



## Children's Justice & Advocacy Report

To promote community responsibility so every Pennsylvania child is protected from child abuse, including sexual abuse.

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### U.S. Attorney General directed to review and report on criminal penalties in child abuse cases

On May 20<sup>th</sup>, President Obama signed [H.R. 3627 - Kilah Davenport Child Protection Act](#) – into law (PL 113-104). The legislation was passed by unanimous consent in the United States Senate on May 7<sup>th</sup> and previously had been passed by the U.S. of Representatives.

Congress advanced the legislation in order to gain insight about how child abuse "cases are handled across the country." The U.S. Attorney General will have six months to study and report on "the penalties for violations of laws prohibiting child abuse" across the country. There is to be specific focus on whether the laws provide "for enhanced penalties when the victim has suffered serious bodily injury, or permanent or protracted loss or impairment of any mental or emotional function." Going forward, the AG will have to review the handling of child abuse cases

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### 15 year mandatory minimum for the murder of a child secures PA Senate approval

Tuesday, the Pennsylvania Senate voted 42 to 7 to include an amendment in [House Bill 112](#) establishing a mandatory minimum sentence when a person is convicted of murdering a child under the age of 13. The mandatory minimum sentence would be 15 years.

Seven senators (Brubaker, Costa, Ferlo, Greenleaf, Hughes, Leach and Schwank) [voted against inserting](#) the amendment (#7029) into

the underlying bill – a bill that was crafted to address penalties when a child is sexually assaulted by a coach or other person connected to sports related activities.

The PA Senate then approved the amended bill [45 to 1](#) Wednesday sending it to the PA House of Representatives for a concurrence vote. [Senate Judiciary Committee Chairman Stewart Greenleaf](#), who has expressed deep

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## Early Care and Education (ECE) advocates mobilize to hold onto modest increases proposed by Corbett

Tuesday brought hundreds of [diverse stakeholders to Harrisburg](#) to celebrate Early Childhood Action Day as well as the official launch the Early Learning PA campaign.

The partners in the Early Learning PA campaign (e.g., PA Head Start, Delaware Valley Association for the Education of Young Children, Fight Crime: Invest in Kids Pennsylvania) will be working overtime in June to ensure the final negotiated FY 2014-2015 state budget retains 3 budget priorities put forth by Governor Corbett:

1. \$9 million increase to connect 1,500 additional children to Early Intervention (EI) services;
2. Expanding Pre-K Counts funding by \$10 million; and
3. Tapping federal funds available to Pennsylvania to increase access to subsidized child for approximately 2,800 children.

Tuesday's event had the co-chairs of the General Assembly's Early Care and Education Caucus boasting that the caucus has 129 members – by far the most in any established PA legislative caucus.

[Senator Pat Browne](#) (R-Lehigh), who is an accountant by training, said that the debate will be about “talents attained and talents

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## Legislation advances to remove hurdles to EI for homeless infants

[The Campaign for What Works](#) (C4WW), which has been most in the news for spearheading the campaign to have Pennsylvania's Department of Public Welfare (DPW) renamed the Department of Human Services, is now the leading force behind connecting homeless infants to early intervention (EI) services.

[House Bill 2204](#), introduced by [Representative Justin Simmons](#) (R-Lehigh/Northampton), Would amend the definition of “at-risk children” within the Early Intervention Services Systems Act to include “children who are homeless.” The legislation defines homeless children as those

- Who are sharing the housing of another person due to loss of housing, economic hardship or a similar reason;

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## Bipartisan steps forward toward expanding Medicaid

It took four votes and generated an intra-party squabble between Republicans about where to next on Medicaid in Pennsylvania, but by a vote of 12 to 11 an amended [House Bill 1492](#) was sent to the full PA House.

[Republican Human Services Committee Chairman Gene DiGirolamo](#) (R-Bucks) last May [invited his colleagues to join](#) him in co-sponsoring House Bill 1492 so that Pennsylvania can “participate in the federal Medicaid expansion.”

Wednesday DiGirolamo [along with Republican Representatives Joseph Hackett \(R-Delaware\) and Thomas Murt](#) (R-Montgomery) stood with Democrats toward immediately expanding Medicaid. A fourth Republican – Representative Bernie O'Neill (R-Bucks) – [voted with DiGirolamo to approve the amendment](#) (#7098) that got the bill some momentum. It is worth noting

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## PA earns praise for Justice Reinvestment Initiative and increased funding for “victim-centered” human trafficking services wins approval

By a [vote of 321 to 87](#), the U.S. House of Representatives approved [H R 4660 – the fiscal year 2015 spending bill for the Departments of Commerce and Justice, Science, and Related Agencies](#). There were 17 no votes cast, including one from Pennsylvania Congressman Joe Pitts. The legislation would appropriate \$51.2 billion in discretionary funding – nearly \$400 million less than the enacted level for federal fiscal year 2014.

More than [50 amendments were approved](#) during the multi-day consideration of HR 4660, including:

- \$1 million increase for Violence Against Women grants (Sinema);
- \$5 million increase for law enforcement grants specifically to address the “backlog of sexual assault kits” (Cohen);
- \$2.5 million increase for the Violence Against Women Act “to help address domestic violence, dating violence, and stalking in rural areas (Gallego); and
- \$3 million in Byrne Justice Assistance Grants “for gun locks and gun safety literature” (Grayson).

