

COUNTY OF MILWAUKEE
Inter-Office Communication

DATE: April 29, 2016

TO: Sup. Theodore Lipscomb, Sr., Chairman – Milwaukee County Board of Supervisors

FROM: Héctor Colón, Director, Department of Health and Human Services
Prepared by: Mark Mertens, Delinquency and Court Services Administrator

SUBJECT: **An informational report from the Director, Department of Health and Human Services, providing an update on the Juvenile Detention Center in the Delinquency and Court Services Division**

Background

The Delinquency and Court Services Division (DCSD) Juvenile Detention Center has been experiencing a staffing shortage and a youth census above capacity in the facility as discussed in detail in the Inter-Office Communication, DHHS Juvenile Detention Center Update, dated April 18, 2016. This informational report provides an update to the action items provided in that memo below.

Discussion

Overcrowding in the Juvenile Detention Center

The Juvenile Detention Center continues to experience an increased average daily census compared to before the issues at Lincoln Hills surfaced. Although the current census is below the 120-bed capacity at 115 (as of 4/26), it is 24 percent higher compared to the same time last year. In addition, the census has exceeded capacity several times since January as shown in the chart below. At its peak, census reached 135. In addition, the average length of stay has increased for youth in detention and for those with extensions since the fourth quarter of 2015.

The Department of Corrections (DOC) crisis that was brought to Milwaukee County's attention in November had a direct impact on the number of youth placed in detention because youth for whom we are contesting Lincoln Hills' extension petitions stay longer in detention while awaiting resolution.

<i>Census Reached Excess Capacity</i>	<i># of Instances</i>
January	5
February	2
March	18
April	8
<i>Youth in Detention</i>	<i>Average Length of Stay (days)</i>
4th Q 2015	15.7
1st Q 2016	17.1
	<i># of Admissions</i>
4th Q 2015	461
1st Q 2016	520
<i>Lincoln Hills' Extension Petitions</i>	<i>Ave Length of Stay (days)</i>
3 rd Q 2015	5.8
4th Q 2015	20
1st Q 2016	21.2

In response to this increased volume, DCSD has implemented the following measures:

1. Identifying youth for immediate release

Programming options include, but are not limited to, the Level II with optional Global Positioning System (GPS) Program, Group Care and Shelter Care. The Level II with optional GPS program is for primarily pre-dispositional youth who are pending a delinquency petition as an alternative to secure detention. The youth referred to this program are alleged delinquent and are not an immediate risk to the community but need additional support and supervision. DCSD submitted a report in this cycle seeking approval to increase an existing contract with Southwest Key to provide 10 additional slots for Level II services.

Temporarily, DCSD has requested the judiciary refrain from the sanctioning of youth to detention during periods of overcrowding. Rather, staff is utilizing available detention alternative programming such as the Saturday Alternative Sanctions Program or the Evening Report Center. Further, DCSD continues to coordinate with Wraparound Milwaukee to transition Wraparound-enrolled youth to community-based alternatives in a more timely and efficient manner. DCSD is also reviewing any youth placed in detention on a Child in Need of Protection & Services (CHIPS) order to ensure that they are not being held beyond their court order and that all resources are being utilized for the youth.

2. Case Processing Committee

DCSD intends to create a case processing committee to include DCSD staff and various stakeholders, such as members of the judiciary, District Attorney's and Public Defenders office. The purpose of this workgroup would be to evaluate case processing operations with the goal of decreasing the amount of time between referral and intake to DCSD and disposition and ensure that youth are not staying in detention longer than necessary.

3. Possibility of Racine Detention Facility for Overflow Youth

Finally, DCSD is collaborating with Racine County Detention for a Memorandum of Understanding (MOU) for overflow placement of Milwaukee youth. This MOU will be in effect through 2016 and will allow the placement of Milwaukee youth in Racine Detention only as a last resort placement. DCSD views this option as a temporary measure and is committed to keeping youth in their own communities. The MOU is currently being reviewed by Racine County and once signed, the MOU will be routed for review and signature in Milwaukee County.

Staffing

The juvenile detention center has been experiencing a significant staffing shortage. The number of Juvenile Correctional Officer (JCO) vacancies increased as more staff were needed in January 2016 with the opening of a second pod for the Milwaukee County Accountability Program (MCAP), which serves as an alternative to placement in DOC. We needed to ramp up staffing to accommodate the operation of all seven pods, but because of the impact of the Lincoln Hills crisis, detention census rose at a dramatically faster rate than recruitment. As described above, the average length of stay for youth awaiting resolution on DOC extension petitions increased to over 20 days as compared to stays of less than 6 days prior to the crisis. The number of admissions to detention also increased during this period.

Staffing the JCO position historically has been difficult because it is an entry-level position with high caregiver standards. In our last recruiting round, we hired only 2 individuals for the JCO position out of 200 applicants.

