



# JUVENILE CORRECTIONS GRANT COMMITTEE

## MEETING MINUTES – MARCH 21, 2019

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

### **MEETING CALLED TO ORDER & WELCOME**

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*David Crowley, Representative, Wisconsin State Assembly*

Senator Crowley opened the meeting and thanked everyone for attending. Due to the mission of the committee, he recommended that it should be chaired by the Department of Corrections and Department of Children and Families Secretaries.

**MOTION** by Representative Crowley.

Motion to designate Secretary Carr as Chair and Secretary Amundson as Vice-chair of this committee.

Seconded by Representative Schraa.

Motion passed without dissent.

### **ATTENDANCE/ROLL CALL & WELCOME COMMENTS**

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*Kevin Carr, Secretary, Department of Corrections*

Secretary Carr welcomed everyone to the meeting and identified Glen A. Mercier II, Department of Corrections, as making written minutes of the meeting for record. Secretary Carr requested members identify themselves for roll-call. The following members were present (listed alphabetically by last name).

Secretary Emilie Amundson, Department of Children & Families  
Representative Mark Born, Wisconsin State Assembly  
Secretary Kevin A. Carr, Department of Corrections  
Representative David Crowley, Wisconsin State Assembly  
Senator Alberta Darling, Wisconsin State Senate (teleconference)  
Ms. Sharlen Moore, Co-founder, Urban Underground  
Representative Joe Sanfelippo, Wisconsin State Assembly  
Representative Michael Schraa, Wisconsin State Assembly  
Senator Lena Taylor, Wisconsin State Senate  
Senator Van Wanggaard, Wisconsin State Senate

Secretary Carr briefly discussed the committee's charge to put together a request for proposal for the grants for Secure Residential Care Centers for Children and Youth (SRCCCY) in accordance with 2017 Wisconsin Act 185. He stated that the committee should develop a process to meet this objective. He asked the committee for their thoughts moving forward.

### **Discussion:**

- One of the primary issues is the timeline. Counties have a due date of March 31<sup>st</sup> to have their applications process in. The timeline is very tight. There are counties that are very interested and ready to start the application process.
- Please consider that counties who may have an intent to submit an application provide a “non-binding letter of interest”. As long as counties submit this letter by the March 31<sup>st</sup>, the committee can accept the letter as the county’s initiation of the grant process. They would then need to continue on afterward and complete the processes that will be established.
- Secretary Carr identified that Senator Taylor was present and asked that it be reflected in the meeting minutes. Clarification was provided to Senator Taylor regarding status of the committee chair and vice-chair.
- A committee member requested that a member of the Legislative Council provide an analysis to ensure a letter of interest would be sufficient for the grant process.
- Katie Bender-Olson, Legislative Counsel, stated that the Grant Committee has wide discretion over the grant process under 2017 Wisconsin Act 185. It gives the committee a charge to establish requirements, guidelines, and criteria for grant proposals. Ms. Bender-Olson stated that if the committee wanted to require a letter of interest by March 31<sup>st</sup> as part of their guidelines for submission, it would meet the intent of the Act.
- The non-binding letter of interest may include the following:
  - Projected capacity, including in county and out of county.
  - Stand-alone facility or co-located facility.
  - Reconstruction or remodel.
  - Serving boys and/or girls.
  - Other options/alternatives to residential placement.
- There will be more information required of the grant process concerning programing and other details. This first step will help determine who is participating and who is interested in the process.
- There may be consideration of the prior committee, Juvenile Corrections Study Committee criteria concerning SRCCCYs. The letter is a place-holder to be in compliance with the March 31<sup>st</sup>, 2019 deadline.
- A member noted that the Assembly will not be on the floor in March and may have a meeting in April. It is possible that the trailer bill to Act 185 may not be considered on the Assembly floor until May or later.
- The committee is also charged with developing a state-wide plan. The committee should consider the maximum number of facilities and beds to ensure need are met but the state is not over-building. The committee should share methods to accomplish this as they move forward.

## **AGENCY REPORT ON JUVENILE CORRECTIONS STUDY COMMITTEE**

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*Wendy Henderson, Administrator, Division of Safety and Permanence, Department of Children and Families (DCF)*  
*Shelby McCulley, Assistant Administrator, Division of Juvenile Corrections, Department of Corrections*  
*Melissa Roberts, Director, Office of Detention Facilities, Department of Corrections*

### **Handouts:**

- Juvenile Justice Study Committee Overview Slides
- Wisconsin Youth Justice & Juvenile Corrections System Visual

Assistant Administrator McCulley introduced herself and Administrator Henderson and Director Roberts. Their goal is to provide a brief overview of the Juvenile Corrections Study Committee, process and charges. Administrator Henderson first provided an overview of the number of youth involved in the Youth Justice System. Administrator Henderson also reintroduced and reviewed the Wisconsin’s Youth Justice Juvenile Corrections

System visual that was provided at prior Juvenile Corrections Study Committee meetings. Act 185 changes correctional orders to include county adjudications. There are 13 approved secure juvenile facilities designed for short-term stays. Eight of these have long-term programs. The committee was provided with the below information:

- 518,263 Youth between 10 and 16 Years Old in Wisconsin.
- 39,825 Juvenile Arrests in Wisconsin.
- 3,829 Delinquency Adjudications.
- 162 New Youth Committed to Juvenile Corrections.

