

# WI Act 185

## Overview and Update

WCA Annual Conference

September 24, 2018

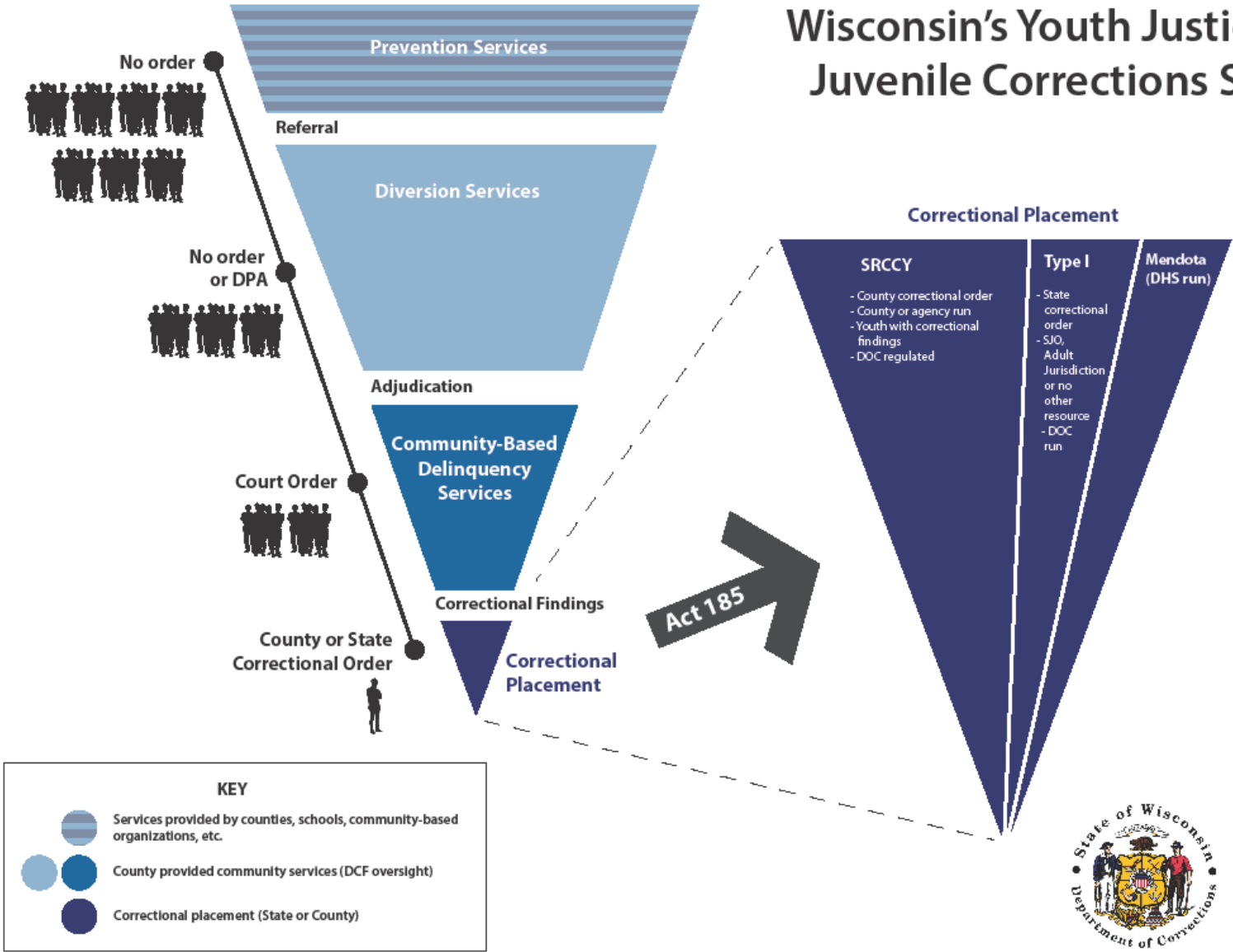
# *Presentation Objectives*

- Major Provisions of Act 185
- Areas of Responsibility
- Input Gathering Update
- Questions/Discussion

