-09. A. Referred to committee on Rules ..... 454

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*VUK + Sini*



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WISCONSIN LEGISLATIVE COUNCIL  
AMENDMENT MEMO

2005 Assembly Bill 522

Assembly Substitute  
Amendment 1

*Memo published:* September 12, 2005

*Contact:* Anne Sappenfield, Senior Staff Attorney (267-9485)

*Assembly Bill 522* provides that, in an action to modify an order for legal custody or physical placement of a child, in determining the best interest of the child, the court must consider whether any of the following has a criminal record and whether there is evidence that any of the following has engaged in abuse of the child or neglected the child:

- A stepparent of the child.
- A person with whom the parent of the child has a dating relationship.
- A person who resides or has resided regularly or intermittently in the same dwelling as the child.

*Assembly Substitute Amendment 1* provides that one of the factors the court must consider in determining legal custody and physical placement of a child is whether a person with whom a parent of the child has a dating relationship or a person who resides, has resided, or will reside regularly or intermittently in a proposed custodial household has a criminal record or if there is evidence that such a person engaged in abuse of the child or any other child or neglected the child or any other child. In an action to modify an order for legal custody or physical placement, the court must additionally consider whether a stepparent of the child has a criminal record and whether there is evidence that a stepparent of the child has engaged in abuse of the child or any other child or neglected the child or any other child.

**Legislative History**

The Assembly Committee on Children and Families offered Assembly Substitute Amendment 1 on September 8, 2005. Also on that date, the committee recommended adoption of the amendment on a vote of Ayes, 6; Noes, 0, and recommended passage of the bill, as amended, on a vote of Ayes, 6; Noes, 0.

AS:ksm



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Madison, WI 53708-8953  
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# JEFF WOOD

State Representative • 67th Assembly District

District: 1501 Miles Street  
Chippewa Falls, WI 54729  
(715) 726-9226  
Rep.Woodj@legis.state.wi.us  
Toll-Free: (888) 534-0067

**To: Members of the Assembly Committee on Children and Families**  
**From: Rep. Jeff Wood**  
**Date: August 4, 2005**  
**Re: Testimony for AB 522, The Stephen Hubbard Bill**

Good morning Chairman Kestell and Members of the Committee, and thank you for holding a hearing on AB 522. This bill was drafted by Rep. Lamb and me, along with Sen. Harsdorf, in memory of 8 year old Stephen Hubbard of Hammond, Wisconsin.

Stephen was allegedly beaten to death by Kevin Rood on December 20, 2004. Rood, who outweighed the boy by 215 pounds, reportedly smashed the little boy into a wall until he died from head injuries.

The alleged murderer was the live-in boyfriend of Stephen's mother and had abused the boy to such an extent in the past that an autopsy revealed old skull and spinal fractures. The ongoing abuse of Stephen by his mother's boyfriend did not go unreported, but unfortunately the reports were all but ignored.

The system let Stephen down, and he is not alone. There are other children in Stephen's situation, and tragically other children have met the same fate as Stephen. AB 522 aims to fix the system that has failed these children by preventing the living situation Stephen endured from the start.

Under current law, when a court determines physical placement or modifies custody of a child following such actions as a divorce, many factors are considered. These factors include evidence of abuse by either parent, but not by a stepparent or significant other of either parent who regularly has contact with the child.

This bill would require courts to also consider whether a stepparent or significant other of a child's parent who has direct contact with the child has engaged in abuse or neglect of the child, along with that individual's criminal record, when determining custody or physical placement of the child. I believe had AB 522 been law at this time last year, Stephen Hubbard and others who suffered his tragic fate would still be alive.

Thank you for the opportunity to speak on AB 522 today. I would be happy to answer any questions you may have at this time.



# Autopsy shows evidence of

*Man charged with reckless homicide; authorities say he shoved boy into wall*

**By Chuck Rupnow**  
Leader-Telegram staff

A Hammond man was charged Tuesday with killing an 8-year-old boy by pushing him into a wall or door frame three times and then failing to notify medical personnel immediately.

Authorities say Kevin H. Rood, 41, outweighed the boy by 215 pounds. Rood was charged in St. Croix

County Court with first-degree reckless homicide, which carries a maximum penalty of 40 years in prison.

Judge Scott Needham ordered Rood held on a \$500,000 cash bail. A preliminary hearing is set for Thursday, Jan. 6.

According to the criminal complaint:

Rood, who is 6-foot-3 and weighs



**Rood**

265 pounds, was in charge of Stephen D. Hubbard when the boy came home from school at about 3:45 p.m. Dec. 20. Hubbard was 3-foot-9 and weighed 50 pounds.

