

*Joe Torre:* First off I'd like to say my name is Joe Torre, co-Chair of the Task Force on Children Exposed to Violence. My co-Chair is Robert Listenbee and I want to say what a pleasure it is to be here and I want to thank the people at Wayne State University for hosting us here.

We know how important all this testimony is going to be we have by the end of the year to make a recommendation to the Attorney General and today's testimony obviously is gonna go a long way to helping us do that.

Before we get started I'd like to have members of our task force, start with Father Boyle, please introduce themselves.

*Greg Boyle:* Father Greg Boyle from Homeboy Industries in Los Angeles.

*Dianne Durfee:* Hi, I'm Dianne Tilton-Durfee. I'm the Executive Director of the Inter-Agency Council on Child Abuse and Neglect in Los Angeles County and Chair of the National Center on Child Fatality Review.

*Robert Macy:* Good evening, I'm Robert Macy with the International Trauma Center in Boston and Harvard Medical School.

*Thea James:* Good evening, I'm Thea James. I'm an Emergency Medicine Physician and Director of the Violence Intervention Advocacy Program there.

*Georgina Mendoza:* Good evening, thank you for having us here. My name is Georgina Mendoza. I'm the Community Safety Director for the City of Salinas. I'm also one of the forum cities – Salinas is also one of the forum cities in the National Forum on Youth Violence Prevention along with Detroit.

*Robert Listenbee:* And good afternoon, my name is Bob Listenbee as Mr. Torre said. It's really an honor to be here and a member of the Task Force and Co-Chair of the Task Force. Thank you to the residents of Detroit who have welcomed us here. I am Chief of the Juvenile Unit of the Defender Association of Philadelphia.

*Sara Deer:* Good afternoon and good evening. My name is Sara Deer. I'm an Assistant Professor at William Mitchell College of Law in St. Paul, Minnesota and I'm a citizen of the Muskogee Creek Nation of Oklahoma.

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- Steven Marentz:* Hi, I'm Steven Marentz. I'm the Director of the Childhood Violent Trauma Center and the National Center for Children Exposed to Violence at the Yale University School of Medicine.
- Sharon Cooper:* Hi, my name is Sharon Cooper. I'm a Developmental and Forensic Pediatrician, a consultant to the National Center for Missing and Exploited Children, and for children who have been sexually exploited, and on the faculty at the University of North Carolina, Chapel Hill School of Medicine.
- Joe Torre:* Thank you very much, and I would like to introduce our first panel. From the Detroit Tigers, Jordan Field, who is the Director of the Detroit Tiger Foundation. As I mention your name, if you could please take your seat on the panel.
- Also from the Detroit Tigers, pitcher Phil Coke, former Yankee like myself, thank you for coming, Phil. Also, Gary Ivory, President of the Youth Advocates Program, Southwest Programs, and then sitting on the panel but not speaking, but will be there for questions will be Leslie O'Reilly and if –
- Female:* I'm sorry, no that's –
- Joe Torre:* Oh, you're not?
- Female:* No, Leslie O'Reilly, please, I think she's leaving.
- Joe Torre:* All right.
- Female:* So then I think we should call Candice Kane.
- Joe Torre:* Okay, Candice Kane, Chief Operating Officer of CeaseFire Chicago. Thank you, very much, and first we'll go to Jordan Field. Jordan?
- Jordan Field:* Thank you, and good evening, members of the task force. My name is Jordan Field, I'm the Director of the Detroit Tigers Foundation and affiliate of village charities, and the official charity of the Detroit Tigers.
- The mission of our charity is to enhance lives through the game of baseball with a focus on youth education and recreation. The heart of what we do certainly is youth baseball. We renovate and refurbish youth baseball and softball fields throughout the region. We create new youth baseball programs but there's much that we

do that goes beyond the game of baseball and that's why I'm honored to be with you tonight.

I'm joined today by Tigers pitcher, Phil Coke, who will testify in a moment, but before he has the opportunity to speak I wanted to introduce two great community programs that we are involved with along with Phil.

The first is a state-wide program called Go To Bat For Fair Play, Join the Team to Stop Bullying. Phil is a spokesman for this great program. The program is funded by the Detroit Tigers Foundation and is a partnership with a local organization called Newspapers and Education.

The program includes a poster, a newspaper supplement, and in 2011 the program was taught in more than 1,000 classrooms across 70 counties in the State of Michigan, directly touching the lives of over 100,000 youth. I brought copies with us to leave behind today.

Second program is a program called Autographs for a Cause. As you can imagine all of our players receive a great deal of fan mail at Comerica Park. Like many players, Phil has agreed last year and again this year to sign baseball cards that are mailed to him by fans but Phil has asked for a donation in exchange for each of those autographs and Phil has selected a wonderful local organization called Campus Crime Stoppers to benefit from that program, and Phil generously matches every donation made by the fans.

Phil is a great example of a professional athlete who understands his responsibility as a role model and who generally cares about the issues that are being discussed today. I'm happy to answer any questions and even more happy to introduce to you, Phil Coke.

*Joe Torre:* Do we have any questions? Okay, Phil?

*Phil Coke:* Good evening, everybody, thank you for having me. My name is Phil Coke, I am a relief pitcher for the Detroit Tigers and as Jordan said before, the programs that we have chosen to proceed forward with helping out are directly tied in to educating children on ways that they could go about stopping being bullied and/or stopping bullying from happening to their peers in multiple levels.

I, myself, have experienced and been through some bullying in my own right when I was in elementary school and the different things

that have been done at the time, you know, each level as you go through life seems to bring a different level and a different severity of bullying that can happen, and I wish that I could go back and be there for myself and remind myself to – if I kept my cool, I wouldn't be the one in trouble because I was the one seeing – doing the action and – what's the word I'm looking for – the reaction, excuse me, of the previous action towards me that provoked me into defending myself.

It's very difficult for the young crowds of kids to be able to be willing to stand up for themselves and I would really like nothing more than to help figure out a way to bring some awareness to the issue with the kids in the schools to be able to step up for themselves as well as others. Any questions?

*Joe Torre:* Question. Well I, you know, in baseball some players are a little reluctant to be role models and I think you really show that you're certainly concerned and involved with more than how your career goes and this is so important for – I know it's important for you but it certainly is important for the youngsters who look up to you and I think it's going to go a long way to helping us solve this problem, and again, I know how valuable off days are to – home off days are and I really appreciate you giving up your time to be here this afternoon.

*Phil Coke:* Very welcome, sir, thank you.

*Male:* I love the idea of the foundation in general but as you were telling your story I could imagine kids listening and being enormously reassured that this big guy who throws the heat over the plate got bullied when he was a kid because often one of the things that's so awful is the feeling that it's just you and that – so I think the role model thing goes a long way, especially for kids who sometimes are feeling like they're not as tough as they wish they were.

*Phil Coke:* I wasn't really that big when I was little though.

*[Laughing.]*

*Phil Coke:* And when I was younger I was rather under-sized.

*Male:* If you had been I'd be probably picking on you and saying how could that happen?

*[Chuckling.]*

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*Phil Coke:* I would expect that in some way.

*Male:* Mr. Field, I would just like to say it's really an honor for me to be here today. To be able to touch the lives of 100,000 youngsters through your foundation is really rather extraordinary. Many of us attempt to reach out and touch the lives of just a few kids but to put in place an organization that is able to do that much is really something deserving of great congratulations.

So thank you very much for doing what you do, thank the Tiger organization for doing what it does and we'd ask you to continue doing it and serve as a model for others who might want to be involved from other athletic organizations who can do something very similar in this area of children exposed to violence.

*Jordan Field:* Thank you very much. It's worth adding that as far as I know every major league baseball club has its own team foundation. Same goes for NFL, NHL and NBA clubs, and those brands are wonderful brands to leverage awareness for these types of causes, and if any, in your own respective cities there are opportunities to partner with, whether it's the Phillies or the Flyers, or the Red Sox and so on, it's a nice way to take a very well-recognized brand that has very passionate fans and then leverage that with the important causes that all of you work in.

*Male:* How would you suggest we go about doing that?

*Jordan Field:* I would call the Executive Director of the Charity and invite him to lunch.

*[Laughing.]*

*Male:* Thank you.

*Phil Coke:* Jordan's got those numbers, by the way.

*[Chuckling.]*

*Male:* I was hoping you would say that.

*Joe Torre:* Okay, thank you guys. Gary Ivory?

*Gary Ivory:* Good evening, my name is Gary Ivory and I'm with the non-profit organization, Youth Advocate Programs, Incorporated. We work with over 12,000 of the highest-risk young people across the country in rural and urban and suburban areas, metropolitan areas.

I'm here to talk about strategies that we have utilized and that we know work with high-risk young people to prevent violence, victimization and even bullying.

In a recent article it was reported that 92 percent of young people in the juvenile justice systems in the United States have experienced some form of trauma in their lifetimes. The same article soberly cited that youth in the juvenile justice system have much higher rates of dealing with post-traumatic stress disorder as well as other effects of violence and victimization.

