

Wyoming Children's Justice Act Task Force
Three Year Assessment
2019

Hope for a Brighter
Tomorrow

WYOMING CHILDREN'S JUSTICE
ACT TASK FORCE



Contents of Report

Introduction and History of Wyoming Task Force..... Page 3

Children’s Justice Act Task Force Members.....Page 5

Review and Assessment..... Page 8

Recommendations..... Page 9

Category A: Investigative, Administrative and
Judicial Handling of Cases

Category B: Experimental, Model and
Demonstration Programs

Category C: Reform of State Laws,
Ordinances, Regulations, Protocols

Conclusions.....Page 11

Introduction and History of Wyoming CJA Task Force

Establishment and Maintenance of a Task Force (Sections 107(b)(2) and 107(c)(1) of the Act. The Children's Justice Act (CJA) was originally enacted in 1984 as part of the Victims of Crime Act to encourage States to improve the handling of child abuse cases and, in particular, child sexual abuse cases. Most recently, CJA was reauthorized through the 2010 Child Abuse Prevention and Treatment Act (CAPTA, P.L. 111-320). Section 107(c) of CAPTA requires States to create a CJA Task Force composed of professionals and individuals with knowledge and experience relating to the criminal justice system and issues of child physical abuse, child neglect, child sexual abuse and exploitation, and child maltreatment related fatalities.

Under the federal program instructions, every three years, the CJA Task Force must conduct a comprehensive evaluation of the State systems responsible for the investigative, administrative, and judicial handling of child abuse and neglect cases and make policy and training recommendations for improvements.

Wyoming CJA Task Force

The Wyoming CJA Task Force meets in person three times a year, to review cases of major injury and child fatality. During these reviews, a comprehensive analysis is made to ascertain investigative, administrative, and judicial shortfalls and concurrent solutions and recommendations. The CJA Task Force also meets over conference calls to discuss the operational/business matters of the Task Force several times a year.

The mission of the Task Force is to review and assess how Wyoming's child protection and criminal justice systems handle child maltreatment cases and make recommendations for improvement. The members are committed to ensuring that the systems designed to protect maltreated children do not re-victimize them and that quality of care does not depend on where you reside in the state.

Members have considerable knowledge of the policies and practices governing child abuse and neglect cases. Task Force members continuously examine the strengths and needs of the child maltreatment/protection and criminal justice systems. They share information, discuss system needs and concerns, and review current activities in their respective disciplines.

The Children's Justice Act (CJA) provisions of the Child Abuse Prevention and Treatment Act (CAPTA) require that every three years, the Task Force must review and assess the systems that handle child maltreatment cases and make recommendations for improvement. The Task Force must make recommendations in the following areas:

A. Investigative, administrative and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, as well as cases involving suspected

child maltreatment-related fatalities, and cases involving a potential combination of jurisdictions, such as interstate, federal-state, and state-tribal, in a manner which reduces additional trauma to the child victim and the victim's family, and which also ensures procedural fairness to the accused.

B. Experimental, model and demonstration programs for testing innovative approaches and techniques which may improve the prompt and successful resolution of civil and criminal court proceedings, or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including enhancement of performance of court-appointed attorneys and guardians ad litem for children, and which also ensure, procedural fairness to the accused.

C. Reform of state laws, ordinances, regulations, protocols, and procedures to provide comprehensive protection for children from abuse, particularly sexual abuse and exploitation, while ensuring procedural fairness to the accused.

Children's Justice Act Task Force Members

*Denotes State Task Force members that must be representing as specified in Section 107(c)(1) of the Act

*Law Enforcement Community

Troy Palmer: Troy is the Chief of Police for Rawlins Police Department in Rawlins Wyoming.

Chance Walkama: Chance is the Chief of Police for Pine Bluffs Police Dept in Pine Bluffs Wyoming. Chief Walkama is very engaged in his community and has formed many lasting partnerships in his short time with the Department.

*Criminal Court Judges

Peter Froelicher-Laramie County District Court Judge. In December 2018 Judge Froelicher was appointed by former Governor Matt Mead to fill a new judgeship with the First Judicial District which was created by the Wyoming Legislature. Before his appointment to the Bench, Judge Froelicher served as a county attorney, public defender, and Director of the State Office of Administrative Hearings.

*Civil Court Judge

Peter Froelicher-Laramie County District Court Judge. Judge Froelicher also hears Civil, as well as Criminal cases.

*Prosecuting Attorney's

Leigh Anne Manlove-District Attorney, First Judicial District, Laramie County, Wyoming. Leigh Anne took office on January 7, 2019. Her office is responsible for prosecuting all crimes and offenses taking place in Laramie County; including misdemeanors, felonies, and juvenile court proceedings. Leigh Anne serves on the Juvenile Planning Committee, the Child Protection Team, the Adult Protection Team, the Adult Community Corrections Board, and last but not least, the CJA Task Force. Her office also participates in specialized court programs such as Drug Court, DUI Court and a Family Court. Leigh Anne's office also employs a special Domestic Violence Prosecutor.