Police were notified at 5:10 p.m. of a boy who received a head injury when falling in a bathtub. Hubbard was taken to the Baldwin hospital and later flown to Gillette Children's Hospital in St. Paul, where he died at 10:43 p.m.

An autopsy indicated Hubbard died from head trauma associated with child abuse.

Rood, who lived at the residence with Hubbard and his mother, initially told police Hubbard fell in the bathtub, but he later said he pushed Hubbard against a wall for lying about wetting his pants.

Rood said he attempted several methods of reviving the boy and started CPR instead of calling police. He said he left a message for the mother at her work. She came home about 30 minutes after the incident and notified authorities.

**Wednesday**

December 29, 2004

## abuse

Rood told police he spanked the boy 50 to 60 times over the 14 months he lived at the residence and said he "roughhoused" with the boy so he would know what it was like to play sports.

Rood eventually told police he pushed the boy against the wall or door frame three times and did not mean to hurt him. Medical records indicated the boy had numerous bruises and injuries, including old skull and spinal fractures.

Rupnow can be reached at 830-5831, (800) 236-7077 or [chuck.rupnow@ectpc.com](mailto:chuck.rupnow@ectpc.com).

The Consolidated Court Automation Programs (CCAP)  
Wisconsin Circuit Court Access

Wisconsin Circuit Court Access (WCCA)  
State of Wisconsin vs. Kevin Howard Rood

St Croix County Case Number 2004CF000574

<b>Filing Date</b>	<b>Case Type</b>	<b>Case Status</b>
12-28-2004	Criminal	Open

<b>Defendant Date of Birth</b>	<b>Address</b>
03-03-1963	955 Larcom Street, Hammond, WI 54015

<b>Branch Id</b>	<b>DA Case Number</b>
3	2004SC002558

**Case(s) Cross-Referenced With This Case**  
2004SW000057

### Charge(s)

Count No.	Statute	Description	Severity	Disposition
1	940.02(1)	1st-Degree Reckless Homicide	Felony B	
2	948.03(2)(c)	Child Abuse-High Probability/Great Harm	Felony F	
3	948.03(2)(c)	Child Abuse-High Probability/Great Harm	Felony F	
4	948.03(2)(c)	Child Abuse-High Probability/Great Harm	Felony F	

<b>Responsible Official</b>	<b>Prosecuting Agency</b>	<b>Prosecuting Attorney</b>	<b>Defense Attorney</b>
Needham, Scott R.	District Attorney	Johnson, Eric G	Nelson, Aaron

### Defendant

<b>Defendant Name</b>	<b>Date of Birth</b>	<b>Sex</b>	<b>Race <sup>1</sup></b>
Rood, Kevin Howard	03-03-1963	Male	Caucasian
<b>Address</b>			<b>Address Updated On</b>
955 Larcom Street, Hammond, WI 54015			12-28-2004

<b>JUSTIS ID</b>	<b>Finger Print ID</b>

### Defendant Attorney(s)

<b>Attorney Name</b>	<b>GAL</b>	<b>Entered</b>
Nelson, Aaron	No	12-28-2004

### Future Court Activity

Date	Time	Location	Description	Type <sup>2</sup>	Court Official
09-09-2005	01:00 pm	Court Room Four	Status conference	Court	Needham, Scott R.
02-06-2006	08:00 am	Court Room Four	Jury trial	Court	Needham, Scott R.

### Charge(s)/Sentence(s)

The Defendant was charged with the following offense:

Count No.	Statute Cite	Description	Severity	Offense Date	Plea
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1	940.02(1)	1st-Degree Reckless Homicide	Felony B	12-20-2004	Not Guilty on 02-01-2005
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**Charge Modifier(s)****Statute Cite Description**

939.50(3)(b) Penalties for Felonies-Class "B" Felony

**The Defendant was charged with the following offense:**

Count No.	Statute Cite	Description	Severity	Offense Date	Plea
2	948.03(2)(c)	Child Abuse-High Probability/Great Harm	Felony F	12-20-2004	Not Guilty on 02-01-2005

**Charge Modifier(s)****Statute Cite Description**

939.50(3)(f) Penalties for Felonies-Class "F" Felony

**The Defendant was charged with the following offense:**

Count No.	Statute Cite	Description	Severity	Offense Date	Plea
3	948.03(2)(c)	Child Abuse-High Probability/Great Harm	Felony F	12-05-2004	Not Guilty on 02-01-2005

**Charge Modifier(s)****Statute Cite Description**

939.50(3)(f) Penalties for Felonies-Class "F" Felony

**The Defendant was charged with the following offense:**

Count No.	Statute Cite	Description	Severity	Offense Date	Plea
4	948.03(2)(c)	Child Abuse-High Probability/Great Harm	Felony F	12-05-2004	Not Guilty on 02-01-2005

**Charge Modifier(s)****Statute Cite Description**

939.50(3)(f) Penalties for Felonies-Class "F" Felony

<sup>1</sup> The designation listed in the Race field is subjective. It is provided to the court by the agency that filed the case.