Even though, as hard as those statistics are for us to hear, the good news is that we know what works to help young people exposed to violence, and to help them to recover. We know that caring and nurturing adults in the lives of young people over a consistent period of time have produced very good outcomes.

Positive adult role models who are trained and supported to work with young people who know how to engage them and who are relentless about supporting them we know that they're able to achieve very, very positive outcomes.

Through 37 years of experience we know how to engage young people, their family, neighborhoods and the communities to mobilize them so that young people have support on a 24/7 basis.

Our approach builds upon the strengths of young people, their communities and those natural resources that exist in all communities. We've seen that trauma, even though difficult and sometimes unimaginable such as what we experienced recently in Chicago where we're working with Chicago Public Schools, students who were age 15 who literally watched his best friend die in his arms in the middle of a street from a gunshot wound.

The disconnect for those young people and many young people like them is that life isn't worth it, that often times they perceive that it's easier to be numb and, once numb, it's easier to pick up a gun and resort to violence, not to mention the impact that has on the larger community.

We know what works and I'd like to close with just a few recommendations that we have experienced works and working with young people who have been exposed to violence and trauma. Number one, expand models that have mentoring and positive adult role models working in the lives of young people who have

experienced trauma, increased employment programs for older youth so that they have employment options when they're appropriate and when they have received proper treatment and support, expand systems of care that are part of SAMSA and other models that are flexible in meeting the needs of high-risk young people and their families, expanding culturally and linguistically appropriate programs that work with them, especially based upon their culture and their traditions and reducing violence and victimization by having traumatization specialists and mentoring therapeutic services in home and community services.

Again, we know that trauma is a real issue, violence and victimization is a real issue but we do know what works. Thank you for an opportunity to present before the task force.

*Joe Torre:* Thank you, questions for Mr. Ivory?

*Female:* Mr. Ivory, thank you very much for what you have brought to the table. When you talked about expanding models of mentoring are there specific mentoring programs or models that your organization endorses?

*Gary Ivory:* Yes, of course we work, have parted in different cities with models such as Big Brothers, Big Sisters for lower risk young people but for high-risk young people we found that models such as that we embrace which we'll call an advocacy model, that that works, that we know that paid mentoring works, volunteer mentors are great but when it comes to young people who have a very high risk and who have had trauma, that those mentors also need to be paid, so the paid mentoring programs and models are the ones at least that we suggest.

*Joe Torre:* No other questions? Candice Kane?

*Candice Kane:* Thank you. Good evening, thank you for the opportunity to appear before you. My name is Candice Kane. I am the Chief Operating Officer of CeaseFire Chicago which is based at the School of Public Health at the University of Illinois at Chicago.

You've been charged by Attorney General Holder to examine ways to prevent, treat and reduce children's exposure to violence, including how to create the safety that allows them to thrive.

I'll focus my remarks on this point, specifically how to create safe communities that will allow children to thrive in areas with disproportionately high levels of violence.

CeaseFire Chicago began in 2000 as a response to the high levels of violence in our city with the goal of stopping shootings and killings. We apply disease control methods to prevent firearm violence. CeaseFire abused violent behavior is largely acquired through social learning; learning which is mostly unconscious and occurs through modeling or imitating.

Social expectations of peers maintain which behaviors are expected under various circumstances. The likelihood an individual will respond to conflict or perceived disrespect with violence is thus largely dependent on what they think their friends think or how they believe they're expected to act.

CeaseFire is designed to complement law enforcement strategies addressing violent crime. By approaching the problem at the same time and from a different angle as law enforcement even further reductions in shootings and killings become achievable.

The basic logic model that the program uses applies multiple methods to change both community norms and the norms of those most likely to be involved in shootings about violence. These methods includes the use of highly-trained mediators to detect and interrupt conflicts before they turn violent, outreach workers to change individual behavior, and community events, public education and the use of other community messengers to reinforce community level norm change. Activity is concentrated in those areas where the violence is most acute.

Studies of the model in multiple neighborhoods in Chicago and Baltimore as part of two separate third party evaluations have found CeaseFire to have significantly contributed to reductions in shootings and killings, met the express needs of high-risk individuals and changed thinking about the use of violence among high-risk youth.

My written testimony includes information about the two evaluations of our work as well as more about the model and the theory that drives it. Thank you for your attention. I'd be happy to answer questions.

*Male:*

Thank you for being here today. Would you make a distinction in CeaseFire in terms of gang violence or just disputes that – how would CeaseFire apply to the particularities of the gang dynamic?

*Candice Kane:* Well first of all we hire people that we consider credible messengers with those who are most likely to be involved in shootings and killings. Many of them, therefore, are former gang members themselves, people who have had a criminal history.

So they are highly-credible with the population that we're trying to engage. We go to great lengths to make sure they're on the right side of the law. Now one of the things I think that's most important for us is that we don't distinguish gang from non-gang violence because so much of the violence in Chicago these days is categorized as a result of altercations.

So it's – it may have involved gang members and, indeed, probably 70 to 80 percent of the people that we work with have some type or have claimed some kind of affiliation with gangs but often times the violence that they become involved in has really nothing to do with their gang membership. It has more to do with poor decision making, poor impulse control and very ready access to weapons, their lethal weapons.

So it's not necessarily the gang thing that we're concerned about. We're concerned about working with a young person and the older I get the more "young" becomes a relative term.

[Chuckling.]

*Candice Kane:* We're really talking about people between the ages of 16 and 25 who meet – we have at least seven criteria, four of which they have to meet that really involve them or identify them as someone who is really at high risk of involvement in violence.

*Male:* Thank you.

*Female:* Thank you all for your testimony. Ms. Kane, I understand that there is two models of CeaseFire, Boston and Chicago. Do you mind explaining the main differences between each model and if a model is better for certain communities than others?

*Candice Kane:* They're not mutually exclusive. They can work, I think, successfully in the same communities. They just have to be coordinated. CeaseFire, I would say that ours is a model that really works with people before they cross the line and become a problem with law enforcement again because most of the people we work with are well-known to law enforcement and so we categorize ourselves really principally as an intervention and the Boston CeaseFire model is a gun violence project that I would say

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tilts towards suppression, towards more of accountability but also offers some other opportunities to young people as well. You hate to over-simplify.

*Female:* That was great, thank you.

*Candice Kane:* Okay.

*Joe Torre:* Any other questions? Well Ms. Kane, thank you very much. Mr. Ivory, Phil and Jordan thank you very much for testifying.

*Candice Kane:* Thank you.

*Joe Torre:* Appreciate it.

*Male:* At this time we would like to call Mr. James Curtis, Executive Director, Michigan Crime Victim Services Commission. Ms. Crystal Miller, okay, and Leslie O'Reilly, Victim Assistance, Michigan Crime Victim Services Commission.

Ms. Debbie Kane, Executive Director of the Michigan Domestic Violence and Sexual Assault Prevention Treatment Board and, along with her also, if we could have another seat up there, Ms. **Kathy Hagenian**, the Executive Policy Director, Michigan Coalition on Domestic and Sexual Violence.

For our panelists, we're going to take testimony from all four people and then entertain questions. For our audience, I would just like to say that we have anticipated about 18 people testifying, so the fact that we don't have a lot of questions from our panelists is not due to a lack of interest.

We could really literally be here all night asking questions but we're trying to be mindful of the fact that we've just set aside two hours for the testimony today and we're trying to give everybody an opportunity to testify during the course of the time that we have set aside.

So bear with us, we will be taking testimony tomorrow for, I believe, about six or seven hours also and we hope to be able to entertain an awful lot more questions tomorrow, so bear with us. Okay, we'll start off with testimony from Mr. James Curtis and we'll just go down the line.

*James McCurtis:* Good evening. I'm James McCurtis. I'm the Director of Crime Victim Services for the Michigan Department of Community

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Health and I'm joined here by my colleague, Leslie O'Reilly who is a program specialist for the – for Crime Victim Services in the Department.

Mr. Torre and distinguished members of the task force, we are honored to have you visit Michigan doing National Child Abuse Prevention Month and National Crime Victims Rights Week. As we fight together for the needs of child victims and witnesses we appreciate the opportunity to speak at this hearing.

We are here today because we are asking for your help. We are here to testify on behalf of the Crime Victims Services Commission which is an agency of the Department of Community Health. The Commission is committed and dedicated to serving some of our most vulnerable citizens which are victims of crime.

We administer three victim programs, investing more than \$20 million in services to more than 300,000 citizens annually. Michigan's program efforts are fully supported by criminal assessments or fines paid by convicted defendants in State and Federal courts.

From the beginning VOCA has recognized that children of spouse and partner abuse are primary victims of crime. In the 25 years since VOCA was enacted hundreds of thousands of child victims received services in Michigan from nearly 90 VOCA funded agencies. Last fiscal year of the 78,300 people or crime victims serviced by VOCA funds, 15,000 were children.

