

**RESOLUTION R-87-15**

**OPPOSITION TO SENATE BILL 326/ASSEMBLY BILL 429  
AFFECTING CHILD WELFARE PRACTICE**

**WHEREAS**, Senate Bill 326/Assembly Bill 429 have been introduced by Senator Robert Cowles and Representative John Macco; and

**WHEREAS**, the bills relate to the referral of cases of suspected or threatened child abuse or neglect to the sheriff or police department, coordination of the investigation of those cases, and referral of those cases to the district attorney for criminal prosecution; and

**WHEREAS**, while on their face, the bills might seem favorable, they actually compromise child welfare best practice; and

**WHEREAS**, even though the legislation impacts child welfare practice, the state Department of Children and Families, Office of Children's Mental Health, county child welfare agencies, and child advocacy organizations were not consulted on the legislation; and

**WHEREAS**, issues with the legislation include the following:

- Law enforcement involvement in all child welfare cases negatively impacts alternative response, community response, and other voluntary services provided to families;
- The legislation is in sharp contrast to evidence-based practice, including trauma- informed care;
- The legislation requires child welfare agencies to "coordinate in the planning and execution of the investigation" in all cases, including screened out cases in which the child welfare agency lacks statutory authority to act;
- The bills require all reports to be referred to law enforcement within 12 hours, allowing for no prioritization of cases;
- The implementation of the legislation has not been thought through, especially when it comes to confidentiality, jurisdictional issues, and the philosophical differences between law enforcement and child welfare agencies; and

**WHEREAS**, counties and law enforcement in most jurisdictions have a positive working relationship and have entered into Memorandums of Understanding with regard to how local agencies will respond to reports of child abuse and neglect; and

**WHEREAS**, counties have requested that the proponents of the legislation bring all parties impacted by the legislation together so all gain an understanding of the others' needs; and

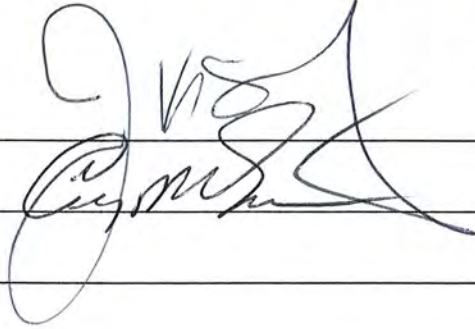
**WHEREAS**, counties believe a compromise on the legislation can be negotiated; however, such a meeting has yet to take place; and

**WHEREAS**, the Marathon County Public Safety and Health and Human Services Committees have met to discuss these bills with staff from the Marathon County Department of Social Services and have determined that they would have "Detrimental Local Impact" as set forth in the attached "Addendum A."

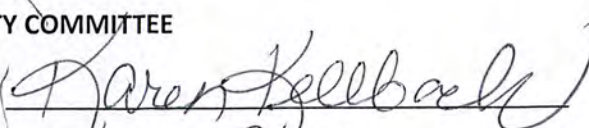

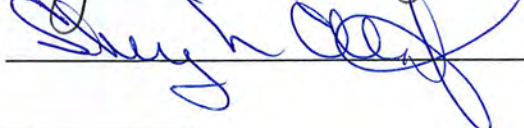
**NOW, THEREFORE, BE IT RESOLVED** that the Marathon County Board of Supervisors does hereby oppose Senate Bill 326/Assembly Bill 429; and

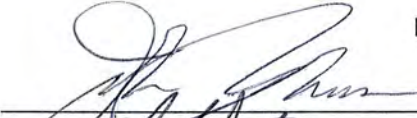


**BE IT FURTHER RESOLVED** that Marathon County renews the request for a meeting of all interested parties to discuss the legislation in greater detail.

Respectfully submitted this 15 day of December, 2015.

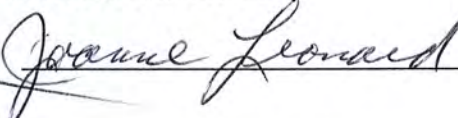
  
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**PUBLIC SAFETY COMMITTEE**

  
  
  
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**HEALTH & HUMAN SERVICES COMMITTEE**

  
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FISCAL IMPACT: The fiscal impact to the county and municipalities are unknown, and the bill does not include state funding.

## ADDENDUM A

### DETRIMENTAL LOCAL IMPACT

Marathon County Government asserts that the residents of Marathon County could be harmed as follows should Senate Bill 326 /Assembly Bill 429 pass and be implemented as law:

1. The new law will result in wasted public resources because the law does not allow for the prioritization of child welfare reports based on child safety threat and a measured response. For example, in Marathon County local law enforcement agencies will be required to intervene in an estimated 625 additional child welfare reports annually, more than double the current number of interventions, with little or no positive impact on child safety.
2. The new law reduces local control over child welfare response. Currently local law enforcement and child protective services in Marathon County have agreed to a memorandum of understanding which articulates when law enforcement will intervene on child welfare cases. This memorandum can be reviewed and updated regularly to meet changing local conditions and preferences. Under the new law local discretion is reduced.
3. Criminalizing the response to all child protection reports will result in both the persons who are subjects of reports and mandatory reporters being less forthcoming with critical information and less willing to participate in child welfare early prevention efforts.