<sup>2</sup> Non-Court activities do not require personal court appearances. For questions regarding which court type activities require court appearances, please contact the Clerk of Circuit Court in the county where the case originated.

To: All Staff  
From: Ron Walsh  
Date: Jan. 5, 2005  
Subj: Article

*RW*

I thought you would want to read this touching article that was in last night's Eau Claire Leader. It reminds me of how fortunate I have been and what an important role we play in the lives of all of our students. Thank you for watching out for all of our "kids" and for each other.

# Dear Stephen: I'm sorry so many let you down

**Editor's note:** The author is a reporter for the New Richmond News who covered the death of 8-year-old Stephen Hubbard of Hammond.

Stephen died Dec. 20 of head trauma. His mother's boyfriend, Kevin H. Rood, is charged with first-degree reckless homicide and is in the St. Croix County Jail. This column is a tribute to Stephen.

Dear Stephen:

I have so many things to apologize for, I'm not sure where to start. I didn't really know you — I probably saw you and even spoke to you at St. Croix Central Elementary School, but I didn't really know you.

If I had known you, or even known about you, I would have done anything to try and stop you from dying before you had a real chance to live.

They say you remained conscious and walked into the bathroom to take a shower after being beaten and having your head slammed into a door at the hands of your mother's boyfriend. But I hope against hope that isn't true and you never knew what an awful thing had just been done to you.

My hope is that your killer placed you in the shower in an attempt to make your death appear more accidental because that would mean that you didn't have to endure an extra hour of physical and emotional pain.

But as much as I want to believe you didn't feel the pain, I also want to believe this was the first time you had ever been pushed around at the hands of an adult. But after reading about your autopsy report, I have to accept the fact you most likely suffered before, more times than I would like to think.

They say Child Protective Services had been in contact with your family, and there were people who knew you needed help. I'm sorry help didn't come soon enough, and I apologize that since you moved around so much your help kept losing touch with you.

From the little bit I've learned about you, I can see that both you and your mother struggled in life. You deserved much more.

## It Seems to Me

Since your death, a few people have uttered the phrase, "I wonder what the boy did to get beaten so badly," and for those people I also must apologize. There was nothing you, as an innocent 8-year-old boy, could ever have done to deserve such an awful "punishment," as the man charged with killing you calls it.

To me, your real "punishment" was the number of days you were abused and all the unthinkable things you probably endured during that time — the things people outside the house haven't heard about.

From reading your recent letter to Santa Claus, I know you didn't have any snow pants, which probably means you didn't have many toys either. Even so, you showed your big heart by asking Santa to bring some clothes for your mom. In a selfish world, you chose to be unselfish, and I'm sorry your generosity wasn't repaid by some of your loved ones.

They say your mother wasn't aware what was happening to you, and I sincerely hope that's true. My hope is you had at least one person in your life who made it worth living.

As I listened to each word spoken by the pastor at your memorial service, I wished his words would ring true. Stephen, I hope you've gone on to a place where everybody loves you and no one hurts you. I hope you now have all the warm clothes you need and all the toys you want. But perhaps my biggest hope for you is you can one day forget the awful world you left behind.

I can't tell you how sorry I am for what happened to you, and I apologize that as much as I don't want to think about it, there are more kids out there just like you.

Maybe, just maybe, your death will save another "Stephen," who's still waiting for his or her help to come.

*Shehane-Bannink, a reporter for the New Richmond News, lives in Clear Lake.*



**Julie Shehane-Bannink**

# Prosecution tells of baby's

## Defendant expected to testify

By Dan Holtz  
Leader-Telegram staff

Kaitlyn Rouse was a happy baby who loved to be held and always stopped crying after she was fed and held, the baby's mother said Tuesday.

But an Eau Claire police detective said a man caring for Kaitlyn Feb. 6 wrapped her tightly in a blanket and smothered her to get her to stop crying.

Eric D. Arneson was increasingly frustrated and upset by Kaitlyn's continued crying, detective Matthew

Rokus said.

"(Arneson) stated he was at wit's end," Rokus said of an interview he had with Arneson. "He felt he was out of control, frustrated and shaking. He actually used those words."

Rokus and Kaitlyn's mother, Tina Rouse, were among nine witnesses testifying Tuesday at the first day of Arneson's trial.

Prosecution and defense witnesses were set to testify today.

Arneson's lawyer said the defendant would testify at the trial, which was

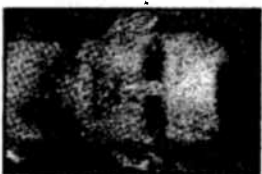
expected to conclude late today or Thursday.

