



JUVENILE CORRECTIONS STUDY COMMITTEE

MEETING MINUTES – AUGUST 20, 2018

Location: Wisconsin Department of Corrections
3099 East Washington Ave
Madison, Wisconsin 53707

Meeting Called to Order

Secretary Cathy Jess, Department of Corrections

Secretary Jess opened the meeting and requested roll call.

Attendance/Roll Call

Glen A. Mercier II, Department of Corrections

Roll call was conducted by Glen Mercier II. The following members were present.

Representative Mark Born, Wisconsin State Assembly
Senator Alberta Darling, Wisconsin State Senate
Honorable William Domina, Waukesha County Circuit Court Judge
Honorable M. Joseph Donald, Milwaukee County Circuit Court
Ms. Marye Beth Dugan, Nehemiah Project, Executive Director
Superintendent Tony Evers, Department of Public Instruction
Sheriff Joseph Fath, Vilas County
Representative Evan Goyke, Wisconsin State Assembly
Superintendent Ed Kamin, Racine Juvenile Detention Center
Director Kris Korpela, Department of Human Services, Dunn County
District Attorney David Lasee, Brown County
Chief of Police Greg Leck, City of Stoughton
Administrator Mark Mertens, Division of Youth & Family Services, Milwaukee County
Mr. Fred Royal, President, NAACP Milwaukee
Ms. Linda Palmer for Representative Michael Schraa, Wisconsin State Assembly
Secretary Linda Seemeyer, Department of Health Services
Senator Lena Taylor, Wisconsin State Senate
State Public Defender Kelli Thompson
Senator Van Wanggaard, Wisconsin State Senate
Mr. Carl Wesley, President, Center for Self-Sufficiency
Secretary Cathy Jess, Department of Corrections
Secretary Eloise Anderson, Department of Children & Families

The following members were present via teleconference.

District Attorney Melinda Tempelis, Outagamie County
Sheriff Dale K. Schmidt, Washington County

The following member was not present.

Mr. Mike Dempsey, Executive Director, Council of Juvenile Correctional Administrators

The following presenters were present but not identified during roll-call.

Fredi Bove, Administrator, Division of Safety & Permanence, Department of Children & Families

Raj Kamal, Facilitator, Principal Consultant, Credens

Nina Salomon, Deputy Program Director, The Council of State Governments Justice Center (teleconference)

Michael Umpierre, Senior Research Fellow, Center for Juvenile Justice Reform (teleconference)

Agenda Review & Meeting Scope

Secretary Cathy Jess, Department of Corrections & Secretary Eloise Anderson, Department of Children and Families

Handout: Draft Meeting Minutes from July 25, 2018 Meeting

Secretary Jess thanked the committee members for attending. After the committee has an opportunity to review the minutes, there can be a motion to approve them. This meeting was required to be posted under the open records law and that has been accomplished. Secretary Anderson will chair the meeting today.

Handout: Juvenile Corrections Study Committee Meeting #2 - Facilitation Slides

Secretary Anderson reviewed the agenda and meeting topics/items. The chairs are trying to be responsive to what has been requested and responsive to requirements of Act 185. Raj Kamal, Principal Consultant, Credens LLC, has been asked to help facilitate this meeting. The focus today is to work on the committee's first charge: recommendations on program and services elements for the DOC recommended administrative rule Secure Residential Care Centers for Children and Youth. The recommendations are due by September 1, 2018.

Secretary Anderson reviewed the committee meeting plan that was discussed at the previous meeting. The committee will meet again on August 28th to develop recommendations. Meetings in September and October will focus on discussing Type 1 facility location recommendations. Today we will generate ideas that will go into the programming and services recommendations. We will provide a framework for thinking about the recommendations and focus on positive youth development and competency development.

Core Principles for Effective Reentry

Nina Salomon, Deputy Program Director, The Council of State Governments Justice Center

Secretary Anderson introduced Nina Salomon and provided a biographical background. Ms. Salomon is presenting via teleconference from Washington, D.C.

Handout: Council of State Governments Justice Center - Wisconsin Act 185 (Slides)

Ms. Salomon thanked the committee and said she is happy to provide additional information after the meeting. The Council for State Governments is a national non-partisan, non-profit organization that serve state policy

makers in all three branches of government. They provide research-driven advice on juvenile and criminal justice issues.