85 percent of those children were victims of physical or sexual abuse. So under VOCA's formula for distributing each year's cap amount State VOCA Victim Assistance Formula grants receive whatever amounts are left over after other programs are funded. Please urge Congress not to cut State assistance grants.

The Department of Justice Deficit Reduction targets imposed by Congress resulted in a 13 percent net reduction in Michigan's fiscal year 2012 VOCA Victim Assistance Grant. As a result Michigan's funding dropped from \$13.6 million to \$11.4 million for fiscal year 2012.

In addition fiscal year 2013 appropriations remain uncertain but initial funding level projections are at similar levels, so please, we need you to urge Congress not to balance the budget on the backs of our vulnerable children. These kinds of cuts take money away from programs that are essential for our victimized children.

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When Congress created the Crime Victims Fund in 1984 they made a promise to ensure a steady stream of funding to help victims of crime put their lives back together regardless of the ups and downs of yearly budgets.

The hardships that victims face as a result of a crime are real, they are painful and they are often urgent. We can and must do more to address the needs of all victims of crime, including children. So for more information on the Michigan Department of Community Health Crime Victims Services you can visit our website which is [www.Michigan.gov/crimevictims](http://www.Michigan.gov/crimevictims) or you can call at 877-251-7373 and we will have more information available in our written testimony. Thank you for this opportunity.

*Male:* Thank you very much, Mr. McCurtis. Our next witness, please? Please introduce yourself so we know exactly.

*Debbie Kane:* Hi, I'm Debbie Kane. I'm the Executive Director of the Michigan Domestic Violence and Sexual Assault Prevention and Treatment Board which is a state-legislated government entity here in Michigan and I report to seven governor-appointed board members.

I currently serve as the STOP, SASP and FIPS administrator for the State of Michigan and prior to being in state government for the last 12 years spent approximately 20 years working in the private non-profit arena in domestic and sexual violence.

What I'd like to talk to you about briefly today is the relationship of policy and practice as it relates to the response of the child welfare system on children who have been exposed to domestic violence.

The safety and well-being of children and their non-abusive parent is inextricably linked together and unfortunately most of the research that's been done about what activities to take place in policy reflects a focus on the non-abusive parent, in fact, generally on the battered mother rather than looking at the perpetrator, and that's one of the things that I suggest in the future there needs to be more focus on the person who is actually perpetrating the violence and less focus on the mother who tends to be the person that child welfare systems across the country hold accountable for the violence ironically.

It's important also that we not label or stigmatize children who have been exposed to domestic violence as high risk and, again,

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that's changed a lot over recent years in the child welfare community. Instead I recommend that it's important and research demonstrates this that there needs to be an individualized assessment of each child looking at their needs, their experiences and their strengths, and that's really the paramount way to help children.

Exposure in how children respond to violence within the home depends on many, many factors; everything from the degree of violence and the frequency in the home, how much they've actually witnessed or been exposed to the violence, the age of the child, the gender, how long the violence has gone on, whether there are other community types of violence happening, are they exposed to gangs, school bullying, that kind of thing?

But most importantly what I would say is to understand that children react on a continuum. Not all children are affected in the same manner. Children are often very resilient and, particularly when as research shows they've had a nurturing relationship with their mother, and I'm referring in most cases based on my experience in the research to the mother as the non-abusive parent.

So having that nurturing, loving relationship with their mother is absolutely critical. Indeed, research shows that some mothers actually compensate for the violence in the home by putting a lot more effort into their parenting and trying to compensate for that. So quickly, just a couple of recommendations. Focus the violence accountability factors and strategies within the child welfare and other communities on the person who is perpetrating the violence.

Support children in understanding that one of the most protective factors for children is protecting their mothers. Provide supports for mothers to be nurturing, loving parents to help children with their resilience and play to the many strengths and the resilience factors that children already have. Thank you for your time.

*Male:* Thank you very much.

*Kathy Hagenian:* Good afternoon, my name is Kathy Hagenian and I am representing the Michigan Coalition Against Domestic and Sexual Violence, and we are the non-profit membership organization representing over 70 rape crisis centers, domestic violence programs in the state of Michigan.

I am here today speaking to you on behalf of those programs, their staff and the survivors that they serve. Clearly there is deep

expertise on this panel on the issues of domestic violence and sexual assault, and deep expertise within the Department of Justice, especially the Violence Against Women Office on Domestic and Sexual Violence.

So I know you understand that examining these complex issues is certainly very central to all of the challenges and solutions, and the different focuses of protecting and defending childhood that you are undertaking in this really important work. I myself have worked in this field for almost 30 years in many capacities starting as a volunteer and now being the Executive Policy Director for the state coalition, so certainly while we have much to do still in our work, in our field, to put ourselves out of business, we've also seen much progress.

Unfortunately one area that is – seems as challenging and as problematic today as it was 30 years ago when I remember taking my first crisis calls as a volunteer is the issue of domestic violence and child custody. Unfortunately today, still often the case, the same judge will issue a personal protection order for a victim of domestic violence, will turn around and order unsupervised parenting time or even joint custody, joint legal and physical custody to a perpetrator of domestic violence.

What we hear in court all too often unfortunately is the same refrain and, again, 30 years ago to today just because the person, just because he is a bad husband or a bad partner doesn't mean he's a bad partner. I beg to differ or I mean – I'm sorry, bad husband or partner doesn't mean he's a bad father and I beg to differ.

Research, especially if you look to the work of Lyndee Bancroft, Jay Silverman and others talk now more about batterers as parents and also what that does to the non-abusive parent and protective factors as Ms. Kane underlined that victims of domestic violence often do try to put in place to mitigate the effects of abuse.

And while certainly the coalition would concur with Ms. Kane's testimony in terms of the resilience of children and looking at their individual and unique needs certainly we should not say that because children are resilient that a victim of domestic violence who is seeking protection for herself and her children through the civil courts, through custody orders, should be denied that opportunity to protect their children and deny access to the perpetrator until there is real meaningful and demonstrable change.

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While our coalition, while I'm CADS, we will address the research and expand on this issue in our written testimony there are just a few things I want to point out that we do know that I know from almost 30 years in about a minute that I have left.

Batterers routinely use their children as tools for controlling the survivor, including threats of gaining custody of the child should they try to escape the relationship. Perpetrators frequently act upon custody threats when survivors leave. Research does show that survivors often put the best interests of their children first when making the decision whether to stay or leave an abusive relationship.

However, what that looks like in any given situation, meaning whether that survivor in that situation will stay or will leave depends on several unique factors, including whether or not adequate protections are available from the civil court system and whether or not the survivor has the resources and the opportunities through representation to even access the protections, the policies, the protocols, the trainings, the things that are put in place for protection, to be able to get that takes representation.

So that is that – that said, okay. So just in conclusion I would say that looking at our civil courts if we want justice, if we want protection in the criminal legal arena we have to make sure that there is safety and justice and access in the civil court arena, and child custody so that victims could protect their children in that arena as well, thank you.

*Male:* Thank you, very much. At this time we'll take questions from the members of the taskforce.

*Question:* Ms. Hagenian, thank you very much for your testimony. Do you feel that for those spouses who have had batterers as their husbands that it's very difficult for them to get a termination of parental rights from that battering spouse? Do you feel it's overly problematic?

*Kathy Hagenian:* Before even termination of parental rights just looking at in civil protection getting an order for –

*Question:* Supervised visitation?

*Kathy Hagenian:* -- sole legal custody or supervised visitation, just denying that unsupervised access and that also legal decision-making, legal custody is power and control. It's veto power and it – judges can't

be granting that and expect the victim to be able to safely leave and protect the children. So it's not even about terminating rights but it is limiting and restricting that access and decision-making power, that power and control until, again, as I've mentioned before, there is some level of demonstrable, meaningful change and that is very, very difficult.

It is almost unheard of and certainly without, if there isn't really highly-skilled intensive representation it just doesn't happen -- if the batterer fights that as for custody. Sometimes it happens when there's no dispute.

*Male:* Other questions?

*Question:* Maybe just a quick question for Ms. Kane. In your comments you mentioned that the accountability for the domestic violence should rest with the perpetrator and not with the mother. Have you found that your child protection system focuses on the mother as a perpetrator or petitions against the mother if she is a victim of domestic violence?

*Debbie Kane:* Indeed I think what happens too often and I don't -- I not only see this happen in Michigan, although our policy in Michigan actually should preclude this from happening the reality is that very often child protective services workers here and in other parts of the country according to my colleagues across the country are such that the failure to protect, mothers failing to protect their children from the violence and the easiest person to get to is often the mother. So let's talk about a situation where she's no longer living with the perpetrator or he -- she was never living with him. He may have been a boyfriend or someone else.

What happens in those situations is she's the parent who is in charge of the children, she's the one living in the home with the kids. So everything tends to be focused on her; all of the case management work, all of the referrals, all of the things that are put into place tend to be directed to the mother instead of assisting the mother in the process of protecting herself and her children.

