



JUVENILE CORRECTIONS GRANT COMMITTEE

MEETING MINUTES – APRIL 8, 2019

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

MEETING CALLED TO ORDER & ATTENDANCE/ROLL CALL

Kevin A. Carr, Secretary, Department of Corrections

Secretary Carr opened the meeting and conducted roll call. The following members were present.

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

The following members were present via teleconference.

Senator Alberta Darling, Wisconsin State Senate
Representative David Crowley, Wisconsin State Assembly
Senator Lena Taylor, Wisconsin State Senate

Secretary Carr noted that there was a quorum.

MEETING MINUTES FROM MARCH 21, 2019

Kevin A. Carr, Secretary, Department of Corrections

Handout: Draft Meeting Minutes from March 21, 2019.

Secretary Carr asked the committee if there were any edits that they would like to suggest in the draft meeting minutes from March 21st. There were two items that were recommended for correction:

- Page 1 – Change David Crowley's title from "Senator" to "Representative".
- Pages 6 and 7 – Discussion and motion for letters of interest to be submitted by April 1st 2019.
- It was also noted that the population data report is posted to the grant committee website.

MOTION by Representative Sanfelippo:

Move to accept meeting minutes from March 21, 2019 meeting with the following edits: (1) Change Representative Crowley's title to "Representative" on page 1; and (2) change letters of interest dates to be submitted by April 1st 2019 on Pages 6 and 7.

Seconded by Senator Wanggaard.

Passed without dissent.

DISCUSS PLAN FOR FUTURE MEETINGS

Kevin A. Carr, Secretary, Department of Corrections

Handouts:

- Proposed Future Meeting Agendas
- County Letters of Interest Summary Table

Secretary Carr reviewed a proposed plan for future meeting dates. Key topics and goals for the next several meetings may include development of a grant application process and a state-wide plan for grant distribution that aligns with a Wisconsin model for juvenile justice. Under the Act 185 trailer bill, complete applications would be due by June 30th. This committee needs to submit a state-wide plan including proposed facilities to fund to the joint finance committee by October 1st. If the trailer bill does not become law, deadlines will remain March 31st and July 1st. Secretary Carr reviewed the proposed meeting topics in the handout titled "Proposed Future Meeting Agendas".

Discussion:

- There were multiple requests for information during the last meeting. Today the departments are providing information regarding population characteristics and then moving on to a capacity conversation.
- A committee member requested that discussions are based on the items that already were discussed from by the Juvenile Corrections Study Committee (JCSC).

Secretary Carr stated that the "Proposed Future Meeting Agenda" handout is a suggestion and asked the committee for feedback. There was no feedback provided at this time.

MOTION by Representative Crowley:

Move to accept the schedule of activities and agenda items as provided to the committee.

Seconded by Representative Born.

Passed without descent.

REPORT-OUTS FROM PREVIOUS MEETING

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

Handouts:

- Youth facilities map
- Summary of JCSC
- Juvenile Corrections Population Data

- Juvenile Correctional Facility Population Characteristics

There were a number of requests from the previous meeting and the departments tried to break them out into pieces so they can be put into a logical structure.

Discussion:

- There was a concern from a committee member about handouts and electronic presentations. Legislators are accustomed to items being packaged in a specific way.
- Secretary Carr affirmed that items for the meeting will be provided to all participants.

Assistant Administrator McCulley continued – In the previous meeting there was a discussion about costs. A request was submitted by DOC to the Council of Juvenile Justice Administrators for information from other states on costs. DOC will also request information from the Department of Administration (DOA) concerning construction costs.

Assistant Administrator McCulley introduced and reviewed the document titled “Summary of Juvenile Corrections Study Committee”. This was in response to a request from the last meeting for a brief summary of the JCSC. There is also a lot of material on the study committee page. This two-page document highlights the committee charges and outcomes. The committee can dive deeper into capacity analysis at a future meeting.

Assistant Administrator McCulley presented the Juvenile Corrections Population Data report which includes youth population data in juvenile corrections facilities – Lincoln Hills, Coper Lake, and Mendota Juvenile Treatment Center. These facilities include youth who may move to a Secure Residential Care Center for Children & Youth (SRCCCY). Assistant Administrator McCulley did not review the entire document because of its length but covered several highlights.