The Justice Center hosts the National Reentry Resource Center authorized by passage of the Second Chance Act. They provide technical assistance to state and local jurisdictions on corrections and reentry issues.

Today, Ms. Salomon would like to highlight information from one of their foundational documents that was published in 2014 which summarizes research on what works to reduce recidivism and improve outcomes in the juvenile justice system into four core principles. These principles are used by the Justice Center team to help guide state and local jurisdictions.

First core principle – *Validated assessments help ensure youth are matched with appropriate supervision/services in the community and in facilities.* Using validated assessments can help reduce the risk of reoffending and identify criminogenic needs. This helps jurisdictions to be able to focus limited resources on supervision and services for those youth that are identified as more moderate to high risk to reoffend are truly a public safety risk. Assessments can guide decision making to divert lower risk youth completely from the juvenile justice system and refer them to other services in order to get their needs met. Using validated assessments and mental health screening tools are critical to helping guide decision making and resource allocation.

Second core principle – *Research-based Services are key to recidivism reduction if implemented effectively.* Through research we know which programs and services have been proven ineffective in improving recidivism, however, many jurisdictions are still using some of these programs and services. Programs that are more punitive in nature and focus on surveillance rather than rehabilitation have been demonstrated as being ineffective. Services that are not targeted to address criminogenic needs are ineffective. It is important to know that programs and services are only effective if they are targeted to meet youth's needs, implemented with high quality and fidelity to the research, match youth to the right services and dosage, and include an evaluation process.

Third core principle – *Collaboration across service systems is key to meeting youth needs and using resources efficiently.* States are struggling with resources and youth are crossing into multiple youth systems – behavioral health, child welfare, etc. It is important that these service systems share information, leverage each other's resources, and ensure they are not duplicating services. Youth in the juvenile justice system often have mental health needs, substance use disorders, and many youth under supervision have involvement in the child welfare system.

Fourth core principle – *A developmentally appropriate approach can help youth to transition to a crime-free and productive adulthood.* Youth are developmentally different than adults in many ways. Having a developmentally appropriate approach requires supervision to reposition to focus more on the primary causes of youth behavior to promote positive change rather than being punitive in nature. Adolescent brain development research concludes that youth have developmentally unique needs compared to adults.

A core component to being developmentally appropriate is engaging and involving families and youth experiences in the youth justice system. When families are engaged and involved youth have better outcomes. There are key ways that youth justice systems can help involve family members. Examples include defining *family* more broadly to include those in roles that support youth, therapy and support systems, expanding visiting hours, and not using family involvement as an incentive or punishment. Family involvement is a key component to helping youth achieve better outcomes.

Another key component to ensuring programs are developmentally appropriate is to ensure that supervision officers are agents of positive behavior change, and are not just focused on monitoring compliance. There should be a focus on positive behavior change versus traditional approaches. Examples – ensuring conditions are focused on behavior change and restorative justice, involving family and schools, having smaller caseloads, providing training to supervision officers around cognitive behavior and youth development, and using various assessments and services to address youth’s targeted criminogenic needs.

When supervising youth, states should employ incentives and graduated responses to hold youth accountable, promote behavior change, and minimize violations. Using incentives and rewards as well as consequences that are appropriate to a youth’s behavior can promote positive youth behavior change. Using a graduated approach is more effective than focusing solely on punitive measures.

Given that we use the four core principles as our guide to help states assess their overall juvenile justice system, the Justice Center thought that it dovetails very well with the specific analysis and work that is being done looking at Wisconsin facilities. The Justice Center developed the Improving Outcomes for Youth Initiative a few years ago. It is a 12-18 month long process where the Justice Center partners with states to conduct a comprehensive assessment of a state’s juvenile justice system from point of referral all the way to reentry. This helps state policy makers answer three critical questions – (1) How well do resources, policies, and practices align with what the research says works to reduce recidivism and improve other youth outcomes; (2) to what extent are leaders from the three branches of state government working together and in partnership with local governments to improve outcomes for youth under juvenile justice system supervision; and (3) what recidivism and other outcome data does the state track for youth under the supervision of the juvenile justice system? The Justice Center takes all this information and helps states identify where there are gaps and challenges to improving outcomes and helps states adopt legislative and policy changes to try and reduce recidivism.

Ms. Salomon provided additional resources in her presentation.

Secretary Anderson stated that the committee will be given an opportunity to ask questions after the three presentations are completed.