So yes, I would have to tell you that despite the fact that in Michigan we've worked very hard on some excellent policies that say exposure to domestic violence in and of itself is not a form of child abuse or neglect the reality is individual workers do sometimes feel differently and will act differently, and not infrequently, I might say.

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*Question:* Even when the father has left the home?

*Debbie Kane:* Even when the father has left the home.

*Question:* The failure to protect becomes a reason for child welfare supervision of the mother?

*Debbie Kane:* Absolutely, and unfortunately across the country there are still women who lose their children to the child welfare system and go into what Ms. Hagenian said the dichotomy is amazing. On one hand a woman can be living with a perpetrator of domestic violence and she's told that if she doesn't get out of that situation that the child welfare system will hold her accountable for that, take her children from her because she's failing to protect her children from that exposure.

So she leaves the situation she files in the civil court system to get custody of the children, to be safe from the violence, and then more often than not what will happen is he ends up with equal parenting time or if he is not ordered into supervised visitation, and as one of the Department of Justice Office on Violence Against Women's four pilot sites in the country on supervised visitation and domestic and sexual violence cases I can tell you that it continues after 10 years of working on this to be a struggle that when courts and judges order men into supervised visitation they rarely order them into any kind of treatment to change their abusive behavior.

So what you have is a fairly short period of time that that behavior is being addressed and until courts say your behavior of violence is not acceptable and you won't see those kids in a non-supervised way until you can demonstrate that you've changed that behavior but those systems simply don't exist.

*Female:* Thank you.

*Male:* Other questions?

*Question:* I have one follow-up question to your comments. What kinds of services do you recommend for children who are in those court systems where you have domestic violence, where the prosecutors and defenders are there having their day in court but the kids are often left out of the mix.

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What kinds of services are you recommending? Are there model programs that are in existence that you would recommend that we would consider for recommendation in our report?

*Debbie Kane:*

There are some terrific programs, and I would like to submit those to you in writing if I can. I think what's really important is looking at programs that deal with the manner that children are already exhibiting strength, and again, you see a lot of differentiation between children and how they respond but, very often, kids are demonstrating an enormous amount of resilience and strength in dealing with that, and trying to really foster that and reinforce that, and engage with a very individualized approach to children is extremely important.

So counseling services that are available for kids, making sure that schools really know how to respond to and deal with children who may be dealing with that in their home situation and, again, reinforcing with the non-abusive parent the importance of her understanding and helping kids deal with the violence that they have experienced.

*Male:*

Thank you, very much. And just my one final question to Mr. McCurtis. We live in a time of limited resources at the Federal level and at the State level. You've asked us to support recommendations for maintaining the budget that you currently have. What are the arguments you want us to make in favor of supporting those budgets at the current levels.

*Mr. McCurtis:*

I'm going to let Leslie answer this question just so she can have a chance to address.

*Leslie O'Reilly:*

The crime victim's fund supports the Victims Of Crime, a grant program through the Department of Justice. These are non-tax dollars, these are criminal fines and assessments.

The issue for this last year was the Department of Justice had to respond to Congress' direction to reduce their management and administrative cost, and they utilized program funds to do that which resulted in our net decrease and overall funding.

One way to address this is try and look at the fund as a separate category and not count it in the Department of Justice's budget, so it doesn't have an overall impact. If they spend more money or provide states with additional resources it doesn't cut back other programming in the Department of Justice.

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*Male:* Thank you very much.

*Leslie:* Thank you.

*Male:* Just so – and I can add just quickly these are untapped dollars. There are untapped dollars right now sitting in the Federal government that they want justification for in order to use for these programs in order to increase the funding for these programs.

So there's dollars sitting there but they want to hear reasons and justification to release those funds to increase the dollars that the –

*Mr. McCurtis:* What is the name of that fund?

*Male:* It's the VOCA fund.

*Mr. McCurtis:* VOCA funds?

*Male:* Exactly, these are VOCA funds.

*Leslie:* Crime victims fund.

*Mr. McCurtis:* Right.

*Male:* All right, very good. Thank you very much.

*Mr. McCurtis:* Thank you.

*Leslie:* Thank you.

*Joe Torre:* Thank you.

*Male:* Thank you very much, panelists.

*Joe Torre:* Our next panel, the Honorable Darnell Jackson, Circuit Court Judge, Saginaw County Circuit Court. Frank Grijalva, Co-Director of Midwest Trauma Services Network, Dansella Floyd Jones, Program Administrator, Childrens Aid Society, and I don't know if Jerry Dorsey IV is – are you here? No, okay, then we will skip to Karen Rivera, if you would join the panel. Thank you for coming, Your Honor. If you would start, introduce yourself.

*Darnell Jackson:* Thank you.

*Joe Torre:* Thank you.

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*Darnell Jackson:* My name is Darnell Jackson, I'm a Saginaw County Circuit Court Judge and I've been so for the past six years. I also previously serve as a District Court Judge, Deputy Chief of Police and Chief Assistant Prosecutor as well.

I'm a member of the National Council of Juvenile and Family Court Judges that serve on the advisory committee to its Family Violence Department.

First of all, I want to commend the task force for your commitment and I concur wholeheartedly on your mission to reduce the amount of violence to children and how we deal with the aftermath of that as well.

Like all of you I am deeply concerned about the effects of violence on our children. I don't need to tell you that study after study, as well as everyday real life experience has shown the devastating and negative impact that violence has on children.

Because of this reality it is my strong belief that judges must pay special attention to the safety needs of the non-offending parent when they appear in front of us. They are the ones who will primarily address the healing, protecting and thriving issues associated with children who are exposed to violence.

Judges must take time to identify needed supports for the non-offending parent and also set appropriate boundaries with batterers. Judges facilitate both ends of the spectrum and can either be the stumbling block to or the bridge to better outcomes depending on our knowledge of domestic violence cases.

Judges must establish control in the courtroom so that the legal proceedings themselves do not become further opportunities for perpetuating the pattern of abuse and violence and we must enter orders that maximize children's exposure to supportive adults and minimize exposure to the violence.

Judges should ask questions of all witnesses from the bench and be more proactive in their approach to obtaining information. This practice will help all systems players and provides the court information about the specific case before it. It is not the role of the judge simply to call the balls and strikes, Mr. Torre.

*[Chuckling.]*

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*Darnell Jackson:* We are seekers of the truth. If we fail to get sufficient information then our decisions will be lacking in their effectiveness. A court speaks through its orders.

Those orders need to be appropriately addressed, the issues presented to the court in any given case. Judges are the funnels through which everything flows for the various components of the judicial and related systems.

If those components are all functioning properly and judges drop the ball due to a lack of comprehension of domestic violence related issues then all the other work is for naught.

I also serve as a faculty instructor for the National Council of Juvenile Judges. Last week we had a workshop where 61 judges from around the country attended. At a four-day workshop we teach them things such as how to recognize batterer signs, how to control them in your courtroom, things of that nature.

After that four-day experience most judges will come up and say, "I learned so much in this program on how to deal with domestic violence," because the workshop goes beyond Domestic Violence 101.

We teach them that domestic violence is a power and control issue, how to appropriately address the batterer in court, and to get the batterer to the appropriate treatment program for them.

It's not an anger management problem. It's a domestic violence problem. So we teach them don't send them to anger management because they ain't beating up everybody they know, so it's not anger management. It's a domestic violence issue. So these workshops that the NCJ, FCJ puts on address those issues.

Also for the reason that Ms. Hagenian and Ms. Kane talked about it is imperative that judges receive ongoing training. If judges are not trained in how to recognize and deal with domestic violence issues it really doesn't matter what the other players in the system do. In the end once a judge signs an order if it's ineffective or inappropriate everything else is for naught.

So therefore while there are many areas that need to be funded and taken care of I can't over-emphasize how important it is that there be some earmarked funding for judges to receive training. Most jurisdictions can't afford that training on their own yet we all know that judges, if in fact they are given the opportunity to go will go to

training. We've done these trainings across the country now with the NCJ, FCJ probably 58 times since its inception and every single time the judges walk away with a renewed understanding of the importance of domestic violence in their role in the courtroom and outside of the courtroom.

We teach judges how to be leaders in their community, to get involved in a task force, to get involved in organizations that coordinate efforts to make sure everybody is on the same page.

So if I want to leave you with a recommendation it is that you find some way to continue to allow judges funding to go to training, because without judges everything else grinds to a halt. I don't mean that in a haughty way. It's just a fact.

Everything else goes through a judge. When we sign an order it either affects everybody positively or negatively. Thank you.

*Male:*

Thank you.

*Frank Grijalva:*

I'd like to thank the task members for taking time away from your important work to get this right. My name is Frank Grijalva and I'm the Director of the Midwest Trauma Services Network, an office of Juvenile Justice and Delinquency Prevention Program designed to disseminate and deliver trauma informed care across two Midwestern states.

