

COUNTY OF MILWAUKEE
Inter-Office Communication

DATE: May 22, 2019

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

FROM: Mary Jo Meyers, Director, Department of Health and Human Services
Prepared by: Mark Mertens, Division of Youth & Family Services Administrator

SUBJECT: An informational report from the Director, Department of Health and Human Services, providing an update to Wisconsin Act 185

Background

Over the past few years, the County Executive and Milwaukee County Board have been working with key stakeholders to address the crisis at Lincoln Hills and Copper Lake and have embraced policies surrounding the creation of a local alternative option for Milwaukee County youth to be placed in a safe environment, closer to home.

In March 2018, the Wisconsin State Legislature adopted Act 185 paving the way for the development of local alternatives to Lincoln Hills and Copper Lake. Act 185 directs the closure of Lincoln Hills and Copper Lake for use as youth correctional facilities by January 1, 2021 and authorizes County-operated Secured Residential Care Centers for Children and Youth (SRCCCYs). Under Act 185, the Wisconsin Department of Corrections (DOC) maintains supervision over youth with adult court sentences and youth in the Serious Juvenile Offender Program (SJOP), but the supervision of youth under other correctional placements is now transferred to the counties.

Under the Act, the State Building Commission can authorize up to a total of \$40 million to counties for the planning and construction of these facilities. Eligible construction costs include new construction as well as the renovation of an existing structure. To qualify for the funds, counties must submit grant applications to the Juvenile Corrections Grant Committee in DOC by March 31, 2019. In March, the County Board approved the submittal of Milwaukee County's application (File No. 19-236) and DHHS submitted its application by the deadline.

As part of its efforts to keep policymakers informed as the project evolves, DHHS has been providing monthly informational updates to the County Board.

Discussion

State DOC Grants Committee

Even though the legislative deadline for submittal of the application was March 31, 2019, the DOC had not yet developed an application for counties to complete and allowed counties in the interim to submit a letter of interest. A total of six counties submitted a letter of interest. Milwaukee County stood alone in submitting its letter along with a full grant proposal on March 29, complete with program, facility design, location, budget and operating model.

On May 6, the Juvenile Corrections Grant Committee invited counties that submitted letters of interest to present their plans. Milwaukee County's presentation focused on three areas: a) explanation of proposal components submitted in March 2019; b) legislative recommendations; and c) best practice. As part of this presentation, Administrator Mark Mertens requested that the committee consider the following recommendations to ensure a more effective and sustainable youth justice system:

- Revising DOC 347 to allow for smaller, community-based SRCCY programs that could be developed with private providers and community partners. Removing requirements for sally ports, eight-inch thick "detention grade" walls, and other provisions to allow jurisdictions to establish small, local, secure facilities that more effectively meet local need, match the economies of scale, and are more cost effective. Milwaukee County officials have spoken to executives from three private providers whose agencies would be interested in partnerships of this kind. Two could serve Milwaukee, and one could serve central and northern Wisconsin.
- Allow for funding under Act 185 for the expansion of community-based programming aimed at pro-social supports, work force development, and proven family interventions both to prevent youth from penetrating into the deep end of the system and to provide for more robust aftercare for youth returning from a placement.
- Eliminate the label of "Serious Juvenile Offender" or "Serious Juvenile Offender Program" from Chapter 938 and replace it with "youth eligible for extended supervision." Stigmatizing labels only work counter to the mission of rehabilitation and set the stage for harmful disparate treatment.
- Revisit the provision in Act 185 calling for new regional Type I facilities. Youth prisons are dangerous, ineffective, unnecessary, obsolete, wasteful, and inadequate in protecting the community or in rehabilitating our youth. We should end our legacy of abusive youth corrections institutions. In their place, the Department of Corrections should establish regional SRCCYs to serve youth who qualify for extended supervision.

The committee will use recommendations from counties to inform the establishment of its application process and form. In addition, the Grants Committee members were directed to come to the next meeting prepared to talk about their vision for the Wisconsin Model of Juvenile Justice in accordance with *2017 WI Act 185, Section 110(4)(e) which states, "The juvenile corrections grant committee shall develop a statewide plan that recommends which grant applications to approve, based on an overall view toward a Wisconsin Model of Juvenile Justice."*

According to DOC, this statewide model should:

- Be developed in an inclusive manner that incorporates input from youth and families, community stakeholders, mental health and physical health practitioners, experts in juvenile justice and trauma-informed care, and all others who wish to come to contribute to the goal of juvenile justice in Wisconsin.