Essential Elements of Facility Services & Supports

Michael Umpierre, Senior Research Fellow, Center for Juvenile Justice Reform

Secretary Anderson introduced Michael Umpierre and provided a biographical background. Mr. Umpierre is presenting via teleconference from the Center of Juvenile Justice Reform at Georgetown University.

Handout: Providing Effective Facility-based Programs and Services – (Slides)

Mr. Umpierre stated that his work is focused heavily on assisting jurisdictions to enhance their policy and practices in serving youth in custody. He is the lead editor and co-author of the Youth in Custody Practice Model – a monograph that sets forth the best practices in this domain. He and those at Georgetown University are delighted to work with Wisconsin on the implementation of this model.

Michael stated he would share his thoughts on a big picture level to allow time for discussion. Approaches have to be therapeutic in nature. They must facilitate and support youth development by helping youth build skills and help them form positive ongoing relationships to pro-social adults and peers. These programs are significantly

more effective than programs that feature punishment, surveillance, fear, and control. Research supporting this type of approach is clear and profound.

At the facility level, systems should be focused on successful transition to adulthood. This involves supporting youth to achieve critical development tasks such as establishing identity and autonomy, building competencies, and development and sense of belonging. Traditional approaches in the field sometimes run counter to these methods and tasks.

Systems should be thinking about how to embrace these tasks in a positive strength-based environment. This also involves assisting youth to remove barriers to mainstream life – improving literacy, employability, removing substance abuse, etc.

Core components of a positive youth justice approach include two essential tasks to serving youth: (1) opportunities for learning and doing (skill development), and (2) opportunities for attaching and belonging (connections to pro-social adults and peers). Research is clear, youth that are connected to caring peers and adult, are much more likely to succeed.

There are a number of best practice principles that Mr. Umpierre asks the committee to consider as they develop programs and services for youth. There should be a wide and diverse spectrum of activities including academic career, technical, and recreation. Facilities should offer evidence-based cognitive behavioral interventions. Cognitive behavior intervention research shows lower recidivism. Facilities should feature skill development in its behavior motivation and disciplinary systems.

Mr. Umpierre closed by stating that focusing on pro social connections, family engagement are important. He stated that it is important to consider safety, fairness, environmental matters, and multi-disciplinary coordination.

Assessment & Case Planning in Wisconsin's Youth Justice System

Fredi Bove, Administrator, Division of Safety & Permanence, Department of Children and Families

Secretary Anderson introduced Administrator Bove and gave a brief background of her role at the Department of Children and Families.

Handout: Vision for Youth Justice in Wisconsin (slides)

Administrator Bove introduced Ragen Shapiro and Bryn Martyna who are a part of her team and present for the meeting. In 2016, the Department of Children and Families assumed responsibility of Wisconsin's youth justice program. The department engaged in a very extensive stakeholder gathering process that lasted about a year. Out of this input the department developed a vision to focus on prevention, diversion, and provide accountability and services to youth and families in the system that prepares them to thrive.

The department developed a strategic plan that reserves the youth justice system for those who need a justice response. Administrator Bove provided a graphic that shows that the youth justice system encompasses youth with a variety of primary needs other than delinquent behavior. The vision is to move towards serving youth in the appropriate system. They should not be brought into the youth justice system in order to address only primary needs.

The department developed key principles into three buckets – (1) Prevention/Division, (2) Assessment/casework, and (3) Post-disposition. These mirror what the previous two speakers discussed and it reflects stakeholder input. Administrator Bove reviewed the three areas in detail with the committee.

Administrator Bove discussed how the Department of Children and Families is moving forward with assessment planning. Through input gathering, counties expressed a desire for a research based risk/needs assessment tool to be used across the state. The Youth Assessment & Screen Instrument (YASI) has been selected for state-wide use. This tool assess risk level for re-offense, identifies dynamic or need factors to build positive outcomes, documents a variety of responsivity factors, and uses motivational interviewing to inform both the assessment and case planning processes. The department intends to roll out the tool statewide through a two-year phased implementation beginning in early 2019.

Question & Answer Session

Raj Kamal, Principal Consultant, Credens

Numerous questions were asked by committee members.