I'm familiar with the child welfare system from the inside. I was removed from my birth home in the East Bay area of Northern California at the age of two and adopted into a home of physical and emotional abuse.

My earliest clear memory of my adoptive father is at about the age of five, running down the street in terror as he chased me. I don't remember him catching me but I do know that he used a rock to knock me down so that he could catch me. I had a very interesting violent relationship with using rocks as a projection of power for many years after that.

That was just the beginning. My abuse continued in various forms until I left the home at the age of 17. Although I had detached from them as authorities well before that I remained emotionally governed by the abuse for many years. I remember being surprised when I reached the age of 25. I had never considered that I would live that long.

While things were very different 50 years ago I do not have any trouble resonating with the abuse and fear of the children and adolescents that I work with and train programs for now. I can speak to them about what they think and what they fear. They are at first surprised and then grateful that someone else knows.

I am astonished and dismayed that we can think nothing of sending billions of dollars overseas for dysfunctional, outdated programs without any evidence of value while millions of children live in terror right here in our own country.

Even as we sit here thousands of children within a 25-mile radius are being beaten, bullied, raped, kidnapped or neglected because they carry no political power. Their programs are the first to be eliminated because they don't vote.

We are now living in a time where we hold accountable, remove, punish and medicate children whom we have neglected; abused, beaten and conditioned to behavior we don't want. In our own self-interest, we create environments of convenience that make it impossible for children to learn functional, emotional management with secure attachments.

We need to provide services for our children that are predictable, sustained and functional. One of the key things we know it's necessary for these kids to rest in safety and dare to attach is the consistency of support, yet we remove them, we move them around and as a result conditions superficial or no ability to attach.

I've had the opportunity over the last several years to work with child social service agencies and children disaster in many states and many countries, and in that time I have witnessed all too often the disappearance of vital services, the crashing of state-wide systems and the exodus, exit of exceptional people from the field due to frustration or severe emotional injury.

I recently heard a plenary speaker at a National Juvenile Justice Conference proclaim that 99 percent of the agencies that work with children do not know what they are dealing with in our children. I would agree. It is not that they don't want to. My observation is that it is mostly due to the fact that they are focused on survival as well.

They look at their funding in two- and three-year cycles. They then execute and operate based on an undercurrent of not having

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this program or this structure in the future. This impacts intent, enthusiasm, imagination and loyalty.

Suggestions, reward good workers as well as good programs. Support programs like the early nurse parent partnership and visiting nurses, and augment them with psycho-social training with an understanding of trauma, with an understanding of childhood development and the environments that these children are being raised in.

We need to educate the educators the violence that goes on in schools that is queued by the teachers and staff, and school settings is an issue, and finally we need to think about the children's future from the secure attachment perspective. Thank you.

*Joe Torre:* Thank you, very much.

*Karen Rivera:* My name is Karen Rivera and I come as a mother, a grandmother. I am an eight-year veteran of the United States Navy and I came across your office, I mean the Air Coders Defendant Childhood Taskforce when I wrote a letter to President Obama and it's regarding my former employer. So I'd just like to read from the letter.

So my name is Karen Rivera and I'm one of your constituents from the state of Michigan, and I'm currently addressing issues with State, Federal and Civil rights organizations whose root cause can be directly tied to a bully boss.

I am a witness to what can happen when a bully boss remains unchecked. It is critical that I speak up, not only on my behalf, but also on the behalf of a child who was assaulted in my workplace. No good will be gained by remaining silent. I will be addressing that particular assault against a child by a manager with Attorney General Eric Holder's Defending Childhood Task Force.

And your office so far has been noted as the most accessible in history. Please tell me what is necessary to get a bill on your desk for your signature that specifically addresses the issue of a bully boss on a national level.

So I'm like a lay person. I'm trying to learn how to lobby and do whatever is necessary to say something like this won't happen again. My personal issues, I'm not here to further my agenda because my issues have already been taken care of. I have an

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attorney. I've filed with the Equal Employment Opportunity Agency, so that is not the point.

This – I was assaulted by an employee and when I reported this to my owners eventually I got fired but I was told if you don't accept the individual's apology you can no longer work here. So I'm like, "Well I'll take that up with the EEOC."

This child, two of my co-workers came to me and they said a manager grabbed the child by a collar and had him in a chokehold. This child is about five years old. I believe the child can be found. So as I said I'm here for information to – I feel with all this knowledge someone can tell me what can be done because I refuse to let this drop.

My issues, as I said, are taken care of but as a grandmother I have a five-year-old grandson. I just cannot let this go. So thank you for your time and, if you have any questions.

*Joe Torre:* Thank you, we will have questions at the end.

*Karen Rivera:* Okay.

*Dansella Jones:* Good evening, my name is Dansella Floyd-Jones, Program Administrator from Children's Aid Society. I want to thank you for this opportunity to share the good works and efforts being made by our organization. Children's Aid Society is a non-profit child welfare serving organization. We have been providing services throughout Southeastern Michigan for 150 years now.

CAS mission is to preserve families and advocate for children by providing innovative direct service programs. We address the crisis of juvenile crime, delinquency, preserve and stabilize families by providing community-based program services. These services are provided through early childhood to adulthood through our unique program services approach.

We work to eliminate the barriers of each individual and family by focusing on the family's strengths and working collaboratively with community systems such as the Detroit Police Department, Detroit Public Schools and other community organizations.

CAS programs build on their successes to improve its impact and effectiveness in the prevention of juvenile crime and delinquency using this strategy approach.

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Primary prevention services, we address the masses by educating and training youth and families, and the community at large on violence and risky behavior prevention such as gang prevention, child abuse and neglect, and teen pregnancy among many other prevention areas. These are conducted through workshops, community rallies, community presentations, trainings and candlelight vigils.

Then we go to our secondary prevention approach. In this approach we include programs and services to decrease the likelihood that youth who have already displayed early signs of problem behaviors or who are exposed to multiple known risk factors for the negative activity.

Our services include risk assessment, in-home based social work and case management services by teaching skills and providing tools to reduce truancy from school and home, increasing academic performance, addressing their substance abuse issues among many other barriers. These services help to eliminate the barriers by addressing the root cause of their issues versus the system.

Then we go on to intervention. In this approach we provide services – service activities that balance the delivery of services by intervening and putting in place behavior modification program activities such as employment in life skills training, exposure to college and trade school opportunities, support groups, professional mentoring, field trips and financial planning.

In conclusion, in the last year alone, CAS programs have successfully educated the masses, educating approximately 3,000 youth and families on violence and risky behavior prevention. We have empowered over 1,500 youth and families to improve their lives, reducing home and school truancy, and improving academic performances provided to over 300 youth and young adults, employment opportunities, and improved family relationships.

One day, one step and one family at a time we are working very diligently to make a difference in the lives of those individuals that we serve. Recommendation, community-based organizations cannot be forgotten. We are a critical part of the puzzle in defending the childhood of today's children and helping to eliminate youth exposed to violence. Thank you.

*Joe Torre:*

Thank you very much. Questions for the panel?

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*Question:* Thank you all for your testimonies. This question is to Mr. Grijalva. Thank you very much for your very compelling testimony. This is about adoptive national, international children. Do you feel that in light of your life experiences that we do not offer enough oversight for adoptive children? Should we be monitoring these families longer than we do at this particular time?

*Mr. Grijalva:* Monitoring and training, I now train for foster care programs in the Midwest and many times I hear from the parents that they don't know enough about the kids that are coming into their home and that they don't know how to interact with kids who are so volatile, who are so emotionally overwhelmed, enraged and lost.

*Question:* Mr. Grijalva if we are to move forward what are – what do you see as some of the maybe two or three of the biggest obstacles and how might we get over those obstacles?

*Mr. Grijalva:* I think the biggest obstacle nationally is that large segment of the population that doesn't understand or has not experienced post-traumatic growth or has not been – had to go through something significant.

So they don't have the empathy, they can't resonate with the struggle and I think data from the adverse childhood experience study and other types of data sets can create a monetary – you can attach a dollar amount to what happens if we don't engage. So I think that's at least one of the big issues.

Another big issue is we conveniently create programs that fit the adult world and do not fit the child world in the developmental specificity. We don't address the kids at the kids' level. We look at a 13-, 14-, 15-year-old and expect them to act that age and we already know that they're compromised emotionally, they're compromised in their social skills. So more attention to the kids at the kids' level.

*Joe Torre:* Any other questions?

*Male:* Ms. Rivera I'd like to try and address the issue you raised about the five-year-old. Have – are you able to identify the five-year-old who is involved in this matter?

*Ms. Rivera:* This story might –

*Male:* I mean not at this moment but are you – can you identify who that child is?

*Ms. Rivera:*

I believe my former employer can because this almost sounds like fiction. There was a regular customer – this was a restaurant environment. It was a regular group of customers that came and it was a grandmother, the mother and the son that came in.

One day I didn't see the daughter and I was like, "Hi, I haven't seen you guys in a while." I'm like, "Where is your daughter today?" She's like, "She passed away."