Police accuse

Arneson of killing 5-month-old Kaitlyn by wrapping her tightly in a blanket at an Eau Claire apartment he formerly shared with Tina Rouse at 2611 Boardwalk Circle.

Arneson, 24, W180 Highway FF, Eleva, is charged with a felony count of first-degree reckless homicide.

Tina Rouse testified Tuesday that Kaitlyn was under Arneson's care the



Arneson



Kaitlyn Rouse

morning of Feb. 6 when she went to work.

Rouse left for work at 9:30 a.m. She called Arneson at 11 a.m. to check on Kaitlyn and Kaitlyn's brother, Taylor, now 2.

Arneson called right back, indicating Kaitlyn was pale and

not moving. Rouse said she told Arneson to hang up and dial 911.

Kaitlyn was pronounced dead at Sacred Heart Hospital.

Rouse said she and her husband,

Wednesday,

June 23, 2004

LEADER-TELEGRAM

# B

## death

Kenneth Rouse, separated last fall.

Tina Rouse said she had "an off and on" romantic relationship with Arneson in late 2003 and early this year.

Arneson watched Taylor and Kaitlyn several times during that period, Rouse said.

A friend was watching her children when she and Arneson visited friends in Chippewa Falls the night of Feb. 5, Rouse said.

Rouse and Arneson didn't return home until 3:30 a.m. Feb. 6 and didn't get to sleep until 4:30 or 5 a.m., she said.

See TRIAL, Page 3B

from Page 1B

Eau Claire Fire Department paramedics Joseph Snow and Gregory Johnson testified Kaitlyn showed no obvious signs of life when they arrived at the apartment.

Kaitlyn was wearing a soaked diaper that appeared not to have been changed since the night before, Johnson said.

Kaitlyn's cause of death was asphyxiation by compression to the chest or obstruction of the nose, said Kelly Mills, an assistant medical examiner for the Ramsey County medical examiner's office in St. Paul.

Kaitlyn had bruises on the back of her head and tip of the nose, implying "there may be a component of smothering involved," Mills said.

Kaitlyn's asphyxiation could have been caused by a tightly wrapped blanket, Mills said.

The baby also had severe diaper rash. "It's the most severe I've seen," Mills said.

Rokus said Arneson gave three written statements during a series of interviews the afternoon of Feb. 6 at the Eau Claire Police Department.

Arneson told police he fed Kaitlyn and laid her in her crib. He then lay down on the couch to try to sleep, Rokus said.

Arneson then indicated he picked up Kaitlyn from the crib when she wouldn't stop crying. He wrapped a comforter around her body, including her head, three or four times, Rokus said.

He said he then tucked the excess blanket under her head and feet and roughly placed her back in the crib, Rokus said.

Arneson told police he went back to sleep on the couch and slept until Tina Rouse called a short time later to check on the baby, Rokus said.

During the interviews, Arneson

indicated he was tired and frustrated over his living situation with Rouse, his economic situation and the child support he was paying for his own three children, Rokus said.

Arneson also was upset that Rouse told him she may be pregnant with his child and was thinking about not keeping the baby, Rokus said.

"(Arneson) said he wished to move out of Eau Claire," Rokus said.

Kaitlyn needed Arneson "for care, for comfort, for her very life," Eau Claire County District Attorney Rich White said during his opening statement.

"(Arneson) did not care. All he

cared about was sleeping," White said. "He slept and slept and slept while that baby died. He suffocated her."

Kaitlyn's death is a tragedy, Arneson's attorney, Richard Wachowski of Eau Claire, said in his opening statement.

Arneson was negligent, careless and bears responsibility for Kaitlyn's death, Wachowski said.

But the jury must decide whether his actions fit the crime for which he's charged, Wachowski said.

"He needed to know his actions could cause death or great bodily harm," Wachowski told the jury. "That's what you have to focus on."

The Consolidated Court Automation Programs (CCAP)  
 Wisconsin Circuit Court Access

Wisconsin Circuit Court Access (WCCA)  
 State of Wisconsin vs. Eric D. Arneson

Eau Claire County Case Number 2004CF000094

<b>Filing Date</b>	<b>Case Type</b>	<b>Case Status</b>
02-09-2004	Criminal	Closed
<b>Defendant Date of Birth</b>	<b>Address</b>	
08-02-1979	P.O. Box 700, Dodge Correctional Institution, Waupun, WI 53963	
<b>Branch Id</b>	<b>DA Case Number</b>	
3	2004EC000599	

