



# JUVENILE CORRECTIONS STUDY COMMITTEE

## MEETING MINUTES – AUGUST 28, 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  
Administrator Mark Mertens, Division of Youth & Family Services, Milwaukee County  
Mr. Fred Royal, President, NAACP Milwaukee  
Sheriff Dale K. Schmidt, Washington County  
Representative Michael Schraa, Wisconsin State Assembly  
Secretary Linda Seemeyer, Department of Health Services  
Senator Lena Taylor, Wisconsin State Senate  
District Attorney Melinda Tempelis, Outagamie County  
State Public Defender Kelli Thompson  
Senator Van Wanggaard, Wisconsin State Senate  
Secretary Cathy Jess, Department of Corrections  
Secretary Eloise Anderson, Department of Children & Families

The following members were present via teleconference.

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

The following members were not present.

Chief of Police Greg Leck, City of Stoughton  
Mr. Carl Wesley, President, Center for Self-Sufficiency

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

Karley Downing, Assistant Deputy Secretary, Department of Corrections  
Raj Kamal, Facilitator, Principal Consultant, Credens  
Wendy Henderson, Director, Bureau of Youth Services, Department of Children & Families  
Bryn Martyna, Youth Justice Policy Coordinator, Bureau of Youth Services, Department of Children & Families  
Shelby McCulley, Assistant Administrator, Division of Juvenile Corrections, Department of Corrections

## **APPROVAL OF MINUTES**

---

*Secretary Eloise Anderson, Department of Children and Families*

Secretary Anderson stated that there are meeting minutes from two sessions for committee approval.

**MOTION** by Honorable M. Donald:

Move to accept July 25<sup>th</sup> meeting minutes.

Seconded by District Attorney David Lasee.

Motion Passed without dissent.

**MOTION** by a committee member:

Move to accept August 20<sup>th</sup> meeting minutes.

Seconded by Honorable M. Donald.

Motion Passed without dissent.

## **AGENDA REVIEW & MEETING SCOPE**

---

*Secretary Cathy Jess, Department of Corrections*

**Handout:** Facilitation Slides (used throughout the course of this meeting)

Secretary Cathy Jess reviewed the scope of the meeting and provided an overview of the meeting agenda. Today's deliverable is to provide recommendations on program and services for Secure Residential Care Centers for Children and Youth. The goal is to move forward with recommendations for the facilities.

The next meetings will be on the mornings of September 14<sup>th</sup>, October 1<sup>st</sup>, and October 16<sup>th</sup>. We will work on the second deliverable of identifying location(s) for Type 1 facilities during these sessions.

Secretary Jess introduced Raj Kamal who will assist with facilitating this meeting. Mr. Kamal briefly discussed the meeting agenda and reviewed the contents of the folders provided to the committee members. He then introduced Assistant Administrator Shelby McCulley who will be the first presenter.

## **STAKEHOLDER INPUT UPDATES**

---

*Assistant Administrator Shelby McCulley, Division of Juvenile Corrections, Department of Corrections*

### **Handouts:**

- Wisconsin Act 185 Stakeholder Input Gathering Update (slides)
- Act 185 Stakeholder Input Summary

At the first study committee meeting on July 25, the Department of Corrections provided a summary of stakeholder input and common themes that were collected in early input sessions. This presentation provides an update on recent stakeholder meetings. There are also plans for ongoing input gathering events. Comments are also being collected from the Act 185 website and from this committee. Recent sessions focused on understanding the basic provisions of the Act, next steps in implementation, answering questions about the Act, and gathering general input to guide future work.

In August 2018, there were several methods of input gathering that occurred.

- Three public input gathering sessions in Waukesha, Green Bay, and Eau Claire.
- Six additional stakeholder group meetings occurred.
- Comments were submitted via the Act 185 website.
- Input was submitted by committee members.
- Feedback was collected from youth.
- Included 175 people (either in person or written).
- At least 32 counties were represented.

