

Alberta Darling

Wisconsin State Senator

Co-Chair, Joint Committee on Finance

TESTIMONY BEFORE THE SENATE COMMITTEE ON JUDICIARY AND PUBLIC SAFETY

Senate Bill 426

Senator Alberta Darling

Thursday, January 7 at 10:00 AM

Thank you Chairman Wanggaard and committee members for taking the time to hold a public hearing on Senate Bill 426. Senate Bill 426 is a piece of common sense legislation that will allow county delinquency and intake workers to effectively and accurately do their jobs.

County delinquency and intake workers utilize a Detention Risk Assessment Instrument (DRAI) to evaluate each arrested minor to determine the case plan that best suits their needs. This DRAI will determine if minors require secure detention, a non-secure detention alternative program, or release for home. In order to assure correct placement, county intake workers require knowledge of prior delinquency records, criminal records of the family, school records, child abuse and neglect information for the family, alcohol and drug abuse information, family history, and the effectiveness of the current treatment plan.

Currently, county intake workers have access to some of this information by reviewing the available CCAP records of adult family members of the delinquent youth. This legislation would allow county delinquency and intake workers access to the juvenile CCAP records. In doing this, Senate Bill 426 expands 2011 Act 270 to include county intake workers. 2011 Act 270 already granted access to juvenile CCAP records for juvenile courts, municipal courts, court of criminal jurisdiction, district attorneys, prosecutors, defense attorneys, guardian ad litem, and law enforcement agencies.

This legislation will allow county delinquency and intake workers to successfully complete a comprehensive DRAI. This will lead to proper placement for youth and consequently, the best case plan for the youth. Additionally, this will help county intake workers do their job more efficiently. For example, Milwaukee County handles approximately 3,000 intake cases per year. This legislation will assure the DRAI process will be efficient and accurate so the youth may receive the proper services they need.

I'd like to thank Representative Hutton for co-authoring this legislation. I truly appreciate the tremendous work my colleague has done in support of this legislation.

Thank you again committee members for your time and consideration.



Rob Hutton

STATE REPRESENTATIVE • 13TH ASSEMBLY DISTRICT

Mr. Chairman and members of the Committee on Judiciary and Public Safety,

Thank you for taking the time today to hold a public hearing on SB 426. This is a simple piece of legislation intended to include an additional occupation into 2012 Act 270.

This previous Act expanded access to electronic juvenile CCAP records to the following entities: other juvenile courts, municipal courts, court of criminal jurisdiction, district attorneys and other prosecutors, defense attorneys, guardian ad litem, and law enforcement agencies. Act 270 did not include county intake workers on this list. SB 426 simply adds county intake workers to the list of who has access to electronic juvenile CCAP records.

We feel this is an important fix to help our counties better serve our communities and give appropriate punishment to juveniles for the crimes committed. Current state statutes require county intake workers to screen youth when receiving them from a local law enforcement agency. By including intake workers in the access list it will help them obtain complete and timely information on the status of the juvenile. By having accurate and timely information for custody placement we help promote safer, stronger communities and placement based on the treatment and punitive needs of the juvenile.



Milwaukee County

GOVERNMENT AFFAIRS

SB 426 – ACCESS TO JUVENILE CCAP RECORDS FOR COUNTY INTAKE WORKERS

Testimony of Eric Peterson, on behalf of Milwaukee County Executive Chris Abele

Senate Committee on Judiciary & Public Safety

Thursday, January 07, 2016

Honorable Sen. Wanggaard and members –

Thank you for taking testimony today on SB 426, which corrects an oversight in 2011 Act 270 to allow county intake workers access to juvenile CCAP data to complete the statutorily mandated intake assessments and other functions. On behalf of County Executive Abele, I thank Sen. Darling and Rep. Hutton for authoring this bipartisan legislation which will greatly help Milwaukee County and thank your committee for this hearing.

In 2011, the Legislature and Governor Walker enacted Act 270, which allow access for almost every part of the justice system to juvenile CCAP data. For most counties, access to the CCAP data is allowed because the county operates the child welfare agency which is a part of the statutory list of agencies created in Act 270. However, in Milwaukee County, child welfare is not a county function but rather is administered by DCF in the Division of Milwaukee Child Protective Services. As such, our county juvenile justice workers have no access to CCAP data to complete their mandate under law.

All 72 Wisconsin counties perform critical statutory Custody Intake functions upon receiving youth from local law enforcement agencies. Pursuant to stats. 938.067(1) and 938.19(1) all Intake Workers are required to screen youth taken into custody and not released under 938.20(2). The ability of Custody Intake Workers to obtain the complete timely information regarding the current Juvenile Justice status of the youth is critical to ensure that custody placement decisions being made balance what is in the best interest of the child and public safety.

Juvenile Court Intake Workers need to know prior delinquency record of youth, criminal record of family, school records, child abuse and neglect information for the family, AODA information, family history, and effectiveness of current treatment plan. For detention and court referral decisions, the Intake Worker needs to be aware of the court calendar, warrants, probation status and other court actions. In Milwaukee County, Custody Intake handles over 3000 intakes per year. The access to CCAP data will enable the Intake Worker to do the best assessment possible.

I urge your support of SB 426 and am happy to answer any questions.

Thank you.