Kaitlyn Harper-Deputy District Attorney, First Judicial District, Laramie County, Wyoming. Caitlin is the current Deputy District Attorney for Laramie County, WY.

*Attorney(s) for children

Dan Wild-Director Wyoming Guardian Ad Litem Program. Dan is the acting Director of the Wyoming Guardian Ad Litem Program for the State of Wyoming. Dan is a very engaged member of the community and has served as a youth soccer referee for many years.

*Court Appointed Special Advocate (CASA)

Carol Tullio-Director CASA of Laramie County. Carol has been the Executive Director of CASA of Laramie County for 7 years and has been a volunteer advocate with CASA for 9 years. Carol has worked with children all of her life, beginning with running and Large Family Day Care in California for 25 years. Carol and her husband of 40 years moved to Wyoming 12 years ago. She enjoys spending time with her 7 grandchildren. In her spare time, Carol likes to spend time outdoors, walking, entertaining and doing various craft projects.

*Mental Health Professional

Dr. Richard Berry-Dr. Berry is the current Clinical Director and former Director of the City of Cheyenne Office of Youth Alternatives. Berry has served our community as a leader in working with children and families as a counselor and advocate for 35+ years.

*Child Protective Service Agencies

Laura Dobler-Wyoming Department of Family Services, State Office. Prior to working at the DFS state office in Cheyenne, Laura was a child protective services field caseworker. She brings this experience to her current role, and also serves as the DFS liaison as a member of the Wyoming Citizen Review Panel.

Cara Chambers-Cara has been the Director of the Wyoming Division of Victim Services since 2011. Prior to that, she was a Senior Assistant Attorney General. She attended the University of Wyoming College of Law and is married with two children.

Lynn A Huylar-Director of Safe Harbor, a Children's Justice Center, Child Advocacy Center (CAC)

*Individuals experienced in working with children with disabilities

Bryan Cook-Executive Director, Wyoming Citizen Review Panel/CJA Task Force Coordinator. Bryan has nearly 20 years of experience working with youth suffering

from Behavioral and Emotional Disabilities. Over the years he has served as a juvenile probation officer, caseworker and an adoption recruiter for older foster youth.

**Parents and Representative of Parent Groups*

Rachel Peterson-Parent

**Adult Former Victims of Child Abuse and Neglect and Individuals experienced in working with homeless children and youth.*

Denise Ryden-Laramie County School District #1. Denise began working with homeless youth and families, as well as teen parents in 1999. Denise is very dedicated to our community and volunteers for many organizations. She spends a lot of her time supporting her high school aged son and all of his various endeavors.

Carissa O'Malley-Former Foster Care Youth. Carissa has attended college and currently works full time. Carissa adopted one of her siblings and still advocates for youth in foster care. Carissa hopes to write a book someday. She is also currently working toward opening her own small business. She is also a member of the Wyoming Citizen Review Panel.

Other Members

Ashley Busacker-DOH Epidemiology

Rebecca Reid-Laramie County Coroner. Rebecca was elected as Coroner in 2018 after having served as a Deputy Coroner/Death Investigator for many years.

Char Madden-Chief Laramie County Deputy Coroner. Char is a Wyoming Native. She began her law enforcement career at a young age and rose to the rank of Detention Sergeant. Over the years Char has also served as a D.A.R.E. Officer, Mounted Patrol Officer, and a Field Training Officer. She became the Chief Deputy Coroner in January 2019.

James Whipps-James was appointed by the Natrona County Commission as the new County Coroner in September 2019. He replaced his predecessor, who retired.

Kelli Perrotti-Kelli is a BSN, RN, and works in the Trauma Program of the Office of Emergency Medical Services for the Wyoming Department of Health.

Leslie Hansen-Cheyenne Regional Medical Center Sexual Assault Nurse Examiner (SANE). Leslie has been a Forensic SANE Nurse since 2012. Leslie holds both Sane-A (Adult and Adolescent) as well as Sane-P(Pediatric) credentials from the International Association of Forensic Nurses.

Jennifer Davis-Senior Policy Advisor for Human Services to Governor Mark Gordon. She has also served in previous roles as a pediatric physical therapist and a prevention advocate.

Review and Assessment Process

The Task Force has been conducting a systemic review and assessment over the past three years. In September 2019, members began compiling information for the 2017 – 2019, Three-year Assessment Report. They discussed the three-year assessment requirements and generated an initial list of issues meriting further assessment.

1. Investigative, administrative, and judicial handling of child abuse and neglect cases.
2. Administrative practices that are not supportive of a comprehensive multi-disciplinary approach.
3. Systemic practices that are outdated and need improvement.
4. Experimental, model, and demonstration programs to improve the prompt and successful resolution of abuse investigations and judicial outcomes.
5. Best practice models that foster the collaboration between all disciplines who are held accountable for the investigation, administrative, and judicial handling of child abuse.
6. Support systems that support victims and their families to minimize trauma. The level of care should not be dependent on the county you live in.
7. How does mental health diagnoses/history contribute to child protection issues?