**Charge(s)**

Count No.	Statute	Description	Severity	Disposition
1	940.02(1)	1st-Degree Reckless Homicide	Felony B	Guilty / Jury Trial
Defendant Owes the Court: \$ 423.30				
<b>Responsible Official</b>	<b>Prosecuting Agency</b>	<b>Prosecuting Attorney</b>	<b>Defense Attorney</b>	
Gabler, William M	District Attorney	White, G. Richard	Rajek, Michael M	

**Defendant**

<b>Defendant Name</b>	<b>Date of Birth</b>	<b>Sex</b>	<b>Race <sup>1</sup></b>
Arneson, Eric D.	08-02-1979	Male	Caucasian
<b>Address</b>			<b>Address Updated On</b>
P.O. Box 700, Dodge Correctional Institution, Waupun, WI 53963			10-13-2004
<b>JUSTIS ID</b>	<b>Finger Print ID</b>		
<b>Defendant Attorney(s)</b>			
<b>Attorney Name</b>	<b>GAL</b>	<b>Entered</b>	<b>Withdrawn</b>
Wachowski, Richard L	No	02-09-2004	01-28-2005
Rajek, Michael M	No	01-28-2005	

**Future Court Activity**

Date	Time	Location	Description	Type <sup>2</sup>	Court Official
02-07-2006	09:00 am	Branch 3 Courtroom	Evidentiary hearing	Court	Gabler, William M

**Charge(s)/Sentence(s)**

The Defendant was charged with the following offense:

Count No.	Statute Cite	Description	Severity	Offense Date	Plea
1	940.02(1)	1st-Degree Reckless Homicide	Felony B	02-06-2004	Not Guilty on 03-02-2004

On 06-24-2004 there was a finding of:

<b>Action</b>	<b>Court Official</b>
Guilty / Jury Trial	Gabler, William M

**On 09-24-2004 the following was ordered:**

Sentence	Time	Begin Date	Notes
State Prison	20 Years		Defendant not eligible for Challenge Incarceration or Earned Release Programs
Extended Supervision	5 Years		

Condition	Time	Notes
Costs		
Other fees		
Prohibitions		No unsupervised contact with minor children under 7 years.
Other		Participate in programs recommended by the agent, e.g. anger management
Restitution		plus 10% restitution surcharge. \$1,933 to Crime Victim Compensation

**Total Receivables**

Court Assessments	Adjustments <sup>3</sup>	Paid to the Court	Probation/Other Agency Amount <sup>4</sup>	Balance Due to Court	Due Date <sup>5</sup>
\$ 2,426.30	\$ 0.00	\$ 0.00	\$ 2,003.00	\$ 423.30	09-24-2029

- <sup>1</sup> The designation listed in the Race field is subjective. It is provided to the court by the agency that filed the case.
- <sup>2</sup> Non-Court activities do not require personal court appearances. For questions regarding which court type activities require court appearances, please contact the Clerk of Circuit Court in the county where the case originated.
- <sup>3</sup> Includes collection agency fees; bankruptcy discharge of debt; Department of Revenue collection fees; and forgiven debts due to indigence, death, time served, or community service.
- <sup>4</sup> Some amounts assessed by the courts are collected by the Department of Corrections or other agencies. This column is rarely updated by the courts and may be less than the actual amount owed.
- <sup>5</sup> For cases with multiple assessments, the due date represents the assessment with the latest date.

The Consolidated Court Automation Programs (CCAP)  
Wisconsin Circuit Court Access

Wisconsin Circuit Court Access (WCCA)  
State vs Eric D. Arneson

Eau Claire County Case Number 2001CM000581

<b>Filing Date</b>	<b>Case Type</b>	<b>Case Status</b>
04-06-2001	Criminal	Closed
<b>Defendant Date of Birth</b>	<b>Address</b>	
08-02-1979	1293 S Western Skies Dr, Gilbert, AZ 85234	
<b>Domestic Violence</b>	<b>Branch Id</b>	<b>DA Case Number</b>
Yes	4	
<b>Case(s) Cross-Referenced With This Case</b>		
2001CM000582		

**Charge(s)**

Count No.	Statute	Description	Severity	Disposition
1	9.44.010	Disorderly Conduct (domestic)	Forf. U	Guilty / No Contest

Defendant Owes the Court: \$ 0.00

Responsible Official	Prosecuting Agency	Prosecuting Attorney	Defense Attorney
Proctor, Benjamin D.	District Attorney		King, Gary M.

