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MEMORANDUM

TO: Honorable Members of the Juvenile Corrections Grant Committee

FROM: Sarah Diedrick-Kasdorf, Deputy Director of Government Affairs

DATE: March 21, 2019

SUBJECT: Grant Proposals for Secured Residential Care Centers for Children and Youth

The Wisconsin Counties Association (WCA) appreciates the opportunity to speak to you today regarding the juvenile corrections grant program. Our counties have been asked to undertake an enormous responsibility with regard to the provision of services to youth with a correctional disposition. Our counties do not take this responsibility lightly and have been weighing their options since the adoption of 2017 Wisconsin Act 185.

In preparing for today, WCA consulted with a number of counties with regard to the work of the grant committee. This includes counties that are considering constructing and operating a secured residential care center for children and youth (SRCCCY), as well as counties that will be purchasing services from a SRCCCY. Following is a listing of what we heard.

- The top issue for counties currently relates to the timeline for the submission of grant proposals. Under current law, grant applications are due no later than March 31, 2019 to the Juvenile Corrections Grant Committee. Given that the grant committee was just formed and is holding its first meeting today, counties have not received any information from the committee on the requirements, guidelines, and criteria for grant proposals and for awarding grants.

Counties would like to ensure that their ability to receive a grant is maintained despite the fact that the statutory deadline for submitting grant proposals will not be met. While we understand legislation is in the works to modify the deadlines associated with the grant application process, such legislation will not pass prior to the March 31 deadline. To ensure compliance with the spirit of the law, counties request they be required to submit, no later than March 31, 2019, a letter of interest indicating that the county may submit a grant application once grant application materials are available. Counties respectfully request that the grant committee make a decision on this item today and immediately communicate to counties where and to whom such a letter should be submitted.

Counties also request that the grant committee move with haste in releasing grant criteria, requirements, and guidelines. Although the budget bill and technical corrections bill provide counties with an additional three months in which to apply, any further delay cuts into the three-month extension granted to counties in the legislation.

- Counties are also interested in the establishment of a multi-step application process. This means that counties would like the grant committee to establish a timeline as to what and when application criteria need to be submitted. The rationale behind this request is to ensure counties receive affirmation that they are proceeding in the direction desired by the grant committee prior to embarking on costly ventures, such as procurement for architectural designs. For example, a county could initially provide a narrative related to its thoughts on how trauma-informed principles will be incorporated into the physical environment of the facility prior to the receipt of an architectural rendering. Phases could include such categories as philosophical concepts, implementation of concepts through the provision of services/practice, building design (philosophy, policy, procedure, building plan).

On a related note, WCA is seeking a change in the technical correction bill to remove language requiring DOC to approve the plans and specifications for the site and the design and construction of the proposed secured residential care center for children and youth as a condition of grant approval. State statute and administrative rule already contain this requirement before bid documents can be published.

- Flexibility was also identified as a key element in the grant application process. Some counties, in anticipation of a March 31 application deadline, have begun to develop grant proposals. Other counties did not know where to begin as they did not know what would be required by the committee. The request here is that the committee be flexible (not overly prescriptive) and accept grant applications that have already been developed by counties that may not conform to what the committee may require in the future.

In addition, some counties are in a position to move forward with a grant proposal now, while others need additional time. It is our hope that the grant committee will be flexible and accept and review grant proposals as counties are ready to move forward. This should not, however, be interpreted to mean “first-come, first-served” with regard to access to the grant funding available to counties.

- Related to flexibility is the requirement that the grant committee “develop a statewide plan that recommends which grant applications to approve, based on an overall view toward a Wisconsin model of juvenile justice.” Has a “Wisconsin model of juvenile justice” been clearly defined? If it relates to the creation of regional facilities, how is regional defined? As of now it appears a true regional model will not happen. Because counties have not yet made decisions on who is moving forward on the operation of an SRCCY, counties need flexibility to revisit the size of their facilities throughout the application process.

To illustrate, if five counties submit a letter of interest but only three counties move forward with a grant application, the three remaining counties may need to reevaluate the size of their facilities and their partners to ensure bed space needs are covered statewide. All counties, not just the counties considering operating a SRCCCY, have raised concerns about the implementation of a “Wisconsin model” and how that model will best serve the needs of youth in a manner that adheres to best practice.

- The Governor’s budget proposes to bring 17-year-olds back into the youth justice system on January 1, 2021. If this change moves forward, it will impact the number of beds needed in SRCCCYs, again requiring flexibility with regard to the design and size of SRCCCYs moving forward.
- Our counties appreciate that the Governor’s budget submission includes an increase in grant funding from \$40 million to \$100 million; however, there is concern that the \$100 million may not be enough. It is our hope that the committee evaluate grant applications on their merits, and not make decisions based solely on the amount of bonding revenue available for SRCCCYs.
- On a very practical note, counties have raised concern with regard to when successful applicants will have access to grant funding. It would be extremely helpful if the application packet included this information. What counties would like to avoid is the need to incur expenses locally related to bonding for the construction of SRCCCYs only to be reimbursed upon project completion. Project costs will need to be paid throughout the design and construction process, and before counties are comfortable making a final decision on whether or not to move forward, clarification is needed on how and when counties can access the grant funds.
- Given the number of unknowns, it is the hope of all counties that the lines of communication will remain wide open throughout the grant process. If state procurement rules apply and the committee is unable to communicate with counties throughout the grant process, there is great concern that the end product will not result in a model that best meets the needs of the youth to be served by counties in SRCCCYs.

Based on the enormity of the task at hand, counties would like to opportunity to meet with the grant committee on a regular basis to discuss where the state is at in the development of a statewide plan/Wisconsin model. WCA will continue to meet with counties as coordination among counties is critical throughout this process; however, we anticipate a need for communication between counties and the state throughout this process as well.

Thank you so much for the opportunity to present to you today.