Assistant Administrator McCulley reviewed the input gathering questions that were asked and also provided a handout that summarized feedback and input that was collected. This included common themes related to programs and services such as:

- Assessments.
- Treatment requirements to meet the needs identified through assessment and case planning.
- Individualized treatment planning.
- Trauma-informed care services and principles.
- Evidence-based programming.
- Criminogenic needs
- Cognitive-behavioral programming.
- Substance use disorder treatment.
- Anger management.
- Mental health services.
- Vocational and employment services.
- Sex offender treatment.
- Restorative justice and victim impact programming.
- Educational services.

- Independent living services.
- Wide range of recreational activities (yoga, art, music, etc.).
- Holistic, integrated care, with all staff are reinforcing skills and treatment.
- Re-entry focused programming.
- Family involvement in treatment.
- Community connections.
- Importance of staff recruitment, retention, and training.

There were also areas with differing views that were identified during input sessions. There needs to be a degree of flexibility versus setting minimum standards with regards to programming requirements, staffing levels, physical space requirements (particularly outdoor space), and training. There were also differing views concerning whether facilities should specialize in particular program and treatment areas.

The department will continue stakeholder input gathering by scheduling meetings with other stakeholder groups and encourage interested individuals and groups to contact the department. The department will also continue to collect input via the Act 185 webpage form and email address and provide summaries of stakeholder input including input specifically from youth.

#### **Discussion:**

- There was a concern that an input session was not in Milwaukee. Secretary Jess stated that the department will hold a session in Milwaukee. If there are other stakeholder groups that the department should reach out to, please identify them.
- When will this information be incorporated into what happens and how? Items will be incorporated into the administrative rules and grant committee recommendations. There are multiple stages in the process.
- Today the committee will be asked to make some decisions regarding programming and services. There has not been a lot of time to discuss items but there are deadlines that have to be met in Act 185 including a requirement that needs to be met in two days.
- This committee is operating with a very tight timeframe and we do not want to miss this opportunity. This a may be a good opportunity to redefine what juvenile corrections looks like. However, this meeting does have a focus. There will always be opportunities for additional comments, feedback, and improvements.

#### **KEY THEMES FROM SECOND MEETING BREAKOUT SESSIONS**

---

*Topic Area Facilitators: Karley Downing, Shelby McCulley, Wendy Henderson, and Bryn Martyna*

The following facilitators provided summaries of the committee members' discussions in the topic area small groups at the August 20, 2018.

**Karley Downing – Topic Area #1: Education & Employment** – Youth coming into facilities may be behind in education when compared to their peers. An assessment of their education should occur at the intake. Any literacy and English proficiency issues that impede education success should be identified and addressed with other treatment needs and services. There should be a standardization of data across facilities. Local service coordination should include heavy involvement with local school districts. Facilities should be allowed to share resources with school districts. There should be natural lighting in classrooms and other areas of the facility. Technology learning resources should be considered but should also

address security concerns. Learning should include the availability of teleconference communication to allow engagement with family. Vocational skills, such as welding, machining, etc., could be included in curriculums. Life skills, decision-making, financial literacy, driver's education, employment, are also areas that should be covered. A review of local employment and marketing demands could be beneficial to students. There should be active family support concerning decisions in youth education. All resources should be culturally relevant.

**Shelby McCulley – Topic Area #3: Rehabilitative/Treatment Services** – The goal is to have an overall therapeutic approach that is woven into the rule and include a minimum standards but give some flexibility to the facility. Trauma informed care is a critical area of concern. Treatment should be integrated with all other programs and operations within the facility. Evidence-based programs should be utilized but there should also be an door open to promising practices and data-driven concepts. Multi-faceted assessments should be completed by trained professionals. Treatment should be rooted in therapy techniques. Mental health is a significant issue and there should be consistent access to services. Facilities should also include short term stabilization, substance use/disorder treatment, and psychiatric care. Families need to be involved in treatment. Treatment should also be responsive to transition youth back into the family and community.

