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Report from the Director, Department of Health and Human Services, requesting authorization to accept a State of Wisconsin grant award with a required five percent match and execute a use restriction agreement for the Secure Residential Care Center for Children and Youth (SRCCCY) for Children, Youth and Family Services, by recommending adoption of the following:

A RESOLUTION

WHEREAS, over the last several years, the County Executive and Milwaukee County Board of Supervisors have been working with key stakeholders to address the crisis at Lincoln Hills and Copper Lake, youth correctional facilities operated by the State of Wisconsin (the State), and have embraced policies surrounding the creation of a local alternative option for Milwaukee County (the County) youth to be placed in a safe environment, closer to home; and

WHEREAS, in March 2018, the Wisconsin State Legislature (the State Legislature) adopted Act 185 (the Act), which directs the closure of Lincoln Hills and Copper Lake for use as youth correctional facilities, with counties assuming responsibility for operating Secured Residential Care Centers for Children and Youth (SRCCCYs); and

WHEREAS, the mission of the project is to establish a safe, positive, sustainable, and developmentally appropriate treatment environment for youth committed to the County under Section 938.34(4m), State Statutes, that effectively promotes accountability, protects the community, reduces recidivism, and returns youth to our community with the skills needed to become successful and productive citizens; and

WHEREAS, under the Act, the State Building Commission can authorize capital funding to counties for the planning and construction of these facilities, and eligible construction costs include new construction, as well as the renovation of an existing structure; and

WHEREAS, to qualify for the funds, counties submitted grant applications to the Juvenile Corrections Grant Committee established by the Act on March 31, 2019; and

WHEREAS, the County submitted an initial application, along with subsequent revisions, and ultimately received a \$15.2 million grant award, which was \$8.4 million short of the total amount requested in State funding needed to modify the detention center at the Vel R. Phillips Youth and Family Justice Center as a SRCCCY; and

WHEREAS, due to the gap in funding, as well as the uncertainty around the State’s plans for its Type 1 facilities, County Executive David Crowley and the Director, Department of Health and Human Services (DHHS), submitted a letter in August of 2020 to the State Department of Corrections (DOC), requesting deferral of the grant award; and

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WHEREAS, the daily rate for youth placed in State facilities has increased significantly over the last several years, with the biggest jump occurring from 2021 to 2022, from \$615 to \$1,154, and an increase to \$1,246 is anticipated in the 2023-2025 State Budget, which represents an annual cost of about \$450,000 for just one youth placement; and

WHEREAS, even though the average daily population of youth detained in the State facilities has declined dramatically by over 70 percent since 2015, the daily rate has nearly tripled (\$301 to \$1,154) during this same period, which is creating an unsustainable financial situation for the Children, Youth, and Family Services Division, DHHS, with 2022 actual costs being \$6.8 million over budget; and

WHEREAS, due to the concern around the ongoing financial impact of the daily rate, as well as potential for the State to repurpose the grant award if DHHS continued to defer the funds, DHHS met with the DOC in July of 2022 to advocate for additional funding to meet the capital budget gap; and

WHEREAS, based on the recommendation from the DOC, on August 16, 2022, the State Legislature’s Joint Committee on Finance voted unanimously to re-allocate \$13.1 million from Dane and Brown Counties to Milwaukee County, and in combination with the \$15.2 million already approved, the total amount of State funding is \$28,338,351; and

WHEREAS, at this time, the total estimated capital budget is about \$30 million, and after accounting for the \$28.3 million in State grant funding, the remaining balance is \$1.7 million, which is already available in existing Capital Project WS0124 – Secure Youth Facility – Phase 1, and allows the County to more than meet its five percent match; and

WHEREAS, the total estimated operating budget for the SRCCCY is \$18.2 million in 2023 dollars, and assuming the nearly \$15 million budgeted for DOC charges in 2023 can be redirected to the SRCCCY, the current budget is anticipated to be sufficient to operate the SRCCCY, assuming no reductions are made to future year budgets before the SRCCCY becomes operational; and

WHEREAS, approval of the State grant award and Use Restriction Agreement enables the County to establish a SRCCCY that offers effective programs, partners with community services and resources, fully engages families, and ultimately supports the successful transition of youth from the SRCCCY back into the community; and

WHEREAS, the Committee on Health Equity, Human Needs, and Strategic Planning, at its meeting of April 6, 2023, recommended adoption of File No. 23-436 (vote 3-0); and

93 WHEREAS, the Committee on Finance, at its meeting of April 13, 2023,
94 recommended adoption of File No. 23-436 (vote 7-0); now, therefore,
95

96 BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board)
97 hereby authorizes the Director, Department of Health and Human Services (DHHS), or
98 her designee, to accept a State of Wisconsin (the State) grant award with a five percent
99 match, and execute a Use Restriction Agreement for the Secure Residential Care
100 Center for Children and Youth for Children, Youth, and Family Services Division, DHHS;
101 and
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103 BE IT FURTHER RESOLVED, the County Board authorizes the Department of
104 Administrative Services, and Office of Strategy, Budget, and Performance, working in
105 conjunction with the Office of the Comptroller, to process an administrative
106 appropriation transfer to provide Capital Project WS12401 – Secured Youth Facility with
107 \$28,338,351 of expenditure authority and offsetting revenue from the State.
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