WI Act 185
Overview and Update

Juvenile Corrections Study Committee
July 25, 2018
Presentation Objectives

- Major Provisions of Act 185
- Areas of Responsibility
- Questions/Discussion
Major Provisions of Act 185

Establish new DOC-operated Type 1 facilities for Serious Juvenile Offender (SJO) dispositions and adult convictions

Establish county and/or tribal Secure Residential Care Centers for Children and Youth (SRCCs) for non-SJO juvenile correctional placements

Expand DHS's MJTC by at least 29 beds

Convert CLS/LHS to an adult correctional facility
Wisconsin's Youth Justice and Juvenile Corrections System

- No order
- No order or DPA
- Court Order
- County or State Correctional Order

Prevention Services
Referral
Diversion Services
Adjudication
Community-Based Delinquency Services
Correctional Findings
Correctional Placement

KEY
- Services provided by counties, schools, community-based organizations, etc.
- County provided community services (DCJ oversight)
- Correctional placement (State or County)

SRCCY
- County correctional order
- County or agency run
- Youth with correctional findings
- OCD-regulated

Type I
- State correctional order
- 300
- Adult Jurisdiction
- no other resource
- OCD run

Mandota (DHS run)

Act 185
Major Provisions of Act 185

Funding:
- $25 million for DOC Type 1 facilities
- $15 million for MJTC expansion
- $40 million grant program for SRCCs
  - 95% of design and construction/renovation costs (100% for female facilities)
- Joint Committee on Finance approval required
- Youth Aids
  - Can be used for basic care and supervision costs in detention
  - Bonus payment of 15%, up to $750,000, for counties that operate a joint SRCC
Major Provisions of Act 185

Changes of Placement and Transfers:

- **Change of placement from SRCC to DOC Type 1 facility**
  - Court ordered
  - SRCC is unable to meet treatment needs and Type 1 facility is able to, or
  - County does not have SRCC space available and no other SRCC is willing and able to meet treatment needs.
  - Supervision transfers to DOC

- **Transfers between SRCCs**
  - By contract between the county and the operating entity
  - Supervision remains with placing county

- **Transfers from Type 1 to SRCC**
  - By contract between DOC and the operating entity
  - Supervision remains with DOC

- **Change of placement from SRCC to MJTC**
  - Court order and DHS recommendation required
Major Provisions of Act 185

Detention:
- Limited grandfathering provisions for existing long-term programs
- No other detention placements for more than 30 days
- If awarded an SRCC grant, must convert to an SRCC by January 1, 2021
Major Provisions of Act 185

Creates two committees:
- Juvenile Corrections Study Committee (JCSC)
- Juvenile Corrections Grant Committee (JCGC)
Major Provisions of Act 185

Juvenile Corrections Study Committee (JCSC):

- Secretaries or designees of DOC and DCF (co-chairs)
- Secretary of DHS or designee
- DPI superintendent or designee
- State public defender or designee
- Three assembly representatives and three senators
- Two judges, two district attorneys, and two law enforcement
- One organization focused on eliminating race-based discrimination
- One nonprofit focused on issues relating to juvenile justice
- One nonprofit focused on best practices for holding juveniles in secure custody
- Three county representatives (human or social services department)
- County with the highest percentage of juveniles under state or county supervision under chapter 938
- County that operates a regional juvenile detention center that is an eligible juvenile detention facility
- Another county
- One resident who has been, or has had a close family member who has been, under the supervision of DOC under Chapter 938
- One sheriff
Major Provisions of Act 185

Juvenile Corrections Grant Committee (JCGC)

- Governor or designee
- Secretaries or designees of DOC and DCF
- Three assembly representatives and three senators
- One nonprofit focused on best practices for holding juveniles in secure custody
Major Provisions of Act 185

Juvenile Corrections Study Committee (JCSC)
- Recommendations to DOC on administrative code related to SRCC programming and services
- Recommendations to DOC on location of new Type 1 facilities

Juvenile Corrections Grant Committee (JCGC)
- Establish requirements, guidelines, and criteria for SRCC grants
- Review applications; recommend a statewide plan for approval to the Joint Committee on Finance
- Oversee the progress of projects funded by the grants
## Major Provisions of Act 185

### Selected Key Dates:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>September 1, 2018</td>
<td>JCSC recommendations for SRCC services and programming to DOC</td>
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<td>November 1, 2018</td>
<td>JCSC recommendations for Type 1 facility locations to DOC</td>
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<tr>
<td>December 31, 2018</td>
<td>Emergency rule for SRCCs in effect</td>
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<tr>
<td>March 31, 2019</td>
<td>SRCC grant applications due to JCGC</td>
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<tr>
<td>July 1, 2019</td>
<td>JCGC submits plan to Joint Committee on Finance</td>
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<td>January 1, 2021</td>
<td>Youth transferred from CLS/LHS to new Type 1 facilities and SRCCs</td>
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Areas of Responsibility

DOC – Office of Detention Facilities (ODF)
- Promulgate administrative rule for SRCCs
  - Programming and services
  - Standards for design, construction, maintenance
- Regulate and provide oversight of SRCCs
Areas of Responsibility

DOC – Division of Juvenile Corrections (DJC)

- Establish and operate Type 1 juvenile correctional facilities
- Include operating costs in the agency’s 2019-21 budget request
Areas of Responsibility

Department of Health Services (DHS)
- Mendota Juvenile Treatment Center expansion
- Include operating costs in the agency's 2019-21 budget request
Areas of Responsibility

Counties and Tribes:

- Establish and operate (or contract for) SRCCs
  - May be individual, joint, or contracted (with another county/tribe or a child welfare agency)
- Supervise youth on correctional placements under 938.34(4m)
Questions

Discussion