**Wendy Henderson – Topic Area #3: Developmental/Recreational Programming** – A key theme was to look at the whole person/youth. Youth need to understand different ways to use recreation to move themselves forward in life. We need to encourage community engagement and think about what is available locally. Programs and services should include strength-based concepts that are purposeful. They should include creativity, music poetry, outdoor recreation, and activities outside of the facility. Youth should have access to external resources such as spiritual resources, cultural events, and other pro-social activities. Alone time should be allowed so teenagers can decompress. The support we need to accomplish this includes highly trained staff, dedicated spaces at facilities, and youth input into the design. Facilities should have a warm welcoming atmosphere.

**Bryn Martyna – Topic Area #4: Family & Community Engagement** – Family and youth need to engage with each other so they are strengthened to support one another. Youth should feel connected to the family. Location is a concern and distance from families should be considered from the start of the youth's placement. Reentry needs to be family-oriented. Family should be defined more broadly – who are the positive adult supports in a youth's life? They should have this link when they go home. Visitation spaces should be trauma-informed so that families can connect. Facilities should use outdoor space and include family meals so they connect and engage. There should be support for the transportation needs of family members. Technology could be used to connect families remotely. Facilities should incorporate family therapy and life skill learning as a family. Facilities should think about how can the staff support families. Are we connecting youth with the community? They should seek community-based partners and also provide volunteer opportunities for youth.

Mr. Kamal stated that committee members that would like to provide additional feedback in these topic areas could do so by emailing [DOCWIAct185@wisconsin.gov](mailto:DOCWIAct185@wisconsin.gov).

#### **Discussion:**

- We have tried to balance everything [input, feedback, recommendations, timelines, etc.]. If you feel there is something that should be incorporated or changed in the topic area documents, please feel free to send an email.

- We are talking about redesigning the juvenile correction system which is a massive task. Where does it fit in the discussion to deal with the behavior patterns before they happen? There are a whole lot of children that will not be part of the new youth facilities. We talked about who is in this system and who we are not in the system at the first meeting. Our charge is to address the kids in this system, not the portion of children outside. There has been a significant reduction in the number of children in correctional settings. Act 185 addresses the confinement piece.
- Maybe there is a way we can, after today, we can work together and address legislation. A subcommittee can address something more broadly. Legislation is needed to be looked at for the rest of the system. The scope of the committee is pretty clear. However, just because it is not in the scope doesn't mean it is not important.
- What is the committee's decision? Should we submit all of these decision collectively as they are? Or collectively prioritize them by voting/ranking and let the department know what is most important. A committee member suggested going through the process and see what comes out of it.
- How "permanent" will the permanent rule be? The committee is providing recommendations on the permanent rule. There are different processes for both the permanent and emergency rule.
- There was support from committee members to go through the ranking process but also adopt all the recommendations. This is a comprehensive system that needs to be rebooted and all recommendations should be considered.
- The emergency rule will be promulgated soon and counties will be working on grant applications based on the emergency rule because the permanent rule could take a couple years to complete. Will the ranked items be considered for the emergency rules?
- There was a suggestion that the committee should go through the ranking process to ensure the department includes some of the higher ranked items in the rule.
- There was also a suggestion that ranking may not be a necessity and that the committee should look at developing an overall action plan and find gaps where there are needs.
- Special education does not seem to be addressed nor is licensure for educators. Adequate funding should also be addressed.

**MOTION** by Secretary Linda Seemeyer:

Move to proceed with collectively ranking and forward all items within the list to the department.

**Discussion:** Moving forward with all the recommendations gives counties more latitude to address county concerns and needs. Counties need to know what mandatory items are required.

Motion was seconded by Mr. Fred Royal.

Majority in favor. Two opposed. Motion passed.

## **PRIORITIZATION EXERCISE**

---

*Raj Kamal, Facilitator, Principal Consultant, Credens*

**Handouts:** Recommendations for committee ranking in four topic areas.

Mr. Kamal provided an overview of the ranking process.

1. All members get an equal number of votes.
2. Collective ranking will equal the sum of individual member votes for each recommendation.
3. Recommendations will be ranked within their topic area, not across topic areas.
4. Higher individual priorities will have greater weight in the final rankings.
5. Each committee member gets 12 color-coded and numbered ranking dots (three dots for each of the four topic areas).