**Defendant**

Defendant Name	Date of Birth	Sex	Race <sup>1</sup>
Arneson, Eric D.	08-02-1979	Male	Caucasian
<b>Address</b>	<b>Address Updated On</b>		
1293 S Western Skies Dr, Gilbert, AZ 85234	04-06-2001		
<b>JUSTIS ID</b>	<b>Finger Print ID</b>		
<b>Defendant Attorney(s)</b>			
<b>Attorney Name</b>	<b>GAL</b>	<b>Entered</b>	
King, Gary M.	No	02-14-2002	

**Charge(s)/Sentence(s)**

The Defendant was charged with the following offense:

Count No.	Statute Cite	Description	Severity	Offense Date	Plea
1	947.01	Disorderly Conduct (Domestic)	Misd. B	04-05-2001	Guilty on 05-24-2001

On 05-24-2001 there was a finding of:

Action	Court Official
Deferred pros/sent	Stafford, Richard

**Conditions**

Condition Time Notes



Other

**Amended on 02-14-2002 to:**

Statute Cite	Description	Severity	Offense Date	Plea
9.44.010	Disorderly Conduct (domestic)	Forf. U	04-05-2001	Guilty on 05-24-2001

**On 02-14-2002 there was a finding of:**

Action	Court Official
Guilty / No Contest	Proctor, Benjamin D.

**On 02-14-2002 the following was ordered:**

Sentence	Time	Begin Date	Notes
Forfeiture / Fine			
Costs			

**Total Receivables**

Court Assessments	Adjustments <sup>3</sup>	Paid to the Court	Probation/Other Agency Amount <sup>4</sup>	Balance Due to Court	Due Date <sup>5</sup>
\$ 200.50	\$ 0.00	\$ 200.50	\$ 0.00	\$ 0.00	04-15-2002

- <sup>1</sup> The designation listed in the Race field is subjective. It is provided to the court by the agency that filed the case.
- <sup>2</sup> Non-Court activities do not require personal court appearances. For questions regarding which court type activities require court appearances, please contact the Clerk of Circuit Court in the county where the case originated.
- <sup>3</sup> Includes collection agency fees; bankruptcy discharge of debt; Department of Revenue collection fees; and forgiven debts due to indigence, death, time served, or community service.
- <sup>4</sup> Some amounts assessed by the courts are collected by the Department of Corrections or other agencies. This column is rarely updated by the courts and may be less than the actual amount owed.
- <sup>5</sup> For cases with multiple assessments, the due date represents the assessment with the latest date.

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Displaying records 1 to 15 of 15

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<u>Case Number</u>	<u>Filing Date</u>	<u>County Name</u>	<u>Case Status</u>	<u>Name</u>	<u>Date of Birth</u>	<u>Caption</u>
<a href="#">2004CF000094</a>	02-09-2004	Eau Claire	Closed	Arneson, Eric D.	08-02-1979	State of Wisconsin vs. Eric D. Arneson
<a href="#">2003TR006022</a>	06-02-2003	Eau Claire	Closed	Arneson, Eric D.	08-1979	Eau Claire City of vs. Eric D. Arneson
<a href="#">2003TR001521</a>	11-07-2003	Pierce	Closed	Arneson, Eric D.	08-1979	State of Wisconsin vs. Eric D. Arneson
<a href="#">2003FO000660</a>	04-21-2003	Eau Claire	Closed	Arneson, Eric D.	08-1979	Eau Claire County of vs. Eric D. Arneson
<a href="#">2003FA000272</a>	06-03-2003	Eau Claire	Closed	Arneson, Eric Duane	08-1979	Melissa S. Arneson vs. Eric Duane Arneson
<a href="#">2001TR011684</a>	10-02-2001	Eau Claire	Closed	Arneson, Eric D.	08-1979	Eau Claire City of vs Eric D. Arneson
<a href="#">2001TR001252</a>	02-01-2001	Eau Claire	Closed	Arneson, Eric D.	08-1979	Eau Claire County of vs Eric D. Arneson
<a href="#">2001CV000436</a>	08-10-2001	Eau Claire	Closed	Arneson, Eric D.	08-1979	Sheree L. Palomaki vs Eric D. Arneson
<a href="#">2001CM000581</a>	04-06-2001	Eau Claire	Closed	Arneson, Eric D.	08-02-1979	State vs Eric D. Arneson
<a href="#">1999FO000333</a>	05-24-1999	Chippewa	Closed	Arneson, Eric D.	08-1979	County of Chippewa vs Eric D. Arneson
<a href="#">1999FO000067</a>	03-22-1999	Buffalo	Closed	Arneson, Eric D.	08-1979	City of Mondovi vs Eric D. Arneson
<a href="#">1999FA000168</a>	04-12-1999	Eau Claire	Closed	Arneson, Eric D.	08-1979	Shannon L. Arneson vs Eric D. Arneson
<a href="#">1999CM000256</a>	02-04-1999	Eau Claire	Closed	Arneson, Eric D.	08-02-1979	State vs Eric D. Arneson
<a href="#">1998TR002344</a>	02-18-1998	Eau Claire	Closed	Arneson, Eric D.	08-1979	State of Wisconsin vs Eric D. Arneson
<a href="#">1998CM000629</a>	04-03-1998	Eau Claire	Closed	Arneson, Eric D.	08-02-1979	State vs Eric D. Arneson