The [U.S. House Committee on Judiciary utilized its report](#) on HR 4660 to raise a red flag on human trafficking stipulating it demands a

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## Backlog of sexual assault kits “sitting untested in police evidence lockers” gets Congress’ attention

This week the U.S. Senate Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies (CJS) approved a FY 2015 spending bill that includes an overall spend level of \$51.2 billion on discretionary spending. The spend number, including the \$398 million reduction when compared with enacted FY 2014 spending, matches the work thus far in the U.S. House.

According to the [Senate Committee’s analysis](#) there are differences with the U.S. House about the finer points of what the \$51.2 billion should underwrite.

The chambers both seek \$376 million for Byrne Justice Assistance Grants (JAG). The Senate’s initial will is that \$430 million (compared to the

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## Welfare Reform Act of 2014 Introduced

[Congressman Jim Jordan](#) has readied a new round of “welfare reform” introducing H.R. 4731 in order “to help individual receiving assistance under means-tested welfare programs obtain self-sufficiency, to provide information on total spending on means-tested welfare programs, and to provide an overall spending limit on means-tested welfare programs.” Similar legislation termed the Welfare Reform and Upward Mobility Act has [been introduced in the U.S. Senate](#) by Utah Senator Mike Lee.

When he introduced his bill, Senator Lee said “Successful welfare programs are those that make poverty more temporary, not more tolerable, and we need to move current policy in that direction.” And Congressman Jordan suggested that solving most poverty is “simple” requiring only three things: “work, strong families, and free markets.”

Among the provisions of H.R. 4731 is to amend the “declaration of policy” in the Food and

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## Tobacco, gambling and “adult-oriented entertainment” would be prohibited purchases in PA’s public assistance program

The Pennsylvania House of Representatives Health Committee advanced [House Bill 907](#) this week by a vote of [13 to 7](#) (with 5 members not voting). One Democrat – [Representative John Sabatina \(D-Philadelphia\)](#) – joined with Republicans to send House Bill 907 to the full House for debate.

[Representative Mike Reese](#) (R-Fayette and Westmoreland) [pitches the legislation](#) reminding his colleagues that “Most of our public assistance programs are designed to support families with children, and every dollar spent on tobacco is one less dollar for their care.”

Pennsylvania law already prohibits persons receiving public assistance benefits from purchasing liquor or alcohol. Reese’s legislation includes “tobacco” and “tobacco paraphernalia.” It also would prohibit tobacco purchases if they

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**Are you ready to help make sure preventing child abuse and protecting children remains on PA's agenda?**

In 2010, the [Center for Children’s Justice](#) (formerly known as the Protect Our Children Committee) put prevention and child protection on the radar asking three questions of the candidates for Governor. In 2010, we asked the candidates to identify specific strategies they would bring to the office to:

1. Prevent child abuse and strengthen families;
2. Expand access to evidence-based voluntary home visiting services; and
3. Improve accountability and transparency in the child welfare system with a specific question about whether they supported creating an independent Child Advocate (or Ombudsperson)

[C4CJ](#) (then POCC) developed specific white papers outlining how PA was a statistical outlier with regard to when child abuse is investigated (8.6 per 1,000 children in PA; nationally 42 per 1,000 children) and later when/if a child was determined to be a victim of abuse (1 per 1,000 children in PA; greater than 9 per 1,000 children nationally).

C4CJ effectively made the case that PA was in need of a comprehensive review of its child protection laws and practices related to defining, reporting, investigating and treating child abuse. We received thoughtful responses from the 2010 candidates that served as the

foundation for dialogue during direct meetings with the campaigns.

Among the responses from then candidate Corbett was a commitment “to conduct a comprehensive review of the best practices needed” to improve the state’s child protection efforts. We routinely returned to his own words in April 2011 (and beyond) as [C4CJ](#) mobilized 50+ organizations urging the Governor and General Assembly to create a Task Force on Child Protection. And when we advocated for continued investment in evidence-based home visiting services or developed a comprehensive prevention ask of the Corbett Administration in fall 2012; we relied again on his own words to make the case: “I firmly believe that resources invested during a child’s early and most vulnerable years generate a high rate of future return in terms of reduced incarceration rates, healthcare costs and academic success.”

C4CJ is [ready to again make sure that prevention and protecting children is part of what voters learn about the candidates](#) before they head to the polls in November.

We’ve set up a way for you to [add YOUR IDEAS](#) so you help us determine the questions that most need asked and answered before November. A questionnaire will be prepared and submitted to Tom Corbett and Tom Wolf early in the fall. C4CJ will also pursue meetings with both candidates this fall, inclusive of inter-disciplinary partners, so together we can directly hear from the candidates and learn about how each candidate has and will use the power they hold to promote prevention, to strengthen families and to protect PA’s children

The comprehensive child-centered reforms enacted in 2013 and 2014 illustrate that it takes inter-disciplinary perspectives and learning combined with lots of creative ideas and persistence to protect our children, [so don’t be shy we need to hear from you.](#)

We are asking [for your input no later than June 20<sup>th</sup>](#) so we can use the summer to work with inter-disciplinary partners to ready the questionnaire and background information before release to the candidates in September.