Mr. Kamal provided the committee with some time to reflect on the recommendations. He asked committee members to complete their ranking by 2:50pm by placing their color-coded dots on the charts posted around the room. Members participating by teleconference will be contacted by a staff member who will assist with adding their rankings to the charts. During the break, a group will review the highest ranked priorities. The results will be shared with the committee after the break.

The committee was reminded that a parking lot sheet was placed in the back of the room that they could add suggestions to it. Members of the public are welcome to observe the discussions of the committee.

## SCORING & RESULTS

---

*Raj Kamal, Facilitator, Principal Consultant, Credens*

Mr. Kamal explained how the scoring occurred and provided examples. He then reviewed preliminary results. He emphasized that a final review of the results would need to be conducted and verified.

**Final Results:** Below is the final tabulation of ranking/priorities of the recommendations. The finalized recommendations and photographs of the ranking sheets were posted to the Act 185 Study Committee Page.

### Topic Area #1 – Education & Employment

Recommendation	# of Points
1	43
8	34
4	16
12	9
23	7

### Topic Area #2 – Rehabilitative & Treatment Services\*

Recommendation	# of Points
10	33
15	14
20	13
22	9
4, 5, 8	tied for 5th

### Topic Area #3 – Developmental & Recreational Programming

Recommendation	# of Points
16	22
2	16
3 & 17	15
7	13
20	11

### Topic Area #4 – Family & Community Engagement

Recommendation	# of Points
4 & 15	19
5	16
10	15
8	14
17	10

#### Discussion:

- Cultural competency should also be considered. All of the recommendations and sheets will be kept and provided to the department.
- How does the concept of “best practice” get married to the recommendations? What if recommendations conflict with best practices? The department probably would not put recommendations that conflict with best practices in the rule. Anything of concern from the rule drafting workgroup could come back to the study committee for additional feedback.

#### DELIVERY OF COMMITTEE RECOMMENDATIONS

---

*Secretary Eloise Anderson, Department of Children and Families*

Secretary Anderson asked what recommendations the committee wanted to advance to the Department of Corrections.

**Discussion:** The committee discussed that the prior motion determined that the committee does not need to need to deliberate on what to forward to the department. A committee member asked Glen Mercier II to read the prior motion. Mr. Mercier read the motion as stated earlier in these minutes:

*Move to proceed with collectively ranking and forward all items within the list to the department.*

#### NEXT STEPS/ADJOURNMENT

---

*Secretary Cathy Jess, Department of Corrections*

At the next meeting on September 14, we may include an inventory of facilities and some data regarding Type 1 facilities.

## Discussion:

- When will items in parking lot be addressed? The department of corrections will consider the items for the administrative rule. Some items may be outside of the scope of this committee's charge.
- The Office of Detention Facilities has oversight over county jails, municipal lock-ups, etc. Perhaps their office can present on their role in Secure Residential Care Centers for Children & Youth.
- The process that we are doing needs to have transparency and accountability with what is going on. As we go forward meetings should be public.
- Office of Detention Facility evaluations are available to the public. Programming is involved in these inspections.
- Will Chapter DOC 347 be available in draft format? The rules committee is working on drafting a rule. Recommendations from this committee may be incorporated into the rule.
- There was a brief discussion about a site visit to Missouri and if there is continuity between agencies.

Future committee meeting dates were discussed briefly – September 14, October 1, and October 16. All meetings will occur in the morning and will be posted to the Act 185 website. Secretary Jess asked the committee if they were ready to adjourn. There were no objections.

## POST-MEETING ITEMS

---

Parking-lot items posted by committee members:

- Prior meeting:
  - Accountability and Transparency
  - Health and medical services for youth in Secure Residential Care Centers
  - Funding
- Today's meeting: No new parking lot issues were posted.

Scoring and Results:

- Final scoring results were posted to the Act 185 website on August 30, 2018. Photographs of the ranked charts were also posted.
- The final results were emailed to the study committee members on August 30, 2018.

Future Meeting Dates Posted:

- Future meeting dates have been posted on the Act 185 website.
- The dates are September 14, October 1, and October 14.