

DEC 23 2010



Senate of Pennsylvania

TO: All Senators

FROM: Senator Edwin B. Erickson *EBC*

DATE: December 22, 2010

SUBJECT: Cosponsorship of Legislation – False Claims in Detention Facilities

Over the years, the Commonwealth's juvenile detention facilities and private residential rehabilitative institutions (PRRIs) have experienced an increase in false claims of child abuse against their staffs. Under current law, rules and regulations, these juvenile detention facilities and PRRIs are handicapped with regards to remedying these false claims in a timely manner at the Department of Public Welfare. In fact, these appeals take an average of 18 months to conclude, to the detriment of the falsely accused employee/staffer, the facility itself and the other students attending the institution.

To address this issue, I am planning to introduce legislation to provide long-overdue accountability and essential due process protections for those who work with delinquent children and students by establishing specific timelines for appeals for indicated cases of abuse. My legislation will also contain provisions to deter this type of behavior by creating legal repercussions for individuals who intentionally and knowingly make false reports of abuse against staff or employees of juvenile detention centers or PRRIs. Finally, my legislation will establish a subfile within the Statewide Registry of those who have been found guilty of intentionally filing a false report, along with the named child involved in the report. As written, this provision will provide investigating agents with a tool to determine whether the person or child is a repeat offender of making intentionally false claims of child abuse while maintaining confidentiality of its content.

If you would like to join me in sponsoring this legislation, please contact Linda Kauffman at 7-1350 or lkauffman@pasen.gov.