

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 plans to expand local alternatives to State corrections**

Background

Since December 2015, key partners, including the County Executive, Chief Judge, District Attorney, Public Defender, Department of Health and Human Services (DHHS) Director, Delinquency and Court Services Division Administrator, Wraparound Milwaukee Director and other involved parties have been meeting to formulate a plan to address the crisis at Lincoln Hills and Copper Lake and ensure the safety of youth. The first step in the plan was to immediately increase staffing capacity to expand the Milwaukee County Accountability Program (MCAP) to 24 beds within the Juvenile Detention Center and to monitor and assess all youth in Lincoln Hills, Copper Lake, and the Mendota Juvenile Treatment Center for needs and any appropriate alternative placements and services in the community. Further plans are detailed below.

Discussion

New commitments of Milwaukee County juveniles to the Department of Corrections (DOC) centers of Lincoln Hills, Copper Lake and the Mendota Juvenile Treatment Center have declined steadily since the beginning of this year.

Month	Number of New Commitments
January	3
February	8
March	6
April (as of 4/25)	4

Assessment and Placement Options of Lincoln Hills/Copper Lake/Mendota Juvenile Treatment Center Youth

On March 1, Wraparound Milwaukee and DCSD Human Services Worker (HSW) staff began working with youth held at Lincoln Hills, Copper Lake, and Mendota Juvenile Treatment Center. Since that time,

they received training and then began traveling on a bi-monthly basis to visit the youth at each location and to participate in all Office of Juvenile Offender Review staffings. They are also working to engage the family in the development of the plans that we will be submitting. The family may have additional resources or support that will enhance the plan. All information from DOC is shared with the family.

So far, a total of 150 youth have been screened by Wraparound Milwaukee staff. DCSD will continue to work with Wraparound to have youth assessed as needed or when a youth is newly committed to a DOC facility.

Children's Court has granted five revisions that were filed seeking removal of the DOC order and allowing placement of youth with DCSD. A total of seven revisions seeking removal of the DOC order were either denied, dismissed or withdrawn. This will be an ongoing process as new petitions for revision and extension of DOC orders are received. Currently, another five revision petitions are pending before Children's Court.

All youth committed to DOC since November 2015 have been assigned to a Milwaukee County reentry program. Return to Success or Wraparound Re-Entry are providing services to these youth in accordance to case plans developed by DOC and include transition planning with an emphasis on family involvement.

DCSD receives an active client list from DOC identifying placements for youth on DOC orders twice a month on varying dates. Since March 4, 2016, the census at Lincoln Hills has increased by six, the census at Copper Lake has decreased by one, and the census at Mendota Juvenile Treatment Center has decreased by three. The total number of youth at all facilities from March 4, 2016 to April 19, 2016 has increased by two. This reflects youth under a Serious Juvenile Offender (SJO) order or a regular DOC order. A SJO order has the youth placed at the facility for three years with two years of aftercare for a five-year sentence. A regular DOC order places the youth at the facility for up to two years. These youth may be released before that time by the Office of Juvenile Offender Review (OJOR) to provide for aftercare in the community.

Please see the chart below:

Location	March 4 Regular DOC Order	March 4 SJO	Total March 4	April 19 Regular DOC Order	April 19 SJO	Total April 19	Change March 4 to April 19
Lincoln Hills (boys)	78	36	114	87	33	120	+6
Copper Lake (girls)	10	2	12	10	1	11	-1
Mendota (boys)	6	1	7	3	1	4	-3
Subtotal	94	39	133	100	35	135	+2

As of April 19, 2016, there are a total of 85 youth on State Aftercare in the community. Milwaukee County had previously not been in contact with State Aftercare agents. We are working with DOC to schedule a date to meet the agents and learn about the programs/services they provide in the community for our youth. The Human Service Workers have made their initial focus on youth in the institutions and developing alternative plans to return them to the community.

Creation of an Alternative Facility/Expansion of the Milwaukee County Accountability Program (MCAP)

The Milwaukee County Accountability Program (MCAP) has proven to be a promising alternative to DOC placement and as such, Milwaukee County's plan has been to expand this program in our community. In the short-term, the program was expanded in the secure detention center from 12 beds to 24 beds in January 2016 upon the opening of a second pod.

DCSD was proceeding with plans to increase program capacity of the MCAP program by 44 beds through renovating an existing building on the County Grounds as a secure residential care center in the community. Following a series of communications with the Department of Children and Families (DCF) and the Department of Corrections (DOC), it was recently determined that this was not a viable option because a "secure residential care center" does not currently exist in Wisconsin as there is no current administrative code detailing the specifications of such a facility. DOC Administrative Code 346 only applies to a "secure detention facility or a County jail," while DCF Administrative Code 52 does not apply to "secure residential care centers."

The Milwaukee County Executive and DHHS Director had requested in a March 10, 2016 letter to the Governor and the Secretaries of the DOC and DCF that the State consider a pilot secure residential center in Milwaukee County until such time as specifications are established either under DOC Administrative Code 346 or DCF Administrative Code 52. However, in a conference call on April 11, 2016 with the Secretaries of DCF and DCF, DHHS/DCSD was informed that the pilot was not possible without the necessary administrative code. The emergency rule process for pursuing a secure residential care center was also discussed, but was advised against given the long process to get approval and the limited amount of time such a rule could be in effect.

Further, after a tour of the House of Corrections in March, it was ruled out as a site for juvenile programming due to the bunkhouse layout of the pod (modifications would be expensive and would result in a significant reduction in capacity).

The most viable option available appears to be to explore the possibility of a Type 2 residential care center. A Type 2 facility is an "institution without walls," meaning that a youth living in the community in a Type 2 status may be returned to or placed in a Type 1 facility (juvenile correctional institution) without an administrative or court proceeding. However, much consensus building will be necessary with the judiciary and other system partners before such a facility could be developed. DCSD will engage partners in a discussion about the purpose and criteria for use of this type of placement and determine the optimal capacity to meet the identified need. Such a facility could be used as a "step down" placement from Lincoln Hills or the MCAP program, which could serve to shorten the length of stay in secure confinement. It could also be a regular placement type to meet the level of service needs and risk of an identified segment of youth based on specific criteria. These options will be explored further with our local stakeholders.

Ongoing discussion with the Annie E. Casey Foundation

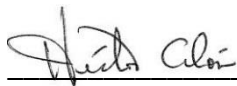
On April 21, DHHS/DCSD met with the Juvenile Justice Strategy Group of the Annie E. Casey Foundation to request their technical assistance with the "deep end" of Milwaukee County's Juvenile Justice

System. Deep end placements refer to the small number of youth who are determined to pose the highest public safety risk. The meeting included representatives from the judiciary, District Attorney's Office, Public Defender's Office and Wraparound Milwaukee. They also held individual breakout sessions with the participants for additional discussions. They will be meeting to go over the information they received and will get back to us on what the next steps will be. At the same time we are addressing the current crisis, the Annie E. Casey Foundation can provide assistance so that we take a thoughtful approach about how we can achieve our long-term goals and vision for the juvenile justice system in Milwaukee as well as the State of Wisconsin.

DCSD continues to receive support and technical assistance from the Annie E. Casey Foundation in regards to our Juvenile Detention Alternatives Initiative.

Recommendation

This report is informational and no action is required.



Héctor Colón, Director

Department of Health and Human Services

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