# *Major Provisions of Act 185*

- Establish new DOC-operated Type 1 facilities for Serious Juvenile Offender (SJO) dispositions and adult convictions
- Establish county and/or tribal Secure Residential Care Centers for Children and Youth (SRCCs) for non-SJO juvenile correctional placements
- Expand DHS's MJTC by at least 29 beds
- Convert CLS/LHS to an adult correctional facility

# Wisconsin's Youth Justice and Juvenile Corrections System



# *Major Provisions of Act 185*

## Funding:

- \$25 million for DOC Type 1 facilities
- \$15 million for MJTC expansion
- \$40 million grant program for SRCCs
  - 95% of design and construction/renovation costs (100% for female facilities)
- Joint Committee on Finance approval required
- Youth Aids
  - Can be used for basic care and supervision costs in detention
  - Bonus payment of 15%, up to \$750,000, for counties that operate a joint SRCC

# *Major Provisions of Act 185*

## Changes of Placement and Transfers:

- Change of placement from SRCC to DOC Type 1 facility
  - Court ordered
  - SRCC is unable to meet treatment needs and Type 1 facility is able to, or
  - County does not have SRCC space available and no other SRCC is willing and able to meet treatment needs.
  - Supervision transfers to DOC
- Transfers between SRCCs
  - By contract between the county and the operating entity
  - Supervision remains with placing county
- Transfers from Type 1 to SRCC
  - By contract between DOC and the operating entity
  - Supervision remains with DOC
- Change of placement from SRCC to MJTC
  - Court order and DHS recommendation required

# *Major Provisions of Act 185*

## Detention:

- Limited grandfathering provisions for existing long-term programs
- No other detention placements for more than 30 days
- If awarded an SRCC grant, must convert to an SRCC by January 1, 2021

# *Major Provisions of Act 185*

Creates two committees:

- Juvenile Corrections Study Committee (JCSC)
- Juvenile Corrections Grant Committee (JCGC)



# *Major Provisions of Act 185*

## Juvenile Corrections Study Committee (JCSC):

- Secretaries or designees of DOC and DCF (co-chairs)
- Secretary of DHS or designee
- DPI superintendent or designee
- State public defender or designee
- Three assembly representatives and three senators
- Two judges, two district attorneys, and two law enforcement
- One organization focused on eliminating race-based discrimination
- One nonprofit focused on issues relating to juvenile justice
- One nonprofit focused on best practices for holding juveniles in secure custody
- Three county representatives (human or social services department)
- County with the highest percentage of juveniles under state or county supervision under chapter 938
- County that operates a regional juvenile detention center that is an eligible juvenile detention facility
- Another county
- One resident who has been, or has had a close family member who has been, under the supervision of DOC under Chapter 938
- One sheriff

# *Major Provisions of Act 185*

## Juvenile Corrections Grant Committee (JCGC)

- Governor or designee
- Secretaries or designees of DOC and DCF
- Three assembly representatives and three senators
- One nonprofit focused on best practices for holding juveniles in secure custody

# *Major Provisions of Act 185*

## Juvenile Corrections Study Committee (JCSC)

- Recommendations to DOC on permanent administrative rule sections on SRCC programming and services
- Recommendations to DOC on location of new Type 1 facilities

## Juvenile Corrections Grant Committee (JCGC)

- Establish requirements, guidelines, and criteria for SRCC grants
- Review applications; recommend a statewide plan for approval to the Joint Committee on Finance
- Oversee the progress of projects funded by the grants