There were also requests from the previous meeting for more information concerning the characteristics and the needs of youth in Type 1 facilities. Assistant Administrator provided an overview of the document titled, “Juvenile Correctional Facility Population Characteristics” The report provides a variety of information concerning commitment types, demographics (age, race, committing county, etc.), risk scores, offenses committed, treatment/programming, mental health needs, educational needs, and assaults on staff. Assistant Administrator McCulley provided a brief overview of this document.

Discussion:

- The DOC currently uses the COMPAS suite by NorthPoint as a risk assessment tool.
- The number of serious juvenile offenders (SJOs) has declined but not as rapidly as the number of youth on juvenile commitments. The number of youth that have adult convictions that are being served in the juvenile system has increased but is likely due to a policy change in the Prison Rape Elimination Act (PREA) that required sight and sound separation between youth and adult inmates. This was a change in state policy driven by federal law.
- A variable that may impact commitment type placement is philosophical views of judges. Many counties rotate their judges in their courts, too.
- Because the population is so small, small changes do shift the numbers from one year to the next.
- Clarification was provided regarding the coloring of the Commitment Type chart on page 4.

- A committee member asked if the demographics on page 6 were ever used to target preventative services for geographic regions. The Department of Justice (DOJ) and DCF has been involved in number of different initiatives.
- DCF has data collection moving forward for youth who were involved in youth justice systems.
- Secretary Carr acknowledged that it is important to answer as many question as possible but to also be cognizant of the agenda and goals of this meeting.
- Information was presented regarding staff-on-youth assaults. DOC staff will provide information on this topic.

REVIEW LETTERS OF INTEREST

Wendy Hendricks, Administrator, Division of Safety and Permanence, Department of Children & Families

Handouts:

- Memorandum - Request for Letters of Interest dated March 28, 2019
- County Letters of Interest Summary Table
- Seven grant letters of interest:
 - Brown County
 - Dane County
 - Fond du Lac County
 - Great Lakes Inter-tribal Council
 - La Crosse County
 - Milwaukee County
 - Racine County

Administrator Hendricks noted that the letter of interest request was sent on March 28, 2019. The letter provides key points on what should be included in the letter of interest. Administrator Hendricks identified a document that summarizes the letters of interest submitted. The letters of interest received represent over 200 beds. While three of the applications did not have costs listed on them, the overall amount of all letters of interest was just shy of \$104 million.

Discussion:

- The dollar amounts listed on the letters of interest represented projected costs, not actual costs.
- Letters of interests stated that it was their first look at this and they would need to see what the full application would look like to provide specific details.

Administrator Hendricks continued on to state that all of the letters of interest were for single county applications. Most letters stated they would welcome youth from other counties. Although there is a statutory preference for a multi-county application, there were none that were submitted.

Administrator Hendricks continued on reviewing the letter of interest summary document which included an outlined summary of the letters of interest from the Great Lakes Inter-tribal Council and the counties of Brown, Dane, Fond du Lac, La Crosse, Milwaukee, and Racine. Administrator Hendricks also shared some concerns that were raised from the Departments of Corrections and Children and Families:

- Funding allocation.

- Operating costs.
- Medical costs.
- State support versus local support.
- Timelines for Wisconsin model and grant application.
- Population issues.
- Impact of 17-years returned to the youth justice system.
- Accounting for long-term detention.
- Co-located facility concerns.
- Emergency and permanent rule.
- Technical assistance model from Department of Public Instruction (DPI) or other agencies.