You searched for: Party Name Arneson, Eric D; Birth Date 08-02-1979

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# ANDY LAMB

STATE REPRESENTATIVE

TO: Members of the Assembly Committee on Children & Families  
FROM: Representative Andy Lamb  
DATE: August 4, 2005  
RE: Testimony for AB 522, The Stephen Hubbard Bill

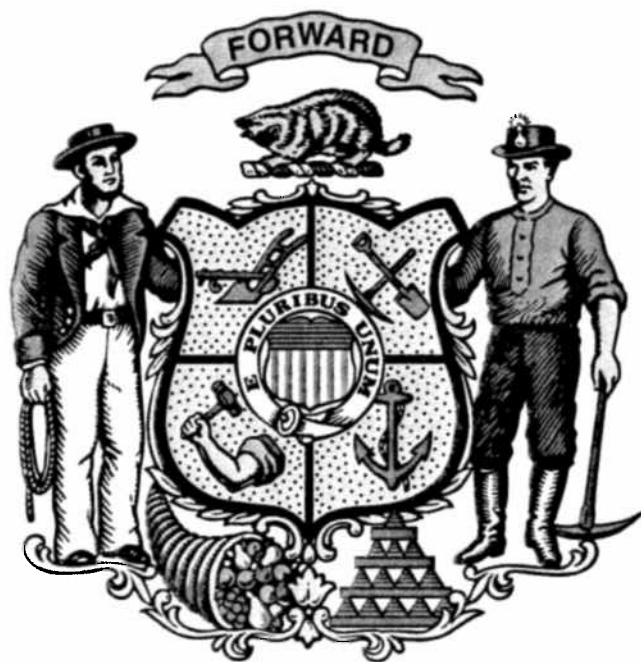
Good morning Chairman Kestell and committee members. Thank you for taking the time today to learn more about AB 522, The Stephen Hubbard Bill. I would also like to thank Rep. Wood and Sen. Harsdorf for their efforts on this legislation and the many constituents who have extended their words of encouragement as I continue to work on this bill.

Last year around Christmas, the town of Hammond was stunned to learn that Stephen Hubbard, an 8 year old boy from their community, had died from severe head injuries – allegedly the result of being beaten by his mother's live-in boyfriend. This quiet community was mortified even further when Stephen's autopsy revealed evidence of repeated violent physical abuse. Citizens in and around the 29<sup>th</sup> Assembly District reacted with disbelief.

Two weeks later, I came to Madison for my first inauguration. I sat down to the computer in my office for the first time to find my inbox packed with e-mails urging me to do something to protect other children from suffering the same fate as Stephen. We cannot bring back Stephen Hubbard or the many other children who suffered similarly tragic fates. However, his terrible death has opened our eyes to an opportunity to protect children from this kind of violence in the future.

The Stephen Hubbard Bill will require courts to evaluate the history of any adult who will have direct contact with a child when determining custody or physical placement of a child. Stephen's Bill will prevent children from ever living in a home where someone with an abusive record could do them harm. By stopping abuse before it starts we can prevent that abuse from escalating into an even greater tragedy.

Thank you for the opportunity to discuss the Stephen Hubbard Bill today.



STATE OF WISCONSIN,

CRIMINAL COMPLAINT

**Plaintiff**

vs.

**Susan L Aleckson**, DOB: 04/24/67  
4445 Mormon Coulee Road #212  
La Crosse WI 54601

CASE NO. 03CM1742

**Defendant.**

SEX: FRACE:W HT: WT : HAIR: EYES: OTHER:

**DEPUTY THOMAS OLSON, LA CROSSE COUNTY SHERIFF'S DEPARTMENT being first duly sworn on oath says that on information and belief:**

**COUNT I: SEXUAL INTERCOURSE WITH A CHILD:** Shortly before May, 2003, at 229 North Youlon Street, Village of West Salem, County of La Crosse, Wisconsin, the defendant did, have sexual intercourse with a child who is not the defendant's spouse, and who has attained the age of 16 years, contrary to Wis. Stat. Sec. 948.09, a Class "A" Misdemeanor, punishable by a fine not to exceed \$10,000 or imprisonment for not more than 9 months, or both;

**COUNT II: SEXUAL INTERCOURSE WITH A CHILD:** In the Summer of 2003, at 229 North Youlon Street, Village of West Salem, County of La Crosse, Wisconsin, the defendant did, have sexual intercourse with a child who is not the defendant's spouse, and who has attained the age of 16 years, contrary to Wis. Stat. Sec. 948.09, a Class "A" Misdemeanor, punishable by a fine not to exceed \$10,000 or imprisonment for not more than 9 months, or both;

**and prays that the defendant be dealt with according to law; that the basis for complainant's charge of such offense is:**

Deputy Jacobson, La Crosse County Sheriff's Department, states in an official report that on November 3, 2003, he made contact with Cindy Schock who indicated that her son had informed her a couple of weeks ago that a friend of his had been having sexual relations with his foster mother, Susan Aleckson. Her son had called her from work after having spoken with J.J. J.J. told him he and his foster mom were having sexual relations.

