



MEMORANDUM

TO: Honorable Members of the Assembly Committee on Criminal Justice and Public Safety

FROM: Sarah Diedrick-Kasdorf, Deputy Director of Government Affairs, Wisconsin Counties Association
Chuck Price, President, Wisconsin County Human Service Association

DATE: October 31, 2017

SUBJECT: Assembly Bill 355

The Wisconsin Counties Association (WCA) and Wisconsin County Human Service Association (WCHSA) oppose Assembly Bill 355, which creates the crime of neglect and provides criminal penalties.

While our counties appreciate the changes that have been made in Assembly Substitute Amendment 1, we do not believe the changes go far enough in addressing our concerns with the bill, specifically as they relate to a trauma-informed approach to working with families involved in the child welfare system.

The Child Abuse and Neglect Prevention Board (CANPB) has recommended a number of changes to the legislation which our member counties support. While some of those changes have been incorporated into the substitute amendment, the proposed change that will have the largest impact on the families counties work with on a daily basis has yet to be incorporated into the bill draft.

The CANPB recommends utilizing deferred prosecution agreements as a means to work with families, while at the same time recognizing the seriousness of a neglect allegation. If this provision is included in the legislation, counties will remove their opposition to the bill.

It is important to note that causation of chronic neglect differs from physical and sexual abuse to children. Most frequently chronic neglect is related to caretakers' mental health and substance abuse issues, as well as past and current trauma to the family, and can span several generations. A deferred prosecution approach provides counties the opportunity to engage families in treatment supporting more successful outcomes, which will be in the best interests of the child.

Thank you for considering our comments.