Discussion:

- These concerns are reasonable but not necessarily within the scope of this committee.
- There is potential to develop a workgroup involving the counties to help address some of these concerns.
- Operating costs are not addressed in Act 185 other than a youth aids bonus; but that funding has not been approved by the Legislature.
- Counties will need to know what resources and funding will be available so that counties are comfortable submitting a grant application.
- The committee should be prepared in case the budget does not pass.
- The design between the SRCCCY, Type 1, and Type 2 facilities will not be the same. Type 1 facilities are DOC-run and governed by a DOC Administrative Rule. SRCCCYs are county-run but governed by DOC Administrative Rule ch. 347. There are similarities in the design and security, but the population is indistinguishable. There are a number of administrative code chapters that govern Type 1 facilities.
- A committee member asked for clarity on design and security between the facilities.
- Counties are asking for clarification on funding, design, and other issues related to Act 185, SRCCCYs, and the grant committee.
- There was discussion regarding the charge and scope of the committee and if operating costs should be discussed or resolved among the grant committee.
- A committee member recommended that collaborative work should be incentivized. Further discussions should occur to identify what this would look like and determine if it falls within the charge of this committee.
- A committee member noted that if the JCSC were to reconvene, the Governor may need to reappoint new membership to the committee.
- Although there are members of the JCGC that are assigned to the finance committee, other Legislative members of this committee can take these issues to their caucuses.
- A committee member asked that data is available including the number of 17-year-olds in the adult system. DOC will add this component to their materials for the next meeting.

DISCUSS GRANT APPLICATION

Kevin A. Carr, Secretary, Department of Corrections

Melissa Roberts, Director, Office of Detention Facilities

Visual: Discuss Grant Application – PowerPoint presentation.

Handouts: Three additional handouts were provided to committee members during the meeting. These were also posted to the grant committee's webpage during the meeting.

- Considerations for a Wisconsin Model for Juvenile Justice
- Youth Justice Vision and Strategic Plan
- Items for Consideration During Grant Application Discussion, by Senator Darling

Director Roberts presented key four areas during this portion of the meeting including the following:

Language in Act 185 – The committee shall consider best practices in design and operation, feasibility of developing existing facility into an SRCCCY, solicit input on design from judges, favor proposals that utilize existing facilities, and encourage multi-county coordination proposals. Secretary Carr stated he would like counties to familiarize themselves with what Act 185 and the emergency rule requires to assist them with submitting the grant application. At a future meeting where counties have input, they can use Act 185 and the emergency rule as a baseline to provide comments and recommendations.

Stakeholder input from the JCSC – Director Roberts shared a list of broad-level topics that were collected through the study committee’s work and stakeholder input sessions.

Administrative rules – Act 185 required the DOC to promulgate an administrative rule. The current emergency rule incorporates trauma informed care principles, requires youth assessments within 10 days, requires uniform data collection, requires increased access to natural light and exterior views, increased access to outdoor recreation space, improves staff ratios, increases access to social supporters, incorporates family more broadly, and provides additional parameters around the use of force and restraints. These are some of the basic requirements for the counties to consider when they submit their application. The committee will be looking for comment from the counties.

Statewide plan – 2017 WI Act 185 requires that “the juvenile corrections grant committee shall develop a statewide plan that recommends which grant applications to approve, based on an overall view toward a Wisconsin model of juvenile justice.” Secretary Carr provided a document that included some considerations for a Wisconsin Model for Juvenile Justice. Secretary Carr asked the committee to review this document to help the committee get started. Secretary Carr also provided DCF’s “Youth Justice Vision and Strategic Plan.” He stated that there would be a more robust discussion about what the model should look like at a future meeting.

Discussion:

- How can we use SRCCCY space to be able to look at youth justice and the trend across the country? SRCCCYs should support youth needs.
- A committee member asked about a site or virtual tour of another facility in another state. However, a site visit would need to take place very quickly because criteria for the grant application needs to be developed very soon.
- It may be possible for another legislator speak to the group about their experience from other facilities.
- There was a concern that a site visit by the committee may pose open meeting law issues, but this is still a possibility.
- A member requested from DOC a draft or skeleton version of a Wisconsin model of juvenile justice.

NEXT STEPS & ADJOURNMENT

Kevin A. Carr, Secretary, Department of Corrections

The next meeting date is April 22, 2019. Mondays seem to work out best for meetings for most members of the committee.

MOTION by Senator Wanggaard.

Move to adjourn.

Seconded by Representative Schraa.

Motion passed without dissent.

DRAFT