# *Major Provisions of Act 185*

## Selected Key Dates:

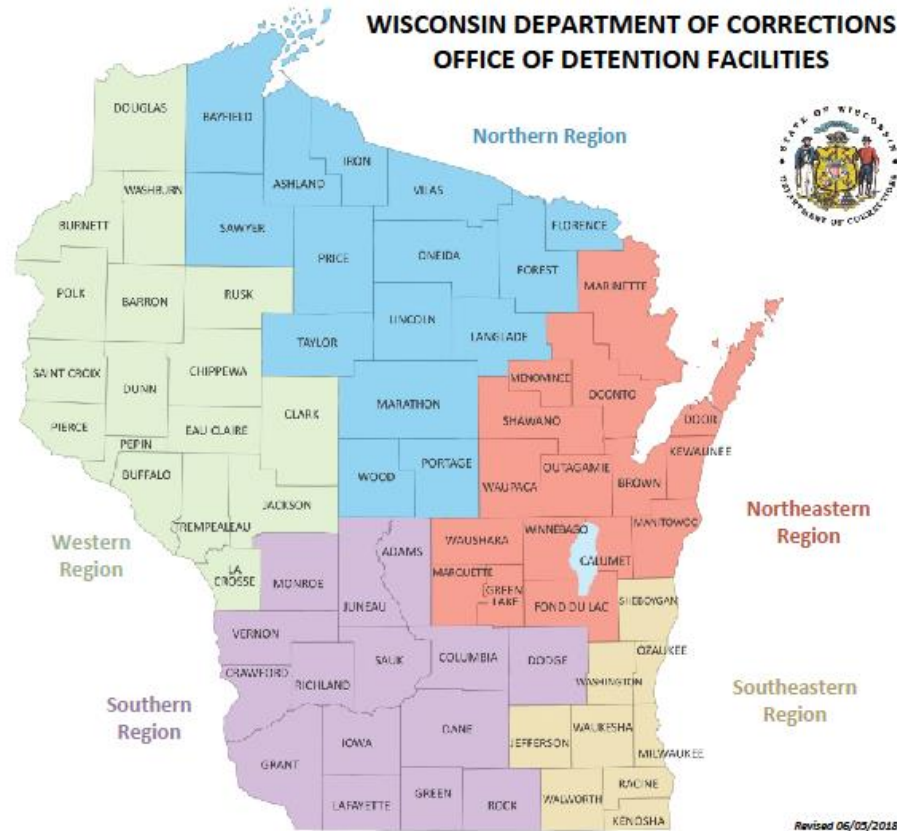
<b>September 1, 2018</b>	JCSC recommendations for SRCC services and programming to DOC
<b>November 1, 2018</b>	JCSC recommendations for Type 1 facility locations to DOC
<b>December 31, 2018</b>	Emergency rule for SRCCs in effect
<b>March 31, 2019</b>	SRCC grant applications due to JCGC
<b>July 1, 2019</b>	JCGC submits plan to Joint Committee on Finance
<b>January 1, 2021</b>	Youth transferred from CLS/LHS to new Type 1 facilities and SRCCs

# *Areas of Responsibility*

## DOC – Office of Detention Facilities (ODF)

- Promulgate administrative rule for SRCCs
  - Programming and services
  - Standards for design, construction, maintenance
- Regulate and provide oversight of SRCCs

# DOC –Office of Detention Facilities (ODF)



## Western Region

**Brad Hoover**

770 Technology Way, Suite 500  
Chippewa Falls, WI 54729-4516  
(715) 738-3009  
(715) 498-1962 (Cell)  
(715) 738-3029 (Fax)

## Southern Region

**Nathan White**

3099 E. Washington Ave.  
Madison, WI 53704-4338  
(608) 240-5050  
(608) 576-1694 (Cell)  
(608) 240-3305 (Fax)

## Northern Region

**Heidi Mellenberger**

327 N. 17<sup>th</sup> Ave., Suite 101  
Wausau, WI 54401  
(715) 261-2238  
(608) 279-1995 (Cell)  
(715) 359-6047 (Fax)