Addressing the current staffing shortage in the Detention Center continues to be one of the highest priorities for the department. DCSD is working very closely with Human Resources to expedite the hiring of vacant Juvenile Correctional Officer (JCO) positions. As of April 27, there were 50 filled JCO positions which leaves 19.5 JCO vacancies.

1. Expedite the hiring process for JCOs

The status on the hire of new employees is described below:

- Two new JCOs hired & will start May 9
- Five additional JCO contingent offers were made with a May 9 start

- 13 JCO applicants to be interviewed by end of April
- 44 additional applicants passed the civil service exam
 - 29 of the 44 passed the caregiver background check & will have interviews scheduled shortly
- HR reopened the JCO position for recruitment until May 9 with a testing date scheduled for May 27
- A vacant Administrative Assistant is being filled to support the Detention Center

2. Fill open shifts with temporary volunteer workers

Further, DCSD has adopted the following temporary emergency measures pending the hire of additional permanent employees:

- 17 DCSD employees volunteered to work rotating shifts to staff the Detention Center. These staff are in the process of being trained and are receiving their TB tests and physicals.
- HR is reaching out to local educational institutes with criminal justice programs, such as Marquette, University Wisconsin-Milwaukee and MATC to offer part-time employment opportunities for students interested in working as a JCO while in school.

Although DCSD has made strides in improving coverage of the Detention Center by accelerating the hiring process as well as implementing temporary emergency measures, the consistent availability and retention of its permanent JCO workforce remain a challenge. Of the 50 filled positions, 10 are not currently available to work – one is suspended and nine are not working due to worker's compensation claims or Family Medical Leave Act (FMLA). Another seven employees are under intermittent FMLA.

Lapses in Educational Programming

DCSD experienced a reduction in school programming for all of the detention population from April 4 to April 21, 2016 due to mandatory re-certification training of JCOs. This training reduced the number of JCOs that were available to cover the morning shift for a full day of school programming. School was held on the living unit for each pod, teaching half of the youth on the pod in the morning and the other half in the afternoon. Full-time school programming resumed on April 22, 2016 and there is not expected to be any additional disruptions in education or programming.

1. Contingency plans to maintain school and programming

The DCSD Administrator and the Interim Superintendent of the juvenile detention center will create a written contingency plan for maintaining school and programming for youth during periods of increased census. This plan can include creative solutions, such as holding school at different times or using different sides of the day room to work with different youth simultaneously.

2. Increased oversight of MCAP programming in detention

DCSD management staff (HSW Supervisor and the Administrative Coordinator) have increased their visibility and oversight of services provided to MCAP youth in the detention center. They have increased the frequency of MCAP staffs to once per week and are working on a revising a policy and procedure document clarifying roles and responsibilities of staff.

Communication and Partnership

1. Daily program reports

The DHHS Chief Operations Officer has instituted a daily check-in call with the DCSD Administrator, Interim Detention Superintendent and Human Resources to gather information and discuss current status of plans related to census, staffing, and programming. In addition, as of April 22, 2016 a daily email is sent to over 20 system stakeholders providing an update on detention census, mandated shifts, leaves, volunteers, recruiting, school and programming, and other action items. These activities will continue as long as needed so that all involved parties are up to date and can act on current information.

DCSD has also prepared a new report entitled, "Population Report-Juvenile Detention Alternative Initiatives (JDAI)." This report will be discussed with the Children's Court judges by DCSD prior to its distribution. This Population Report-JDAI report includes information on the number of youth and average length of stay in detention for each branch. The report also includes the Youth's Name, Race/Ethnicity, Gender, Admission Date, HSW Name, Special Detention Information, Next Court Date, last Court Date, Length of Stay, DRAI Score, Reason for Detention from DRAI and Most Serious Offense from DRAI.

2. Monthly stakeholder meetings

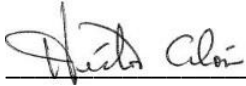
In addition, the DCSD Administrator has contacted the Chief Judge to discuss the monthly stakeholder meetings and the initial meeting is in the process of being scheduled with all stakeholders including judiciary, members of the Public Defender's and District Attorney's offices. The DCSD Daily Program Report continues to be shared with the judiciary, District Attorney and Public Defender's offices on a daily basis. Among the topics to be discussed include case processing, communication among stakeholders, alternatives to corrections placements, information sharing, cross training, and program reviews and updates.

3. System for monitoring and reporting vacancies

DHHS will collaborate with HR to develop a system with staffing data with alert levels: e.g. communication at 10% vacancy staff, HR and management, over 15% staff, courts, management and HR, over 20% "all hands on deck" action plan. As a part of this system, we will work with HR to develop an FMLA calendar to help track and anticipate when staff will be able to return to work.

Recommendation

This report is informational and no action is required.



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