



STATE SENATOR LaTonya Johnson

WISCONSIN STATE SENATE

6TH DISTRICT

**Assembly Committee on Children and Families
Testimony on 2017 Senate Bill 35 and 2017 Assembly Bill 79
March 29, 2017**

Chairman Kitchens and members of the Assembly Committee on Children and Families, thank you for the opportunity to provide testimony on 2017 Senate Bill 35 and 2017 Assembly Bill 79, relating to mandatory reporting of child abuse and neglect by juvenile correctional officers.

State Statute 48.981(7)(cr)3.b requires a 90 Day Summary Report for Child Deaths, Serious Injuries, or Egregious Incidents” be transmitted to the Governor, appropriate standing committees of the legislature, and be made available to the public. This provision also requires the standing committees to review all summary reports, conduct public hearings on those reports at least annually, and submit recommendations to the Department of Children and Families (DCF) regarding these reports.

Section 48.981(9)(b) requires DCF to prepare and transmit to the appropriate standing committees a summary report of all reports received during the previous calendar quarter of Alleged Sexual Abuse of Children in Out-of-Home Care placement. The standing committees must also review these reports, conduct public hearings on the reports at least annually, and submit recommendations to DCF regarding those reports. DCF must also make these reports available to the public.

After visiting Lincoln Hills and Copper Lake last year, I questioned why there were no 90 day summary reports filed given the seriousness of the injuries and why it took so long for the public to be notified of the patterns of abuse.

Ultimately, these allegations of abuse were not made public until investigators raided the facility and numerous stories appeared in the Milwaukee Journal Sentinel. After further research and discussion with Wisconsin Legislative Council, it was discovered that juvenile correctional officers were not included on the list of mandatory reporters under state law.

Given their professional duties of supervising juveniles held in detention facilities, juvenile correctional facilities, and secured residential care centers for children and youth, I assumed this was an oversight because it seemed like basic common sense to include this profession to the list of mandated reporters. Requiring juvenile correctional officers to be mandated reporters will help aid in the safety of both juvenile offenders and staff by breaking the culture of silence and subjecting those who fail to report suspected child abuse and neglect to criminal penalties.

I believe this legislation is a small but important step to create accountability and transparency among those responsible for the care and safety of our juvenile offenders. I look forward to working with my colleagues on additional measures to improve the safety and security of youth and staff in our juvenile facilities and ultimately help improve outcomes for our children who encounter the justice system in Wisconsin.



Wisconsin Family Ties

TESTIMONY IN FAVOR OF AB79

Wisconsin Family Ties is a statewide, parent-run organization serving families that include children and youth with social, emotional, behavioral or mental health challenges. Our highly-trained parent peer specialists across the state use their lived experience to support others who are dealing with similar struggles and navigating the systems that we encounter in context of mental health challenges: the educational system, the child welfare system, the juvenile justice system.

From a children's mental health perspective on juvenile justice, Wisconsin Family Ties supports AB79 in its proposal to add juvenile corrections officials to the statutory list of mandatory reporters of child abuse and neglect.

Our organization has been following with deep dismay the reports of abuse and assault revealed through the investigations at Lincoln Hills and Copper Lake. From 2012 to 2014, Wisconsin Family Ties participated in a Transformation Transfer Initiative grant that involved assisting in trauma informed care training at Lincoln Hills/Copper Lake, and providing parent peer specialist services to families whose youths were in the process of returning home from those facilities. The need for trauma informed practices was considerable: a majority of youth at both facilities had experienced adversities including severe and persistent neglect, abandonment, physical abuse, sexual abuse, witnessing violence, and frequent or sustained disruption of family and community ties. Closely related to these trauma histories, nearly 70% of the residents were dealing with mental health challenges.

Since then, the ongoing investigations at Lincoln Hills/Copper Lake have revealed terrible reports of abuse and assault of young facility residents. These incidents are the antithesis of what should happen in a population of young people with trauma histories, where every effort should be taken to avoid re-traumatization.

The need for reform of the juvenile justice system in Wisconsin goes far beyond the small, common-sense step of adding juvenile corrections officers to the list of mandatory reporters. However, had mandatory reporting been in place at Lincoln Hills/Copper Lake for the past 4 years, the damage could well have been revealed and stemmed much, much earlier. This is an important step to take for young residents of these facilities, as we consider how to create a system that better reflects what works to give young offenders a better chance of productively rejoining their communities going forward.

I urge you to join Wisconsin Family Ties in support of AB 79.

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Wisconsin's family voice for children's mental health

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A Member Agency of Community Shares of Wisconsin and Northwoods United Way



Milwaukee County

GOVERNMENT AFFAIRS

Testimony of Mark Mertens

Administrator - Milwaukee County Delinquency & Court Services

SB 35/AB 79 -- mandatory reporting of child abuse & neglect by juvenile correctional officers

Assembly Committee on Children & Families

Wednesday, March 29, 2017

Chairman Kitchens & members –

Thank you for holding this hearing on SB 35 and AB 79 relating to the mandatory reporting of child abuse and neglect by juvenile correctional officers. Milwaukee County supports the passage of this legislation. Both the County Executive and County Board of Supervisors have affirmatively endorsed this bill's passage.

The legislation before you today takes a small step, but an important step, to addressing the needs of the children adjudicated by the courts and placed in Lincoln Hills. I do not need to repeat the abuses and issues that the press and many legislators have reported on. Rather, I wish to focus on the solutions. This bill is one of the solutions.

