



OFFICE OF THE COUNTY EXECUTIVE  
*Milwaukee County*  
CHRIS ABELE • COUNTY EXECUTIVE

December 1, 2016

Governor Scott Walker  
State Capitol 115E  
Madison, WI 53703

Dear Governor Walker:

On November 1, 2016, a meeting was held in your office with Chief of Staff Rich Zipperer to discuss options for developing a pilot juvenile correctional facility in Milwaukee County to serve our youth. This letter provides an initial response to the request that Milwaukee County consider assuming responsibility for operation of such a facility.

As you are well aware, we are steadfast in our belief that as a state we need to move away from an outmoded model of congregate care in juvenile corrections to one that offers our youth the greatest likelihood of success in their futures. While we are cognizant of significant improvement efforts occurring at Lincoln Hills and Copper Lake Schools in recent months, we remain very concerned about the ongoing care, treatment, and education of youth in those facilities. We have been making concerted efforts to better monitor and advocate for youth in juvenile corrections to ensure their safety and well-being. In addition, our commitment to expand use of correctional alternatives locally has resulted in substantially fewer youth being sent to juvenile corrections. The bottom line is that we do not want to continue relying on Lincoln Hills and Copper Lake Schools as our secure options for Milwaukee County youth. Milwaukee County needs a secure facility located in or near the communities where youth live as part of a continuum of local options.

However, before Milwaukee County could even consider assuming operational responsibility of a secure facility locally, more discussions need to occur relating to building a facility, costs to operate the facility, and the planning process needed to ensure an optimal approach.

Short of Milwaukee County directly taking over the State function of operations of juvenile corrections for our youth, we believe that our vision of a smaller, treatment-oriented facility for youth requiring a correctional placement in Milwaukee County can be realized through a model of shared responsibility between the State and Milwaukee County. The section that follows outlines a proposal for a shared model of operation of a secure facility in Milwaukee County.

### ***Shared Model of Juvenile Corrections***

Please note that while specific ideas for consideration are provided below, it is essential that we collectively undertake a robust planning process in which a new model of juvenile corrections is co-created by the State, Milwaukee County, and other stakeholders including families of youth committed to juvenile corrections and the community at large. This process would also be informed by a review of national best practices and research.

#### **Administration:**

We propose an administrative model where the operations, oversight, and funding of a Milwaukee County secure facility<sup>1</sup> is shared between the Department of Corrections (DOC)<sup>2</sup> and Milwaukee County where DOC would oversee the general operations of the facility including (but not limited to) security, medical services (including psychiatric services and nursing), food services, transportation, and maintenance and facilities. Milwaukee County Delinquency and Court Services Division (DCSD) would oversee treatment and transition services.

Policies related to the operation of the facility would be governed by a Memorandum of Understanding to be signed by the Secretary of the Department of Corrections (DOC) and the Director of the Milwaukee County Department of Health and Human Services (DHHS). The Memorandum of Understanding would outline conditions of confinement that meet the standards recommended by the Annie E. Casey Foundation.

In addition, the DJC and DCSD Administrators will appoint a Citizens Advisory Council tasked with assuring that the workforce reflects the racial and ethnic demographics of the youth being served in the facility and that all functions of the facility, including security, discipline, and treatment related practices are delivered in a humane, trauma informed, and culturally relevant manner.

#### **Facility:**

The State would build or retrofit an approximately 36-bed secure facility within Milwaukee County to be located as close as possible to the inner city neighborhoods where many of the current Milwaukee County youth in juvenile corrections reside. The facility would exclusively serve Milwaukee County non-Serious Juvenile Offender (SJO) youth ordered into secure custodial care under Wisconsin Statute Section 938.34(4M). Milwaukee County would work with the State to identify possible locations, including exploration of County-owned property.

#### **Cost Sharing:**

We propose that the State would be responsible for the costs of building or retrofitting a secure facility that adequately meets the housing, programming, and security needs of a juvenile correctional facility. In addition, the State would assume the costs for the personnel necessary for the general operations, maintenance, education, and administration of the facility other than treatment services.

Milwaukee County would consider assuming responsibility for the operational, personnel, training, and administrative costs of providing treatment services within the institution. We would request the State

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<sup>1</sup> Our vision of the secure facility is that it would be run like a secure residential care center and ideally would be licensed as such.

<sup>2</sup> Note, as proposed in our white paper dated April 29, 2016, we would advocate for Department of Children and Families to assume administrative and oversight responsibility for all juvenile justice services.

assist in facilitating the recovery of Medical Assistance or other third party reimbursements through the pursuit of exceptions or additional waivers where possible.