8. Reform of state laws, protocols, and procedures to protect children from abuse while ensuring procedural fairness to the accused.

Going forward, we would like to gather and assess other data and processes to compile our information for the subsequent next 3-year assessment that would include:

1. Survey the state's multi-disciplinary teams to identify what they saw as barriers in the state's response to child abuse and in identifying training needs.
2. Consider relevant information generated by the various other committees and councils on which many of our task force members also serve on.
3. Survey participants that attend the annual Joint Symposium on Children & Youth to identify trends and frustrations in the current system and also to identify training needs.
4. Increase Task Force Members to have representation on all the required disciplines.

Task Force Recommendations

The following recommendations by the Task Force are meant to improve the child protection and criminal justice systems, and to ensure children involved are not re-victimized by these systems under these categories:

A. Investigative, administrative and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, as well as cases involving suspected child maltreatment-related fatalities, and cases involving a potential combination of jurisdictions, such as interstate, federal-state, and state-tribal, in a manner which reduces additional trauma to the child victim and the victim's family, and which also ensures procedural fairness to the accused.

Department of Family Services Reform:

1. We request the Department of Family Services (DFS) conduct a comprehensive assessment of caseload sizes statewide.

2. Updates to the WyCAPS system is imperative. To have quality assurance for the Major Injury Case Reviews, standardizing of information is critical.
3. The WyCAPS system intake form should be included in the files to be reviewed by the Major Injury and Child Fatality Case Review.
4. Develop a standard definition of "Major Injury." This would include building a keyword search for WyCAPS, so when a particular term is included in the intake, the case is automatically marked for inclusion in the Major Injury Case Review.
5. Update policy to ensure adequate law enforcement and medical information is included in the files on all major injury and sexual abuse cases.
6. Educate caseworkers on the availability of funds to be used to pay for the mental health needs of clients.
7. Develop a tracking mechanism for cases where abuse and neglect transpired, but no judicial involvement occurred.
8. If a forensic interview was completed as part of the investigation, the DVD needs to be in the file and noted in the narrative of the file.

System Reform:

1. Update the current Child Protection Team Statute (14-3-212) to include "Investigative Teams."
2. Continue to support the annual Wyoming Joint Symposium on Children & Youth. This training provides comprehensive and cost-effective training in the state for child abuse professionals.
3. Purpose opportunities to train the Judicial Branch regarding the dynamics of child abuse and the Task Force role in improving the system for children.
4. Need for the medical community to be educated on the "Child Protection Process" and their role in that process—emphasis on the role of the Doctors to take protective custody. With the changing landscape of the medical field, the question was raised if "Nurse Practitioners" can take protective custody. The system needs to explore and update legislation in this area if needed.

B. Experimental, model and demonstration programs for testing innovative approaches and techniques which may improve the prompt and successful resolution of civil and criminal court proceedings, or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including enhancement of performance of court-appointed attorneys and guardians ad litem for children, and which also ensure, procedural fairness to the accused.

System Reform:

1. Continue to improve the quality of forensic interviewing. With the emergence of forensic interviewing as a best practice, there also came the problem with

ensuring high-quality interviews by trained individuals who participate in peer review and ongoing training.

2. The CJA task force is in support of RFP's to provide funds to improve the state's response to child abuse in Wyoming.

C. Reform of state laws, ordinances, regulations, protocols, and procedures to provide comprehensive protection for children from abuse, particularly sexual abuse and exploitation, while ensuring procedural fairness to the accused.

System Reform:

1. Department of Family Services (DFS) and others involved in child abuse investigations develop a "Multi-Disciplinary Approach" to the investigation. The task force recommends a review of Title 14-Child Protection Teams. Interpretation of the statute differs among counties. Clarifying language to include, "Investigative Teams" and protocols for the teams as well.
2. Explore existing states who have the ability of Caseworkers to take protective custody. Engage leadership of the Children's Justice Project (JCP) as well.
3. Explore how the CJA Task Force can have direct access to a record to do a comprehensive review of our major injury case reviews. Advocate for medical and law enforcement information to be included with DFS case files. To include EMS reports and autopsy reports.

Conclusion

These recommendations provide a blueprint for the CJA program and Task Force activities during the next three years. The Task Force believes the implementation of these recommendations will improve the child protection and criminal justice systems, and ensure children involved are not re-victimized by the systems meant to keep them safe. We also believe that these recommendations and supporting policies and programs will promote a consistent, coordinated multidisciplinary response to serious cases of child abuse and neglect and as well as improve the coordination between the criminal justice system and the civil child protection system.

We, as the Task Force, eagerly look to the future to refine our process, gather relevant data, survey essential disciplines, and formulate a "Hope for a Brighter Tomorrow."