**Discussion:**

- A committee member requested a map with the population.
- A committee member asked if other states also have the pre-disposition aspect of this or if Wisconsin is unique.

Director Roberts stated that Type 1 facilities and SRCCCYs will be constructed similarly in terms of security.

**Discussion:**

- Programming is one of the reasons why things are changing from state correctional placement to county placement as counties have other opportunities for education, programming, skill sets, etc.
- A committee member requested demographic information regarding background of juveniles such as foster care, education, mental health, family living conditions, etc., in order to be successful with their rehabilitation. State systems do not provide all of this information.
  - DCF is piloting a new assessment system. This will help build a larger data system.
- Type 1 facility and SRCCCYs may be very similar in security and programming, but the offenders housed there have different legal statuses. Facilities do not have to look alike, but the risk needs are likely to be very similar.
- A committee member expressed concern about “juvenile offenders” terminology and suggests that there may be a better term to use that will help avoid the stigma put on young people.
- There was also a concern about security issues such as wall thickness, sally ports, etc. A member stated that new legislation may address this.
- Public safety is important. The youth that are involved with these types of correctional orders are offenders. They have done something that a court has adjudicated that they need to be secured for their safety and the safety of the public.
- There is a body of research out there that indicates how we label individuals can hinder persons reintegration back into the community. The discussion continued by some committee members stating that the community has to be realistic with what we call juvenile offenders. What we call them in person is different. We need to be very aware of where these youth are coming from.
- It is important to step back and understand the role of the committee. We are not here to change language. “Serious offender” terminology is in the legislation. If there is an interest in changing this terminology, it needs to be done legislatively.

Assistant Administrator McCulley continued with her presentation. Background materials, stakeholder input gathering information, population, and other information from the Juvenile Corrections Study Committee are all posted to the Act 185 website. Assistant Administrator McCulley and Administrator Hendricks then reviewed the both charges of the Juvenile Corrections Study Committee:

1. The first charge that the Juvenile Corrections Study Committee worked on was recommendations to Department of Corrections on administrative code related to SRCCCY programming and services. They reviewed four categories – Education/employment, rehabilitative/treatment services, developmental recreation programming, and family engagement. All of these documents are available on the study committee web page.
2. Recommendations were made to DOC on location of new Type 1 facilities. Recommendations are documented in the form of a motion. See Juvenile Corrections Study Committee October 16 meeting minutes for details.

**Discussion:**

- There were concerns that the committee may need to address facility locations that are not on state owned land.
- The grant committee could request that the Juvenile Corrections Study Committee reconvene to look at other properties.

**EMERGENCY RULE – CHAPTER DOC 347**

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*Melissa Roberts, Director, Office of Detention Facilities, Department of Corrections*

**Handout:** Emergency Rule Chapter DOC 347, Secure Residential Care Centers for Children & Youth

Director Roberts discussed key timelines of the emergency rule including:

- Statement of scope approval.
- Drafting workgroup began in July of 2018.
- Workgroup incorporation recommendations of Juvenile Corrections Study Committee in September 2018.
- Public hearing held in Milwaukee in February 2019.

The emergency rule includes basic requirements of county run SRCCCYs. Director Roberts shared some of the highlights of DOC Ch. 347 which distinguishes it from DOC Ch. 346 which includes trauma informed care principles, assessment, natural light, exterior views, recreation, improved staffing ratios, and additional parameters regarding use of force and use of restraints.

The scope for the permanent rule has been submitted to the Governor’s office for approval. The emergency rule expires on January, 6 2021.

**COUNTY PERSPECTIVE & WISCONSIN COUNTIES ASSOCIATION**

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*Sarah Diedrick-Kasdorf, Deputy Director of Government Affairs, Wisconsin Counties Association*

*Mary Jo Meyers, Director of Health and Human Services, Milwaukee County*

**Handout:** Letter to Juvenile Corrections Study Committee

Deputy Director Diedrick-Kasdorf stated that counties have been asked to take on an enormous responsibility with regard to the provision of services to youth with a correctional disposition and have been reviewing their options regarding WI Act 185.

In preparation for this meeting, WCA consulted with a number of counties that are considering constructing and operating an SRCCCY, as well as counties that will be purchasing services from an SRCCCY. Deputy Director Diedrick-Kasdorf said counties have not yet received criteria to submit a grant or any grant information.

Deputy Director Diedrick-Kasdorf stated counties would like to propose submitting a 'letter of interest', indicating that the county may submit a grant application once the materials are available. They ask that those materials be provided soon to aid counties in making decisions.