I'm like, "Really?" I'm like, "I'm so sorry to hear that." And then she proceeded to inform me that her daughter had died just directly after leaving the restaurant and they had did an inquiry into the contents of her daughter's stomach. So I'm like, "Wow," you know. She said, "But they were cleared of any wrongdoing, so it was nothing to do with that."

So my thinking is if this woman made some type of inquiry that child can be found and I believe the child was retaliated against because they made a complaint against them. The same situation when I made a complaint I was terminated but, as I said, I've taken my issues up and I called the corporate office just before I got here to try to talk and say, "Well you know is there any way you can give me information on how to find this child?"

They're like, "Well this is a franchise and we don't have anything to do with human resource issues," and then she also proceeded to inform me, "Okay, well if you use our name then I'm gonna have to go after you." I'm like, "Well, you know, I'm not sure exactly what type – if that's a threat or whatever," but I'm like, "That's fine."

I'm sure that people here locally, I called Jeffrey Figer's office to ask permission to use their name. So he said, "That's fine, you can use my name and let them know if they come after you basically." So I'm not sure how well-known he would be in that area. So I'm just saying everything is intimidation to try to prevent anything ever being accomplished, just like to silence people. So –

*Male:*

Normally I would think that this kind of a matter would be taken up with the local prosecutor. I don't know whether you pursued that route. Before it gets to the Federal level it would normally go through that route, or if it were a civil matter it would be taken up either with the Human Rights Division of the state before it got to the Federal level and perhaps then go to the Civil Rights Division of the Justice Department specifically.

But the criminal matter which it sounds like this may be would require the authorization and permission of the parent or guardian of the child, because the child is a five-year-old, before the matter could be pursued. I think that would be the specific route that I would recommend.

The taskforce itself would be more than willing to help you find the right person but I've got to advise you from my point of view as a defense attorney that person would probably be at the state level rather than at the national level.

*Ms. Rivera:*

Okay, like I said thank you so much and I came here to learn because I researched the Internet and what I've been doing is applying every issue I've been facing with, "This equals this."

So I said, okay, I faced a hate crime, I called the FBI. They explained to me although what I faced was a hate crime it did not rise to Federal level. So I'm learning about state, local and Federal level. I didn't know that but I've been learning.

As he presented this he said to the Federal prosecutor he said, "I want to let you know ahead of time that what happened to you probably won't go any further." And I couldn't comprehend it until I learned about those levels which is to say thank you for informing me.

I also realize what you said about the grandmother because I called the social services about that issue and they told me that's a police matter. I'm like, "Well I didn't witness it." I said, "If I had witnessed it, I would have called the police." I said, "But my two co-workers, out of fear of being fired because of the environment they never went forward, they never came forward."

So but they came to me because I'm like an older adult and they were younger and they saw that any time I had an issue with my employer, like I said, I've been in the military and I just let them know I'm like, "Look, I will exercise my right up to the present and if I have to, if you people basically do not stop this injustice in this environment, so as you can see, I've made it so far to my Congressman.

I've made it to quite a few people but as I said my issues are taking care of this child can be found. They can be found and they have a moral and legal obligation because – you're here because I see

doctors talking about trauma and that child was about this tall. The manager that grabbed that child is over six feet tall.

So you're looking at a child, if this is the same child, which I'm pretty sure it is, you have a child that's lost its mother, has been grabbed by an adult. They said the child had – the child up off the floor in a chokehold. The child was trying to fight the manager off, like take your hands off me and I'm like, "Why did you not call the police?"

But obviously they did the right thing because I was fired. So I'm not trying to judge my co-workers. People are always like, "Well people never want to get involved." They got involved when they contacted me. I'm contacting other people to try to get this issue some type of attention so this will not happen again.

*Male:* I'm more than willing to follow up with you after the panel discussion this evening to talk with you about who you might follow up with.

*Ms. Rivera:* Thank you so much.

*Male:* I work with a member of the National Council on Crime and Delinquency so we can get you to the right people and stick with you until you've had a chance to make your case to the right person. Okay.

*Ms. Rivera:* Thank you.

*Joe Torre:* Any other questions? I want to thank you very much for your time and very valuable information.

*Male:* Our next panel list will be as follows. We are asking to see if Mr. Jerry Dorsey IV is present. Mr. Dorsey, Ms. Crystal Miller, Mr. James Henderson, Jr., Pastor Cory Jackson, Lois DeMont and Michelle Weemhoff. We would like each panelist to identify yourself, starting on the right and tell which organization that you represent. Please begin.

*Jim Henderson:* My name is Jim Henderson. I don't know – I work for the Battered Woman's Justice Project which is underneath the Office of Violence Against Women although I don't know that my role today is to represent that organization.

*Male:* Okay.

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*Jim Henderson:* I'm here more to represent kind of children who are exposed to domestic violence. Do you want me to go on and proceed?

*Male:* Please do.

*Jim Henderson:* I want to talk to you more about a child who is in your system. I grew up in a home where my stepfather was extremely abusive to my mother. Once she moved out of the home he continued to abuse her, would break into her home, sexually molest her and assault her.

In that process we called the police many times. In those days they didn't make arrests like they will today, right, unless she was willing to press charges and I understand that. As an adolescent boy I would get in the middle once in a while, as many children we know do.

When that happened on occasion I got hurt to the point, to the level where my mother had to take me to the hospital. Going into the hospital then they called the police. So I just want to kind of tell you how the system worked for us. What happened was the police came, somehow did a background investigation on me, I don't know why they did a background investigation on a 10-year-old boy, but they said kids from homes like yours usually get in trouble. You're a good kid.

That was my first instance that I should feel ashamed of who I am or where I came from. The police told me I'd get to go home to my mother. A few hours later a social worker shows up, asked a bunch of questions. Also very nice, told me I'd get to go home with my mother. A couple of hours later some old man shows up and says we're going home with him. I said, "Hold on," you know, "The police and the social worker said I get to go home with mom but they're gone," and the system then took us into their home.

What I want to talk about is – all right. So we go into foster care and what you did is you ripped me away from the mother I wanted to protect and to be with, you ripped me away from the siblings who I loved and wanted to protect and you moved us all into homes that we didn't know.

To protect us you moved us into foster homes outside of our own community which ripped me away from every teacher who supported me and understood what was going on, from any friends or their family members who supported us and knew what was

going on, and from my own family, all in the words of protection, further isolating my mother.

From there, obviously, I'm behind in the new school. They were doing long division. I didn't even know what long division was yet. So you send me to a psychiatrist to diagnose me as ADHD Learning Disabled. Maybe I'm ADHD. I'll admit that but at that point, I mean so it's new labels, now you're giving me wonderful drugs. Finally six weeks later I get to go home.

Never once was I asked what I wanted, never once did I get to talk to a judge or prosecutor because my voice didn't matter. All that mattered was whatever **DOCS** thought was in my best interest. When I finally got to go home I'm behind in my new school, everybody wants to know where you went, where you've been. What do you say? Foster care? Again, creating more shame.

So I had the shame of growing up in a home where there is violence, I had the shame of being in foster care, I had the shame of being labeled learning disabled, put in a Special Ed class. They decided, "Well this kid's pretty screwed up, we'd better give him therapy." Well, bless your hearts, you put me in therapy on Tuesday night, the only night I got to play baseball with my friends, pulled me further away from that.

And I remember being so angry as a young man thinking, "Leave me the 'F' alone." "Leave me alone and deal with the batterer. Focus on him. Let him know that he's the one that's making the mistakes, not me."

And so I guess I encourage you as you're looking at policy to really think about how your policies and practices are being interpreted by the people you say you're trying to help because I know that there are well-meaning people and well-meaning policies and well-meaning practices absolutely being invested in me. I don't know that I took them as those.

I think you disempowered my mother and you emboldened the batterer. You gave him more strength and more power because the last time we went home you told my mom if we were abused again that she would not get custody of us.

You trained us very well not to trust you, you trained us very well not to use the system, not to utilize your resources, but to live in a home we were battered and abused and had to live in terror because we were willing to deal with the batterer we understood

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over a system that controlled us that we didn't have any power or any control or any understanding of.

So I appreciate the fact I'm being able to talk to you today. I am honored, the fact that you are working on this issue but I would really like us to give children a voice and to really think about how our policies are really being reflected or interpreted by them. Thank you.

*Male:* Thank you, very much. Pass it forward.

*Cory Jackson:* Good evening, everyone. My name is Cory Jackson, Senior Pastor of the Detroit Burns Seventh Day Adventist Church here in Detroit and glad to be here with you. I see I'm the only faith-based individual speaking. It's hard to give a preacher just three minutes.

*[Laughing.]*

*Cory Jackson:* I'm going to do my best. Detroit is ranked number two as the most violent city in America and in terms of where my church is located which is the East side of Detroit, there's violence all around us. So I want to get straight to the point of things.

