

Says she was ordered to get abortion

## Mother impregnated by caseworker sues

### Federal complaint names 2 state agencies, child's father as defendants

By [Crocker Stephenson](#) of the Journal Sentinel

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A child welfare worker who impregnated an emotionally troubled woman he had investigated for child abuse ordered the woman to get an abortion or she would lose everything, according to a lawsuit filed Monday in federal court and an interview with the woman's attorney.

"He said, 'If I have to lose everything, then you have to lose everything too,'" the attorney, Joy Bertrand, quoted the woman as saying.

The woman - Theola Nealy - refused to have an abortion.

Within weeks, Nealy's two children - a daughter then 5 years old and a 3-year-old son - were taken into state custody. Years later, those children have not been returned.

And the baby fathered by the caseworker - now almost 3 years old - continues to live with her father, Peter J. Nelsen.

"Nelsen was assigned to protect the most vulnerable among us, and he preyed upon them," Bertrand said.

Nealy's story was brought to light by an article in the Journal Sentinel in August 2009.

"Everything that I love is gone," Nealy told the paper at the time.

Neither Nelsen nor Nealy could be reached on Monday.

According to the federal complaint, Nelsen was assigned by the state-run Bureau of Milwaukee Child Welfare to investigate an allegation of abuse involving Nealy's two children during the summer of 2007. Nelsen concluded the allegation could not be substantiated.

The bureau received another allegation later that summer. Although another bureau social worker initially was assigned to investigate, Nelsen told Nealy that he had taken over the case and that "he would handle it," the complaint says. Nelsen again concluded that the allegation could not be substantiated.

But after the abuse allegations had been resolved, the complaint says, Nelsen continued to visit Nealy's home. The visits became daily. The complaint quotes Nelsen telling Nealy, "I know everything about you," and "I've read your entire file."

Nelsen, a 12-year veteran of the bureau, told Nealy he had the power to arrest parents suspected of abuse or neglect, the complaint says.

Nelsen had sexual intercourse with Nealy three times during the fall of 2007, and Nealy became pregnant, the complaint says.

"Ms. Nealy was coerced into having sex with Nelsen, due to the control he had over her children's custody and placement," the complaint says.

Nealy discovered she was pregnant in November of that year.

According to the complaint, Nelsen demanded she get an abortion. The complaint quotes Nealy telling Nelsen, "I'm not going to kill my baby."

"Within weeks of Ms. Nealy refusing to abort her child," the complaint says, "Milwaukee police officers and BMCW social workers seized her two children."

In April 2008, before the child was born, Nealy told her Wisconsin Works caseworker that her "social worker" had impregnated her and gave the caseworker Nelsen's name, the complaint says.

Wisconsin Works provides financial support to parents with dependent children. Both Wisconsin Works and the bureau are administered by the state Department of Children and Families and, according to the complaint, the agencies share data and information.

Nonetheless, the complaint says, bureau caseworkers remained assigned to Nealy's case as it made its way through Children's Court.

The complaint alleges that bureau caseworkers "attempted to intimidate (Nealy) from complaining about Nelsen's conduct, by threatening to terminate her parental rights."

Once the child was born, the complaint says, Nelsen unilaterally decided to keep the girl.

"When Ms. Nealy begged Nelsen for the return of her child," the complaint says, "Nelsen replied, 'You don't need to have her,' and, 'You have to do what I say.'"

Nelsen resigned from the bureau in April 2009, about eight months after the infant was born.

A few days after the Journal Sentinel story ran that August, the complaint says, three bureau social workers went to Nealy's home.

"They demanded to know why she was causing trouble and demanded that she 'drop the case' against Nelsen," the complaint says.

The complaint seeks unspecified damages against Nelsen, the bureau and the DCF.

A statement emailed from a DCF spokeswoman Monday said the department had not yet received the

lawsuit.

"The actions of Mr. Nelsen are completely unacceptable," the statement says.

The statement also says that "the Department immediately took action to terminate his employment when his inappropriate behavior was discovered."

But though the DCF was required to report Nelsen's behavior in a timely fashion to the state licensing board, a subsequent investigation by the Journal Sentinel found that it did not do so until after it was contacted by the paper.

Nelsen's social work license was at last revoked in September 2009.

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