Deputy Director Diedrick-Kasdorf also indicated counties are requesting a multi-step process application versus one large application. This will help identify if the county will continue to determine the feasibility of moving forward. Deputy Director Diedrick-Kasdorf also relayed concerns regarding bill language required DOC to approve the plans and specifications for the site(s).

**Discussion:**

- DOC/DCF plan to discuss aspects with counties regarding facility before having any costs incurred. The letter of interest can trigger discussions between DOC/DCF and the counties involved.
- Rep. Schraa stated that the Grant Committee needs to be provided with cost information concerning design, construction, and other aspects as \$80 million was allocated for SRCCCYs. He requested a specific breakdown on where all the costs are involved for these facilities.

On the topic of flexibility, Deputy Director Diedrick-Kasdorf stated that some counties are further along in the process than others. While some counties have started writing in anticipation of a grant, others have not received any information and have not started this process. Counties are requesting flexibility accepting information at different times in the process and begin the process right away. Counties are requesting what a "Wisconsin Model of Juvenile Justice" looks like.

**Discussion:** Committee members indicated that it is important to know the distance between facilities. They also discussed Governor Evers' proposal to bring 17-year-olds back into the youth justice system and how that would coincide with counties' plans of an SRCCCY.

Secretary Carr requested that the committee continue the meeting past 3:30. Committee members agreed.

Deputy Director Diedrick-Kasdorf continued by stating that the State paying for the construction of a county facility is a new process.

**Discussion:**

- Committee members discussed if the budget was realistic for the statewide plan that is requested.
- Secretary Carr said that if counties have budget numbers, they can include that information in their letter of interest.

Mary Jo Meyers from Milwaukee County then addressed the committee, asking if counties could submit the proposed budget in the letter of interest. Meyers stated that Milwaukee County has operated in an area of

uncertainty thus far. Milwaukee is looking at \$39 million cost with a gap of \$2 million for 40 beds and Meyers stressed that the discussion of beds is going to be important in this process.

**Discussion:**

- Meyers stated that Milwaukee County does not currently have a site, but is considering options.
- Sen. Wanggaard asked that if you build on state property, will there be a reduction in costs? Meyers said they were not prepared to answer this at this time.
- Meyers wanted clarification if they were to build a school or a prison, as a school building would mean a change in the emergency rule language. Secretary Carr answered that we are not building a school or a prison, but a secure residential area that is active 24/7 and includes programming, dining, housing, etc.
- Sen. Darling suggested that the committee receive letters of interest then look at other clusters of counties that are interested. She wants to ensure that SRCCCYs are built where the children who need them live.

**CHARGE TO AGENCY STAFF**

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*Kevin A. Carr, Secretary, Department of Corrections*

*Shannon Carpenter, Assistant Deputy Secretary, Department of Corrections*

Secretary Carr asked Assistant Deputy Secretary Carpenter to identify action items for the Departments of Corrections and Children and Families, as requested by committee members. Assistant Deputy Carpenter reported the following list to the committee:

- Three documents brought to this meeting will be posted to the Act 185 website.
- Comparisons of costs of different type of facilities
- Population data report – total number of beds, maps, existing county facilities, etc.
- Information to submit letters of interest.
- Summary paper on study committee paperwork (documents are on website).
- Staff will work with counties regarding sequencing, breaking out costs, etc.
- Contact person for committee for questions have been identified.

Secretary Carr and Secretary Amundson identified a point of contact for requests for information for the committee from each department.

- Department of Corrections: Assistant Deputy Secretary Shannon Carpenter
- Department of Children & Families: Assistant Secretary Danielle Melfi

**CHARGE TO COUNTIES**

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*Juvenile Corrections Grant Committee Members*

**Discussion:** A committee member suggested a motion to for the committee to have a motion for county letters of interest to be received by April 1st, 2019. A member of the Legislative Council confirmed that it would be appropriate to have this motion on record.

**MOTION** by Secretary Carr:

Move to require a non-binding letters of interest submitted by April 1st, 2019 that includes the following criteria:

- Cost break-down (if available).
- Projected capacity.
- Stand-alone or co-located facility.
- Newly constructed or remodeled facility.
- Male and/or female residents.
- Single or multi-county application.

Seconded by Senator Taylor.

Motion passed without dissent.

## **REOCCURRING MEETINGS & ADJOURNMENT**

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*Kevin Carr, Secretary, Department of Corrections*

Secretary Carr proposed bi-weekly meetings moving forward unless there are objections by members of the committee. Letters of interest will come in by March 31<sup>st</sup> and will be discussed at the next meeting. Secretary Carr stated that a member of his staff will send out a request for the best date and time for reoccurring meeting for future meetings.

Secretary Carr thanked Representative Crowley for his guidance and for nominated the department Secretaries to Chair the committee. He further thanked all the committee members for their participation.

**MOTION** by Secretary Carr:

Motion to Adjourn.

Seconded by several members.

Motion passed without dissent.