- Focus on prevention and diversion and provide accountability and services to youth and families in the system that prepares them to thrive (“DCF Youth Justice Vision and Strategic Plan”).
- Recognize that the post-dispositional secure custody of youth (Type 1, MJTC, SRCCCYs) is one component of the broader youth justice system and should only serve youth who require correctional placement.
- Promote a system where the state agencies, county and local providers work together to enhance program effectiveness and minimize duplication of services.
- Prioritize evidence-based practices that serve youth in smaller, regional facilities that are closer to their communities and foster engagement with their families to promote a successful transition home.
- Promote youth and family voice and involvement with a strengths-based, culturally responsive approach.
- Value community engagement and community safety, both in the short term and in the long term.
- Ensure healthy, safe, and fair healthy environments for the youth in secure custody and the staff who serve them, including consideration of racial and ethnic disparities.
- Require that all youth in secure custody receive evidence-based, trauma-informed, and developmentally appropriate programming and services designed to meet their assessed risks and needs.
- Integrate best practices to collect, maintain, and analyze data to assess performance and improve outcomes for youth and families.
- Prioritize the successful and sustained transition for youth from the system immediately upon their entry to prevent and reduce recidivism.
- Recognize and address the often overly aggressive and intrusive requirements of probation. Ensure probation and other monitoring is trauma informed and considers the needs of the youth and their families.

Milwaukee County is currently considering submission options as part of a June 30 submittal. According to a proposed timeline set forth by the Grant Committee, counties have until June 30 to submit a revised proposal based on the application. The application template, however, is still in draft form and is expected to be released sometime after June 3.

Action	Date*
Committee Approves Application for Release to Counties	May 20
County Grant Applications Due	June 30
Grants Committee Reviews Applications	July - September
Grants Committee Submits Recommendations to Joint Finance Committee	October 1

**Please note that this timeframe assumes an adjustment bill (AB188) to Act 185 will be approved by the State Legislature to revise the original timeframe for Act 185.*

Facility Planning

There are no updates on facility planning since the May report to the County Board. A detailed cost estimate was developed for the schematic design and incorporated into the grant application submitted on March 29. Total project cost (including design, site acquisition, construction, furnishings, all fees, services and startup) was estimated at \$41.1 million. This cost is subject to change based on location.

Update on Community Justice Council (CJC)

CJC Executive Committee members took great interest in the DOC Grant Committee process and the amount of funds available to Counties to build SRCCCYs. There was agreement with the recommendations made by Milwaukee County (see below for a list of recommendations).

In addition to concern about the amount of funding available (\$40 million), the Serious Juvenile Offender (SJO) title given to some youth was challenged by several members. This policy usually includes punitive measures as opposed to those focused on youth development and rehabilitative treatment interventions.

John Tuell from the Robert F. Kennedy National Resource Center delivered a presentation about its partnership with DYFS over the past three years. His organization believes Milwaukee is a national leader and is at the forefront of youth justice reform efforts due to our commitment to in-depth priority areas, utilizing implementation science which enables us to translate research into practice, and our ability to measure and track data.

Media Education Plan

Since Act 185 passed, Milwaukee County has received coverage on community conversations and interviews from various media outlets. On several occasions, photos of barbed wire fences and youth in handcuffs as well as terminology that labels and/or demeans young people involved in the justice system have been included in the media.

Kane Communications, contracted by Milwaukee County to lead media relations efforts, has developed a Media Education strategy. Within this strategy is a plan which provides tangible resources to media outlets: a) Image Library of positive youth images, interactions with caregivers and; b) List of Preferred Terms which emphasize people first language; c) Testimonials on the importance of youth justice reform from youth, providers, community members, etc.; and d) list of media contacts.

Our aim is to ensure media outlets have access to accurate information as well as images and terms that portray youth involved in the justice system with dignity.

Recommendation

This report is informational and no action is required.



Mary Jo Meyers, Director
Department of Health and Human Services

- cc: County Executive Chris Abele
Hon. Maxine A. White, Chief Judge
Raisa Koltun, County Executive's Office
County Supervisor Supreme Moore-Omokunde
Steve Cady, Research Director, Comptroller's Office
Joshua Scott, Fiscal & Management Analyst, DAS
Lottie Maxwell-Mitchell, Research & Policy Analyst, Comptroller's Office