Adding detention workers to the list of mandated reporters of suspected child abuse and neglect will help to both deter and take action on such abuse. While maybe not all, much of what has happened at Lincoln Hills could have been prevented with such a simple measure.

As I said, this is not the final action that must be accomplished on juvenile justice in Wisconsin. Trauma informed care, a priority for this body and the Governor, demands better outcomes and behaviors on the part of our correctional system for this population. Milwaukee County affirms the need for a secured residential care center for juveniles nearer to the support system of family and the community. There is a need for better treatment provided by a diverse population that reflects the community of people represented in the system. There is a need for statutory changes to re-center the mission of juvenile justice around providing care to children.

Pass this bill, support it, and make it law. However in the days ahead there is much more to be done in juvenile justice. Milwaukee County will continue to provide input to the Legislature and recommendations on policies that can change the course of our system.

Thank you.

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Wednesday, March 29, 2017

To: Members, Assembly Committee on Children and Families
From: Susan McMurray, AFSCME Council 32
Re: Support for AB 79/SB 35 – mandatory reporting of child abuse and neglect by juvenile correctional officers

AFSCME Council 32 supports this legislation, which adds juvenile correctional officers to the list of professionals who must report suspected abuse and neglect of children.

Our union represents youth counselors, teachers, mental health professionals and blue collar workers who work at Lincoln Hills School and Copper Lake School.

AB79/SB 35 will make it very clear that child abuse or neglect should be reported wherever and whenever it occurs. It will assure that all staff – including supervisors - will report any suspected abuse or neglect to the proper law enforcement authorities.

Unfortunately, in the not-so-distant past, many problems at LHS/CLS were hidden from view because administrators at those facilities strongly discouraged reporting of incidents to local law enforcement (and even to the DOC itself), as is required by law. This troubling trend has been deeply upsetting to the members who work at LHS/CLS as well as to our AFSCME leaders.

These LHS/CLS administrators who, thankfully, are gone, often forced front-line employees to downplay incidents. Their misguided priority was to prevent embarrassment for higher-ups about serious problems at the school.

Passage of Act 10 eliminated the true labor/management process, which gave workers a seat at the table and gave them the freedom to discuss concerns happening inside the school.

Act 10 also prompted an exodus of experienced staff and counselors from LHS/CLS. These changes led to short-staffing and a brutal cycle of forced overtime that stretched remaining staff to the breaking point.

As long as front-line workers fear reprisal for speaking out, they will be reluctant to do so. Nevertheless, we think AB 79/SB 35 will help add clarity.

In an environment where correctional officers and staff have been stripped of their rights and protections, and where basic civil service protections have been gutted, the fear of reprisal for speaking out about workplace problems is very real, and remains dangerously chilling.

For the record, we opposed the decision in 2011 to close Ethan Allen School for Boys in Wales and Southern Oaks Girls School in Union Grove and moving the youth to LHS. AFSCME testified against the closure during meetings of the 2010 Governor's Commission on Juvenile Corrections Review Committee and recommended several alternatives to improving services to the youth offenders as well as dealing with the budget shortfall.

Thank you. If you have questions, feel free to contact me at smcmurray@afscme32.org or 608-279-9697.



CHILD ABUSE & NEGLECT
Prevention Board



DATE: March 29, 2017
TO: Assembly Committee on Children and Families
FROM: Wisconsin Child Abuse and Neglect Prevention Board
RE: Testimony in Support of SB35/AB79

The Wisconsin Child Abuse and Neglect Prevention Board (Prevention Board) submits this testimony in support of SB35/AB79, making juvenile correctional officers mandatory reporters under Wis. Stats. §48.981(2).

The mission of the Prevention Board is to mobilize research and practices to prevent child abuse and neglect in Wisconsin. Board members represent offices of the Governor, Attorney General, State Superintendent of Public Instruction; Secretaries from the Department of Children and Families, Department of Health Services, Department of Corrections; two state senators and two state assembly representatives appointed by the majority and minority leaders; and ten public members appointed by the Governor for staggered three-year terms.

The Prevention Board was created by the Legislature in 1983 to develop and fund strategies that strengthen families and prevent child abuse in Wisconsin. Wis. Stats. §48.982(2) directs the Prevention Board to recommend to the Governor, the Legislature and state agencies changes needed to state programs, statutes, policies, budgets, administrative rules to reduce child abuse and neglect and improve coordination among state agencies providing prevention services. The statute also requires the Prevention Board to encourage professionals to recognize and address the problems of child abuse and neglect. It is in this capacity that the Prevention Board takes a position in support of the proposed legislation. This legislation advances the Prevention Board's efforts to support effective and efficient public policies, processes, programs, and practices addressing child abuse and neglect.

SB35/AB79 adds juvenile correctional officers to the list of professionals who are mandatory reporters of suspected child abuse and neglect. Mandating that individuals who have frequent contact with children report suspected child abuse and neglect is a crucial step to protecting children and preventing maltreatment. Juvenile correctional officers have daily contact with children who are in a confined setting, separated from their families and other adults in their home community. The juvenile correctional officers thus have the role of looking out for the safety and well-being of the children placed in the correctional facility, making it essential that they be mandated to report suspected incidents of abuse and neglect.