It is important that this arrangement not create a financial burden to Milwaukee County through the use of additional tax levy. We would like to request a breakdown of the current operational costs for Lincoln Hills and the staffing ratios employed in order to inform cost considerations.

Programming:

Milwaukee County would develop a "horizontal" treatment milieu where the State agrees to maintain a robust supervision staff to youth ratio reflective of a staff secure model. All facility staff would be trained in and maintain high standards in youth engagement, emotional, and behavioral de-escalation strategies, crisis intervention, redirection, and other non-coercive strategies for maintaining a safe and positive treatment milieu. The use of pepper spray or other chemical agents for the purpose of controlling youth or the use of segregated confinement for disciplinary purposes must be explicitly prohibited through the signed Memorandum of Understanding.

Milwaukee County is prepared to make a significant and long-term investment in establishing a rigorous and robust treatment model based on Dialectical Behavioral Therapy (DBT) and Multi-systemic Therapy (MST). The facility must be prepared to commit all staff to a multi-year on-site training and clinical consultation process that may include audio or videotaping of sessions and weekly supervision and consultations. Further, the facility must be prepared to establish a treatment milieu that reflects the objectives of the treatment model and includes significant attention to client engagement, positive reinforcement, and use of evidence-based best practices for a high-risk, vulnerable youth population. Further, Milwaukee County intends to avail youth in the facility and their families of a comprehensive array of wraparound services including (but not limited to) housing assistance, economic support, employment assistance, and behavioral health services to help assure successful transition back into the community. Families would have access to visit youth and participate in decision-making. Community-based service providers, educators, community role models and others serving youth within Milwaukee County, once properly vetted, would have access to youth within the treatment milieu.

Education:

The delivery of a robust educational program that meets Department of Public Instruction (DPI) standards and effectively serves to advance learning and ultimately sets the stage for educational and career success for youth is a critically important element of this proposed pilot. The partners should look to replicate the excellent education program delivered in the Milwaukee County Juvenile Detention Center by the Wauwatosa Public School District, and all efforts should be made to build on this vital partnership with the district. Additional educational partnerships should be established with the Milwaukee Area Technical College, the University of Wisconsin-Milwaukee, or other institutions to provide further educational opportunities for the youth as they transition out of the institution.

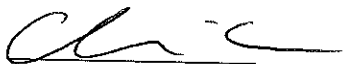
***Considerations for Youth Continuing to Be Placed in Lincoln Hills and Copper Lake Schools***

It is imperative that the current conditions at Lincoln Hills and Copper Lake Schools also undergo transformation as we transition to a new model. During the transition period and for youth designated as SJOs who will continue to be placed at Lincoln Hills and Copper Lake Schools, we need to be assured that Milwaukee County youth are receiving proper care, treatment, and education. We strongly advocate for the following conditions:

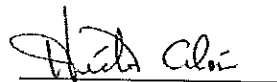
- Elimination of the use of pepper/OC spray
- Reduction in the size of housing units wherever possible
- Robust and individualized treatment approach that reflects evidence-based practices
- Ongoing training for staff related to engagement, emotional, and behavioral de-escalation strategies, crisis intervention, redirection, and other non-coercive strategies
- A greater focus on trauma informed care
- Better integration into community-based aftercare upon release from the juvenile correctional institutions
- Consideration of shorter stays based on completion of treatment goals (6 months target)
- Consideration of concurrent programming for youth (versus the current policy of consecutive programming), resulting in expedited service delivery and more structured time for youth
- Adherence to DPI educational standards and greater transparency about school participation with regard to hours in the classroom spent on education and credits per youth
- Outcome data, and comparative data between counties about time spent in and out of programming and security
- Age separation with the new population of youth to be served
- Open and timely communication about youth and conditions in the facility

We look forward to further discussions about how we can better serve Milwaukee County youth who are in need of a secure placement.

Sincerely,



Chris Abele  
Milwaukee County Executive



Héctor Colón, Director  
Milwaukee County Health & Human Services

cc: Chief Judge Maxine White  
Judge Mary Triggiano  
Jon Litscher, Administrator – Department of Corrections  
Eloise Anderson, Administrator – Department of Children & Families  
Milwaukee County Chairman Theodore Lipscomb  
Milwaukee County Supervisor Supreme Moore-Omokunde, Chair – Health & Human Needs Committee  
Milwaukee County Board of Supervisors  
Mark Mertens, Administrator – Milwaukee Co Delinquency & Court Services Division