So there are three things that I want you to know in my church community. Number one, blight is a big issue. We have a lot of homes within our church community that are full of – that's empty. These homes are not only eye sores but they are habitation of all types of crime and things of that nature.

Number two, we have a lack of opportunities for our young people. Because of the way that things are today our young people are not able to obtain summer employment because of the economy we're in now whereas folk who have Master's and PhD's are working these jobs where before it was geared towards young people.

And thirdly, safety is an issue. Our kids cannot safely walk down the street as they used to or play. Where my church resides I rarely see kids outside playing. You don't see girls doing double-dutch, you don't see boys chasing each other playing football. The vacant lots are not filled with kids playing anymore.

We did some research in our community. We found that 66 percent of our boys do not graduate from high school. Because of that crime is on the rise. We found that more young black males are in prison as much as they are in college, and so we've decided we need to try to do some things about that.

Domestic violence is an issue, substance abuse is an issue, bullying is an issue, poor parenting is an issue. Our fathers are not at home. They're not in our churches as well, so we are challenged. So one of the things we have decided to do, we have decided to start a couple of programs.

One is called BMEN, Black Males Eliminating Negativity. This is a high school program where we take young boys age 14 through 17 and we take them through a life skills program in which they then in turn begin to mentor the elementary students up under them.

We take them on trips, college tours, things of that nature, and this is a – oh my goodness, this is a school year program. The other program we do is called the Lazarus Project which is a community-based program, whereas we – same principle but the difference is it's year-round and it's a work component to it as well, and we take at risk young men age 12 to 17 and we pay them.

Not only do we pay them but then we add a mentor to follow them throughout their high school years as well as their college years so that in turn they can turn back the clock and mentor as well. And so if there is any recommendation we want to give it's to help to increase funding towards the faith-based community.

We have limited resources. Even though my church is a membership of 1,100 people it still needs a lot of volunteers, we need resources, but we need folk who are concerned about their community, but the biggest thing is really this blight within my church. There are six houses in a row that's just empty and so we really need to do something about that.

Two weeks ago on the west side of Detroit a young lady was walking with her daughter and a young man, I forgot his age, I think he was in the teenage years, he grabbed her, took her into an abandoned home and tried to assault her. So these are issues that we are facing on a regular basis and we incorporate from the church standpoint the moral issues that we are facing today. Thank you.

*Male:* Thank you, Pastor Cory Jackson. Ms. Lois DeMont?

*Lois DeMont:* Hi, my name is Lois DeMont and I am the Co-Founder of Citizens for Prison Reform here in Michigan. I am employed by the

Association for Children's Mental Health in Lansing. I thank you for your time and work on this crucial issue.

Most importantly I am the mother of Kevin, a 20-year-old – my 20-year-old son who currently is held in solitary confinement in one of Michigan's adult prison systems. I want to share today the story of Kevin and other incarcerated youth that I've met along the way.

Kevin experienced every opportunity and feeling of the juvenile justice and mental health systems. From a very young age he showed signs of mental illness. He grew up in an intact home where there wasn't violence. We took trips across the United States and he enjoyed sports.

By the age of 10 his illness worsened and he had his first psychiatric stay. By age 11 there were not enough services in the home that we could keep him any longer and he was sent out of state to residential treatment placements. All this time we remained his legal guardians.

Once in juvenile placement Kevin became exposed to gangs, drugs and other violent behaviors that he had never seen. We found his treatment to be unstructured and it offered little beneficial programming. At 13 Kevin did return home after completing one successful program.

Within a month he eloped. He ran money to adults who drove him to a pizza store and gave him a toy gun. Kevin ran out scared and didn't take any money but yet he was the one that was caught for the crime. He was given a blended sentence and he was sent to yet another facility in Iowa that was ill-equipped to treat youth with mental illness.

Six months later he was transferred back to Michigan but because of the facility's ineffective and sometimes harmful treatments they were given a provisional license and Kevin was given his adult sentence into the prison system at the age of 15.

Because of the lack of age appropriate and effective mental health treatment he has served the last five years in prison for a sentence that was only supposed to be a minimum of five months.

After the first seven months in prison Kevin was moved in with the most mentally ill adults. During this time since when he's been in solitary confinement he has had his electricity shut off, he hasn't

gotten any mail, he has been hog-tied numerous times and numerous other violations have occurred.

He was punished for banging his head on the wall, strapped to a cement slab and written tickets for this incident. This was reported in *Detroit Free Press* in January and I will give you all of these documents tomorrow. In Michigan the legal age for criminal responsibility is 17 but youth under 17 years old can be waved into the adult system.

When this happens they're kept under the adult policies and procedures regardless of their age. They are not housed separately from adults. There are no separate juvenile mental health or physical health programs. Because of conflicting state policies requiring that juveniles must be separated by sight and sound these juveniles are housed in isolation in solitary confinement for years until they turn 17.

Little consideration is given to their brain development or the need for their mental health treatment. Unfortunately Kevin's story is not unique. Based on his phone calls home after he was moved in with the most mentally ill he relayed to me the violent images of prison life; men strapped down for months, allowed up only to go to the bathroom.

Boys like 14-year-old Kyle who asked me to help, who functions at a level of a six-year-old who is being sexually harassed and abused by officers, and Jeff, who spent most of his sentence locked up in isolation because he wasn't yet 17, and then there's Randy who wrote a letter, and I'll share that tomorrow with you.

He pleaded for explanations as to why he was in segregation at the age of 15 and not getting mental health treatment like the other prisoners around him. It was due to his age. Randy lived from age 15 to 17 in a cell in solitary confinement. He was given one hour out during the week every day in a caged yard alone. He did not do well socially at age 17 when he was released to general population and he now sits back in segregation.

After seeing my son and many others languish in horrific conditions in solitary confinement for four months we formed Citizens for Prison Reform here in Michigan. Some days hope is really hard to find within this system. Because of opportunities like I have today I will continue to advocate and fight for the rights of children and others within these systems.

I would like to ask that you really look at restorative justice programs; something that I believe has been mandated Federally yet many states have not moved to models that are including restorative justice.

We need to have more services on the forefront and don't wait until it's too late. That's what I felt happened to us. I thank you very much for your time.

*Male:* Thank you very much and we're looking very much forward to getting the materials that you've referenced in your testimony. Ms. Weemhoff?

*Michelle Weemhoff:* Thank you, good evening.

*Male:* Good evening.

*Michelle Weemhoff:* My name is Michelle Weemhoff and I'm the Senior Policy Associate with the Michigan Council on Crime and Delinquency. We are a non-profit advocacy organization that is dedicated to developing effective policies and systems aimed at reducing crime.

Not only does Detroit, along with three other Michigan cities, rank among the top 10 most violent cities in America as we've just heard but it also has the highest concentration of poverty among the 50 largest U.S. cities.

Over the past decade Michigan has seen a 56 percent increase in the number of children living in high poverty communities and with research indicating that children who grow up in poverty are two and a half times more likely to grow to violent criminals the connection between violent crime and concentrated poverty cannot be understated.

Perhaps not surprisingly as we're hearing children and youth who entered the juvenile justice system overwhelmingly come from these distressed neighborhoods and present histories of abuse, neglect, trauma, mental illness and domestic violence. In fact juvenile justice could be described as the catch all system that handles the most difficult, vulnerable and marginalized children in our society.

If we are to design a true system of child protection we need to take a multi-dimensional approach to working with these complex cases so that this generation of young people does not fall into an inter-generational cycle of crime.

Fortunately the picture in Michigan is not all doom and gloom. As you will hear tomorrow Wayne County's successful juvenile justice model has demonstrated that shifting to a community-based model of treatment is highly-effective at reducing crime, saving money and treating the whole family. So it's a win, win, win situation if we can implement these programs effectively.

Michigan legislators are now exploring a state-wide fiscal solution as are many other states around the country. In Michigan it's called the in-home care incentive which would encourage all counties to achieve similar outcomes through increased use of cost effective community-based programs.

Yet even with these optimistic changes Michigan has not abandoned the practice of incarcerating children and this practice has been proven to be expensive and incredibly dangerous. Harsh environments like prison can have lasting detrimental effects on a child's cognitive, psychosocial, emotional and physiological development.

Research continues to reveal that by the nature of these developmental processes children and teens are extremely vulnerable to abuse in correctional facilities as we're hearing. A lack of oversight greatly increases the risk of the egregious abuses and failures occurring in these facilities.

Sadly, Michigan ranks among the worst in the nation for youth reporting sexual victimization in our juvenile justice facilities. We know from other studies that youth are at an even higher risk of abuse when they're placed in adult jails and prisons.

Ironically the practice of punishing youth does not make us less safe -- the practice of punishing youth makes us less safe. According to the Center for Disease Control youth who are placed in adult facilities are 34 percent more likely to be rearrested than their counterparts in the juvenile justice system.

We greatly appreciate the leadership shown by Attorney General Holder and his task force to ensure that children under the state's care are protected. To that end we respectfully ask you to consider the following actions. First, please ensure that the scope of this task force's work extends to include all children under the age of 18 with recognition of the special needs of those in the juvenile and criminal justice systems.