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Inv. Papenfuss, La Crosse County Sheriff's Department, states in an official report that on November 4, 2003, he, along with Mark Ryskoski, Trempealeau County Social Services, interviewed J.J., dob: 05/04/86. J.J. indicated he had been residing in the Susan and Kevin Aleckson foster home in West Salem until approximately four weeks prior to the November 4 interview. He had been their foster child for approximately five years. He stated he moved in with the Alecksons when he was approximately 13 years old. Susan and Kevin Aleckson were separated at the time of the interview and he was then living with Susan at a Mormon Coulee Road address. Prior to the separation approximately four weeks earlier, he had lived with the Aleckson's in West Salem at 229 Youlon Street, La Crosse County, with their three children.

J.J. indicated he first began having sexual contact with Susan Aleckson when he was 16 years old shortly before he turned 17 which would be May, 2003. He indicated the sexual contact occurred in West Salem and initially said they numbered less than 20 and more like 10-15. He indicated Kevin would often go to bed early and Susan would come to J.J.'s bedroom and initiate sexual contact. When asked what type of sexual contact occurred, he replied that Susan would have oral sex with him meaning she would place her mouth on his penis. He also indicated they had vaginal intercourse in which he would place his penis into her vagina. Ryskoski reports that J.J. indicated he could not recall exactly when the first time sexual contact occurred. He did state she had oral sex with him in which she placed her mouth on his penis.

Ryskoski indicates that when asked the last time they had sexual intercourse, J.J. replied it was a couple months earlier. When asked if it occurred sometime in the summer before school started he replied, "Yes."

Ryskoski further reports that J.J. believed they had used condoms approximately four times and had intercourse without a condom 15-20 other times. He indicated he believed they had sexual contact at least one a month and sometimes more.

J.J. indicated that Susan Aleckson told him not to tell anyone because she would lose her job and if that happened she would

State of Wisconsin  
vs.  
Susan L Aleckson

Criminal Complaint  
03CM1742  
Page 3.

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probably commit suicide. She also told him numerous times that she would kill herself if she got into trouble for what they were doing and she would kill herself for getting caught or going to jail.

Subscribed and sworn to before me and approved for filing. Dated this 4th day of December, 2003

---

Deputy Thomas Olson, La Crosse  
County Sheriff's Department  
COMPLAINANT

---

Scott L Horne, State Bar No. 1013225  
District Attorney  
La Crosse County, Wisconsin





# VICTIM IMPACT STATEMENT

In order that the court can determine the economic, physical and/or psychological effects of the crime against you, the La Crosse County Victim/Witness Assistance Program has provided this form in which you may describe these effects. **PLEASE DO NOT DESCRIBE THE CRIME**, but what the impact of the crime was on you. The information provided in this statement shall be considered by the Court when deciding on a proper sentence. Please understand that any statement you make in writing **MUST** be shared with the defendant and/or defense attorney.

J. J.

December 4, 2003

Defendant(s): Susan Aleckson  
Court Case Number:  
Date of Incident:  
Charge(s):  
DA Assigned: Scott Horne

## DESCRIPTION OF EFFECTS OF INCIDENT

The effect that this case has had on me, ~~is that~~ bothers me every day. Thinking that I'm some what to blame for these actions, but what it comes down to is that Susan was the adult, and she knew what she was doing. Living with her was ~~like~~ like being stuck between a rock and a hard spot. If I told someone, I would have no place to go and if I didn't tell I felt bad. People that know about the case, look at me different, such as friends and family. That has had a huge effect. I'm lucky that I had my best friend & his mom to turn to, or it might have never come out.

- I DO NOT WANT TO MAKE A STATEMENT TO THE COURT IN THIS CASE  
 I MAY WANT TO SPEAK IN COURT AT THE TIME OF THE SENTENCING

Please attach a separate sheet to this form if you would like to add additional comments.

Return by:  
TO: District Attorney's Office  
Victim/Witness Assistance  
333 Vine St. Room 1100  
La Crosse WI 54601

RECEIVED  
DEC 09 2003  
DISTRICT ATTORNEY'S OFFICE  
La Crosse, WI

SIGNATURE J. J.

DATE 12-4-03