- *Question:* Is there any expected coordination to try to make sure if youth are slotted or routed to another system are receiving the services they need? How do we deal with youth who have multiple needs?
Response: DCF uses mechanisms. It is an area we continue to do more work.
- *Question:* How are we defining recidivism? *Response:* Depending on the study, the definition can be different. There is are no uniform definitions among jurisdictions. Some define by adjudication from conviction after confinement and some systems look at rearrests. The definition varies. It was also noted that a definition for recidivism is listed on the Department of Correction's website. It is research-based and a topic that is very involved.
- *Question:* Have other states been more successful in a therapeutic approach? Are there administrative rules on this in these states? *Response:* Some states wrote directly in statute their evidence-based practices. Many include requirements around programs. Many also included practices in administrative policy, agency policy, and statute. State org. can share examples of both methods.
- *Question:* Is there a state that we could look at who is? *Response:* There was a recommendation at looking at Oregon who has a developmental approach and has reframed it to say "positive human development". They are recognizing that staff play a critical role in this. Massachusetts and Missouri have also developed this approach.
- *Question:* How many kids in our system come out of foster care? *Response:* We do not have a robust data system regarding foster care. DCF is working developing a data system.
- *Question:* Is "New Beginnings" from Washington D.C. a successful model? *Response:* The program continues to be very strong. It is a shining star example. They have had a very positive outcome.
- *Question:* Is there a way for youth to provide feedback? *Response:* Empowering the youth voice is important. If their voice is being heard, they are much more likely to engage in programming and services. Regularly surveying youth and staff is important. A rigorous grievance process is also important.

- *Question:* Practitioners are seeing scores radically different on Youth Assessment & Screen Instrument. Who is being trained on this? *Response:* The tool needs to be implemented with fidelity. Those using it need to use the information from appropriately. There is a rigorous training process that the designers of the tool created to ensure they get the correct training. Ragen Shapiro and Bryn Martyna will connect with Mary-Beth Dugan during the break for more information. The fidelity of the tool is critical. The Department of Children and Families model is to ensure we have consistency.

Overview of Recommendation Generation Process

Raj Kamal, Principal Consultant, Credens

Secretary Anderson thanked the presenters for their sessions. The committee will now be reviewing four topics in small group sessions.

1. Education & Employment
2. Rehabilitative/Treatment Services
3. Development/Recreational Programing
4. Family & Community Engagement

Mr. Kamal asked the committee to post topics that are not part of these four areas to the “parking lot” posted on a wall in the meeting room using the large post-it notes provided to each committee member. Four different tables will be set up during the break to address each topic with a facilitator and recorder. Committee members are encouraged to participate. Members of the public are encouraged to observe.

Secretary Jess asked the committee members to fill out the meeting availability worksheet and return it. The worksheet will also be sent to the committee members via email.

Mr. Kamal briefly reviewed the small group process that will occur after break.

Break

All participants

Mr. Kamal directed a break at 10:15am. The meeting continued at 10:30am.

Recommendation Generation Process

Raj Kamal, Principal Consultant, Credens

Handouts: Topic Areas for Reflection/Recommendation Generation and (2) Act 185 Input Gathering Questions.

Mr. Kamal facilitated the committee recommendation generation process. Various facilitators and recorders were involved in collecting feedback from the four groups in rotation. Notes will be compiled and posted to the Act 185 website and emailed to the committee members. Members of the public were also provided the two handouts associated with this portion of the meeting.

Teleconference attendees have been sent the handouts to fill out as well.

Next Steps/Adjournment

Secretary Cathy Jess, Department of Corrections & Secretary Eloise Anderson, Department of Children and Families

Discussion: There was a discussion regarding whether the components of Administrative Rule chapter DOC 347 will look like chapter DOC 346. Will this committee vote on rule provisions? It was explained that there is a task for a permanent and emergency rule. Topics for the rules are design, operations, services, programs, etc. Act 185 puts responsibility on this committee to make recommendations on the permanent rule regarding program and services. There will also be listening sessions on broader topics. It was also noted that the permanent rule will make its way to Legislature for review before publication.

Secretary Anderson thanked the committee for their work today. Secretary Jess reminded the committee to review the meeting minutes from the prior meeting.

MOTION by Senator Taylor:

Move to adjourn. Representative Goyke seconded.

Motion passed.

Post-meeting Items

Parking-lot items posted by committee members:

- Accountability and Transparency
- Health and medical services for youth in Secure Residential Care Centers
- Funding

Break-out sessions notes were posted on the Act 185 webpage on August 23, 2018 for committee members to review prior to the next meeting. They were also emailed to the meeting attendees on August 23, 2018.