## Director

**Kristi Dietz**

3099 E. Washington Ave.  
Madison, WI 53704-4338  
(608) 240-5052  
(608) 516-0891 (Cell)  
(608) 240-3305 (Fax)

## Northeastern Region

**Nancy Thelen**

39 S. Marr Street  
Fond du Lac, WI 54935  
(920) 450-0842 (Cell)  
(920) 929-3284 (Fax)

## Southeastern Region

**Greg Bucholtz**

819 N. Sixth Street, Room 128  
Milwaukee, WI 53203-1675  
(414) 227-3997  
(414) 852-6531 (Cell)  
(414) 220-5232 (Fax)

# *DOC –Office of Detention Facilities (ODF)*

The Department of Corrections' Office of Detention Facilities (ODF) has statutory authority, in accordance with **Wis. Stats. §301.37**, for the regulation and oversight of local detention facilities including:

- County Jails – (76 facilities)
- Houses of Correction – (1 )
- Secure Juvenile Detention Facilities – (13)
- Unlocked Huber Facilities – (2)
- Municipal Lockups – (51)
- Secure Residential Care Center for Children & Youth**

Through the Office of Detention Facilities, the Department establishes reasonable standards for:

- Design
- Construction
- Repair
- Maintenance
- Operation
- Management

ODF Team (6.5 FTE):

- Conduct annual inspections of each facility;
- Provide technical assistance to local jurisdictions;
- Training to facility staff;
- Coordinate a variety of efforts to assist sheriffs, jail administrators, superintendents, police chiefs and other local officials in the operation and management of their facilities.

ODF works to message nationally recognized correctional best practices and applicable state and federal statutes that are specific to detention in an effort to mitigate risk and reduce liability, which directly contributes to safer and more secure facilities. Managing and operating safe and secure facilities promotes safer Wisconsin communities and more successful offender reentry.

# *Areas of Responsibility*

## DOC – Division of Juvenile Corrections (DJC)

- Establish and operate Type 1 juvenile correctional facilities
- Include operating costs in the agency's 2019-21 budget request



# *Areas of Responsibility*

## Department of Health Services (DHS)

- Mendota Juvenile Treatment Center expansion
- Include operating costs in the agency's 2019-21 budget request

# *Areas of Responsibility*

## Department of Children and Families (DCF)

- Maintain responsibility for state oversight of the community-based youth justice system, including Youth Aids funding.

# *Areas of Responsibility*

## Counties and Tribes:

- Establish and operate (or contract for) SRCCs
  - May be individual, joint, or contracted (with another county/tribe or a child welfare agency)
- Supervise youth on correctional placements under 938.34(4m)

# *Informational Sessions*

- Attended and/or presented at various stakeholder group meetings starting in the spring.
- Focus on understanding the basic provisions of the Act; next steps in implementation; questions about the Act; and gathering general input to guide future work.
- Additional meetings and sessions being scheduled.

# *Input Gathering Sessions*

- 4 public input gathering sessions
  - Green Bay
  - Waukesha
  - Eau Claire
  - Milwaukee—In partnership with Youth Justice Milwaukee
- Comments submitted via the website
- Input submitted by committee members
- Feedback from youth
- Over 200 people (either in person or written)
- At least 32 counties

*Input Gathering Process is Ongoing*

# Input Gathering Questions

1. System-Level – Placements: How can the Youth Justice system best promote the most appropriate placements of youth?
2. SRCC - Programming and Services: What requirements for programming and services should be included in SRCC administrative code?
3. SRCC – Other Administrative Code Requirements: In addition to programming and services, what requirements should be included in administrative code?
4. SRCC Grant Applications: Please provide input on the SRCC grant application process.

# Input Gathering Questions

5. Type 1 Facilities – Location: What factors should be considered in determining the locations and capacities of Type 1 facilities?

6. Type 1 Facilities – Programming and Services: What programming and services should be provided at the DOC Type 1 facilities?

7. Data Collection: What data should be collected and reported by SRCCs and Type 1 facilities?

8. Other Topics for Input: What input, in addition to the topics specified, would you like to provide to the committees and departments charged with implementation of Act 185?

*Questions*

*Discussion*