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Please encourage the Attorney General to issue the Prison Rape Elimination Act's regulations that acknowledge the – as such that acknowledge the extreme safety risks in adult facilities and forbids the placement of young people in adult jails and prisons.

And please partner with governors and legislators around the country to advance developmentally appropriate policies that simultaneously increase the public safety, save money and protect children.

We urge the Attorney General to act immediately on these issues rather than waiting until the final release of the task force's report. Every day that passes without action mean that children continue to experience a substantial risk to harm.

In closing I want to reiterate our extreme gratitude for the important work that you do. I hope you will continue MCCD as a resource as you advance comprehensive solutions to ensure the protection of all children. Thank you.

*Male:* Thank you very much, Ms. Weemhoff. We will now take questions from the task force.

*Question:* Unfortunately the story of your son is not the first time that we've heard of the horrors that we inflict on our children and it's both an indictment and a cause for alarm about criminal justice system but also about our health care and mental health care system. But I have a specific question that we need your help with because this is something that the taskforce is gravely concerned about and we want to do our best in articulating recommendations.

And one thing that would be helpful, as you've told the story of your son and as you've tried to rally support what have you found to be the most difficult impediment to being heard?

*Michelle Weemhoff:* I think it's the power of the big systems who – it's just amazing how they're so believed and the wrongs are so over-looked. Tomorrow I'll share with you the actual violation papers that were filed against the juvenile home. I want you to see that I have the documentation to what I spoke to so that it's not just words but these are real things.

And I had county commissioners who wouldn't listen and, since then, I mailed them that report. I wanted them to know the findings but it's literally systems that just – there's no accountability. It's the accountability, the oversight and, again,

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they're not listening to us as citizens, as families, as people. I've asked our Michigan Department of Corrections to have us as organizations and families, prisoner families, to come sit at the table and talk about what it is we see and how we see they can save money.

And this needs to happen in all of these systems, and it takes a family voice, and the child's voice, all of them being heard. It's not happening.

*Male:* I'm sorry that you have to be that voice and I'm sorry that you had to be the voice of that child but I think for all of us what you're saying is that all of these children need to be our children and somebody needs to listen. So thank you both.

*Female:* I also want to thank you for your compelling story and I appreciate the risk that you've taken by coming – going public with it. One of the things that we've talked about in terms of what this report will provide to the public and to the Attorney General is the perspective of victims and the perspective of children who are in the system.

And so I was wondering if you could talk a little bit more about from a child's perspective what solitary confinement means because I think that we often, one of the things we talk about is it's for the protection of the child so they're not mingling with adult prisoners, but from a child's perspective what does solitary confinement really mean?

*Michelle Weemhoff:* I think that literally it's just the mere isolation of knowing that you've got literally some of these kids 24 hours a day, day in and day out. My son is fortunate. We have a huge support system. A lot of these kids, no one sends them mail. Their families give up on them or they're too overwhelmed to deal with the system, and so they move on with their lives.

We see kids who don't get any books, they have nothing to do with their time, and so literally their mind – I mean they become mentally ill. If they don't have illness the depression, there's so many of them that attempt suicide.

I've heard from nurses at the hospital up in Marquette where my son is, it's about a nine-hour drive from here, state that prisoners will overdose just to get in there so that they can get out of solitary confinement.

And so these children, particularly young children, they need exercise and they're not even given one hour out of a day for exercise

I had to fight really hard just to get that when my son was 15 years old and it took a lot of work. I do feel that my efforts have brought some changes. Sometimes I don't know that I see how much change has brought because it's hard not to focus on all the wrongs.

*Male:* Thank you very much. Other questions from task force members? Yes, Dianne?

*Dianne Durfee:* Thank you so much for sharing your experiences and hopefully this will make a difference that you have done this. So I am – I wanted to ask you, is your son still in solitary confinement today?

*Michelle Weemhoff:* Yes, he's been in solitary confinement since – he actually went in September of last year. He was brought out for three days after the article was released. The problem is we need programming. We need programming inside these prisons as well as out here.

You can't take a prisoner that's been locked in a cell with not much to do and then throw them out to a general population, level five, where there's violence and there's no structure, and they have no classes, and you walk around and what do you do?

*Dianne Durfee:* I hope we're able to do something about that situation for your son and every other young man who might find themselves in those horrible conditions.

I also have a question about the – Mr. Henderson's experience. I'm not sure I exactly understand how it happened but this is the second testimony that we have heard where a non-offending person became the victim of the system.

In the last testimony it was the mother. In your case you were trying to defend your mother and you ended up being placed in foster care away from your siblings and away from your neighborhood. Did you understand or do you now understand why that was done?

I guess the question is what could have been different for you and who ultimately made a difference in your life because you are successful and you're healthy. You're not a criminal today.

*Jim Henderson:* I was very lucky that I had a mother who loved me and teacher's and friends' parents and different people in my community who cared. I think in our situation when I got in the middle then if I got hurt, if he broke a rib or broke my nose my mom had to take me to the hospital. Instead of being rewarded for doing everything she could to protect us she got punished because they said she allowed that to happen.

This man didn't even live in our home. He'd break in our door, re-assault her, sexually abuse her, abuse us. For our protection the system took us out of the home but what they did, my sister is two and a half years younger me. My other sister is nine years. She was an infant. Not all homes are equipped to deal with an infant or an adolescent boy and a girl. So they segregated us children.

So now you take an enmeshed family who is trying to create safety for themselves and you tore us apart, put us all in different communities. I remember, and I was kind of a very naïve kid, sneaking on the phone to call my mom just to hear her voice and then hang up because I thought I'd go to jail because I was already in jail.

I mean foster care was jail to us. It was not a supportive environment. So although the system said we're doing this for your own safety I think they did everything to discourage us from ever using the system again and really punished my mom for trying to keep us safe to the best of her ability.

You're punishing her for not achieving goals that she didn't have the power to achieve. He overpowered that. So I don't know. I really want the system to look at we have to hold the batterer accountable always and we have to think about if children can't testify, if we can't talk how do we get a voice?

Does a prosecutor come and talk to me and say what do you want, what do you need from us? We're too scared to put you on a stand, we'll be your voice for you. No one ever did that to us. No one ever asked us can you – we wanted to be at home. I wanted to be with my mom. I wanted to protect her. I wanted to be with my sisters and they pulled us all away from each other.

*Dianne Durfee:* When you went into foster care did you go to juvenile court first?

*Jim Henderson:* No. That night you went to the hospital, you got treated, the cops came, a social worker came, then you got ripped away to some home at 3:00 in the morning, right, by the time we went to the

hospital. By the time we went to the court we never talked to anybody.

I remember sitting out in the hallway and some judge in a room with a bunch of adults made a decision about what was going on with our life without ever having us there.

*Dianne Durfee:* So the judge did not talk to you either?

*Jim Henderson:* Judge, social – no one talked to us about what we wanted.

*Dianne Durfee:* Okay. Thank you, so much.

*Male:* Thank you. At this juncture we're nearing the end of our testimony. I think we'd like to have at least two more questions. Is there a question on the floor at the moment?

I have one for Pastor Jackson. The faith-based community, we believe, is a cornerstone for addressing many of the problems in a community like Detroit but also across the country.

How would you – what kinds of recommendations would you ask us to make to the Attorney General about how we should reach out to the faith-based community and what kinds of tools does the faith-based community need in order to be able to effectively address many of the problems that you've talked about here this afternoon?

*Cory Jackson:* Good question. I think one, I think there needs to be a partnership, a visible partnership. I know here in the city of Detroit the Mayor's Office is trying to do that by doing different programs at many of the churches. I think also resources need to be pulled in and people power, to be honest with you.

So often we get such a bad rap and – in terms of the news but I think the more resources that are pulled in, the more partnerships that we have together, I think you can make a viable difference.

A lot of people are not going to church as they used to because of so many different challenges, and so somehow we as a faith-based organization has to regain the trust of our own community, and so the church itself has to reinvest into the community because so many of the members now drive in into the churches and then drive away.

So I think just more community programs that can be established, whether it's housing, whether it's food pantry programs, whether it's helping with parental programs, substance abuse programs. You know like my little program that I'm doing, it takes a lot. It takes a lot of manpower, it takes a lot of resources and sometimes you fall short of those things. Some of our kids don't even eat a good breakfast. So sometimes just being a viable source to the churches.

*Male:*

Thank you very much, Pastor. Any final questions? Okay, well thank you very much for your testimony this evening and we would like at this juncture to thank everyone for your testimony this evening. This has been a really compelling list of witnesses before us.

Tomorrow we will begin taking testimony here tomorrow morning, about 8:30. We invite all of you to return tomorrow and join us and hear testimony from others from across the country who will be advising us on the kinds of things that we need to do to protect children from violence. Thank you, very much.

*[End of Audio]*