

COUNTY OF MILWAUKEE
Department of Health and Human Services
INTER-OFFICE COMMUNICATION

DATE: June 19, 2012

TO: Marina Dimitrijevic, Chairwoman, Milwaukee County Board of Supervisors

FROM: Héctor Colón, Director, Department of Health and Human Services
Prepared by B. Thomas Wanta, Interim Administrator/Chief Intake Officer – DCSD

SUBJECT: Report from the Director, Department of Health and Human Services, Requesting Authorization to use the Juvenile Detention Facility as a Short-Term Dispositional Placement as Allowed by State Statutes

Issue

In March 2012, the Department of Health and Human Service (DHHS) - Delinquency and Court Services Division (DCSD) submitted an informational report to the Board related to the status of regional considerations for short-term secure placement options. The Director, DHHS, is now returning to the Board to request authorization to implement a short-term secure placement program within the Milwaukee County Secure Detention Center - juvenile facility as a dispositional placement option for the circuit courts.

Background

The 2011 – 2013 State Budget (Act 32) contains statutory language changes that would allow a juvenile court the ability to place a youth in a local secure detention facility for a period of up to 180 days, if authorized by a county board of supervisors. Prior to Act 32, the juvenile court was limited to a period of up to 30 days, if authorized by a county board of supervisors. In addition to county board approval, placement of a youth adjudicated delinquent in a local secure detention facility beyond 30 days “...the county department shall offer the juvenile alcohol or other drug abuse treatment, counseling, and education services...” as required by the newly created statutory language.

State-wide, and consistent with many national trends, the juvenile justice system has experienced a continuous decline in delinquency referrals. Milwaukee County has seen a decrease in police referrals of approximately 50% since 2000. State Juvenile Correctional placements have decreased State-wide to the point that the State officially closed both the State juvenile correctional facilities operated in Southeastern Wisconsin in July 2011. All secure correctional placements now result in youth being placed at facilities in Irma, Wisconsin. Concurrently, locally operated secure detention facilities have experienced similar trends in their average daily populations as recently highlighted in a Public Policy Forum Research Brief.¹ In 2006, the average daily population for the Milwaukee Juvenile Detention facility was 102 compared to an average daily population of 88 in 2011.

¹ Milwaukee County Detainee Populations at Historic Lows; Public Policy Forum, <http://www.publicpolicyforum.org/pdfs/MilwaukeeCountyDetentionBrief>.

This changing population environment and the recent changes contained in Act 32 have resulted in increasing discussion involving the ability to sustain local detention center operations in light of fiscal challenges and emerging alternatives for repurposing such facilities. For example, La Crosse County has recently started a short-term detention program in their detention facility. Racine has operated a local secure placement utilizing the Racine juvenile detention center since 2003. It is this program, known as Alternatives to Corrections through Education program (ACE), which created informed the language change that was eventually adopted in Act 32.

As mentioned in previous reports, it is important to note that any short-term local secure option is really just one of three important phases – Secure Placement, Transition and Reentry. A key best practice to any removal from the community is that reentry planning begins at the time of initial placement. The primary reasons driving this decision are:

- All youth will return to their community necessitating continued and uninterrupted involvement and support
- Maintaining local control and proximity to community and family members
- Improved reentry service capacity by using local providers and reach-in services
- Maintaining local school systems for educational programming continuity
- Leveraging of existing resources and access to other revenue streams
- Reduction of risk potential associated with trial visits
- Improved oversight of entire service provision, including placement through reentry.

Discussion

In 2010, DCSD experienced 138 youth that were placed in State Corrections. This does not include another 13 youth that were deemed Serious Juvenile Offenders (SJO). As originally conceived in 2009, this alternative option would target non-SJO youth who are at risk for State Corrections and did not have a re-offense. In 2010, this subpopulation represented 28% (n=39) of the placements. This would result in an average of three youth per month if all youth we deemed appropriate for this placement option.

DCSD feels strongly that only those youth identified as “high risk” should be included in the program. The challenge of any alternative program design is ensuring that the proper controls are in place so that only appropriate placements are made, given the intent and design of the program. To determine risk levels for potential youth referred to the program, we will use the Youth Assessment and Screening Instrument (YASI), DCSD’s new validated risk assessment instrument that identifies criminogenic needs as well as protective factors. The Division recently trained all intake and probation staff in the YASI and began implementation of the YASI in May 2012.

DCSD has taken many steps in preparation of implementing a Milwaukee secure-detention option, including:

- Filling vacant funded Human Service Worker positions (anticipated by August 2012)

and a Human Service Worker supervisor position (anticipated July 2012)

- Training staff and community providers in Cognitive Programming and Intervention practices
- Continuing efforts to implement YASI to ensure proper assessment/target population control.
- Considering expansion of Targeted Monitoring Program and or explore electronic monitoring as needed to ensure proper reentry supervision

The key components of the short-term dispositional placement program include:

- Education
- Targeted Monitoring
- Cognitive Programming and Intervention
- Restorative Justice
- Individual AODA Services
- Family Counseling
- Electronic Monitoring

Attachment A provides greater detail about proposed educational programming to be provided by Wauwatosa School District within the detention center. Attachment B provides an overview of the proposed Targeted Monitoring services and Cognitive Programming and Intervention services to be provided by Running Rebels Community Organization.

As described above, youth who continue to present problematic behaviors resulting in a return to court and have already been found to be in need of more restrictive care would be targeted for the pilot. As an alternative to placement with State Corrections, youth would be placed in the secure detention facility for a period not to exceed five months with judicial progress review every 60 days. Services would be delivered based on an individualized case, integrating areas identified through the youth's assessment. To the extent possible, services will be provided that will also continue during transition and reentry to the community. In the event that a youth is in need of a more graduated transition, an existing alternative placement may be utilized. DCSD is also recommending that electronic monitoring is provided as a means of mitigating risk and ensuring public safety. Lastly, DCSD, through emerging information sharing collaborations with law enforcement would work in partnership to ensure all reasonable measures are taken to ensure public safety and success.

In order to fully support these efforts and promote success, DCSD will explore additional technical assistance and, possibly, professional services funding, resulting in improved systems planning and outcomes. Bringing in experts can help jumpstart and maintain momentum as well as provide lessons learned from other jurisdictions including change action planning, layered staff and provider training and system quality improvement efforts.

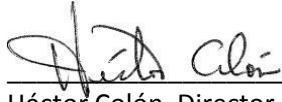
Recommendation

It is recommended that the County Board of Supervisors authorize the Circuit Courts the ability to place a youth in the Milwaukee County Secure Detention Center facility for a period of up to

180 days.

Fiscal Impact

This initiative has the potential to save funds in the future by avoiding costly State Corrections placements. Due to the nature of the pilot and some upfront investments, DHHS is anticipating no tax levy impact for 2012. A fiscal note form is attached.



Héctor Colón, Director
Department of Health and Human Services

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