

# WI Act 185

## Overview and Update

Juvenile Corrections Study Committee

July 25, 2018

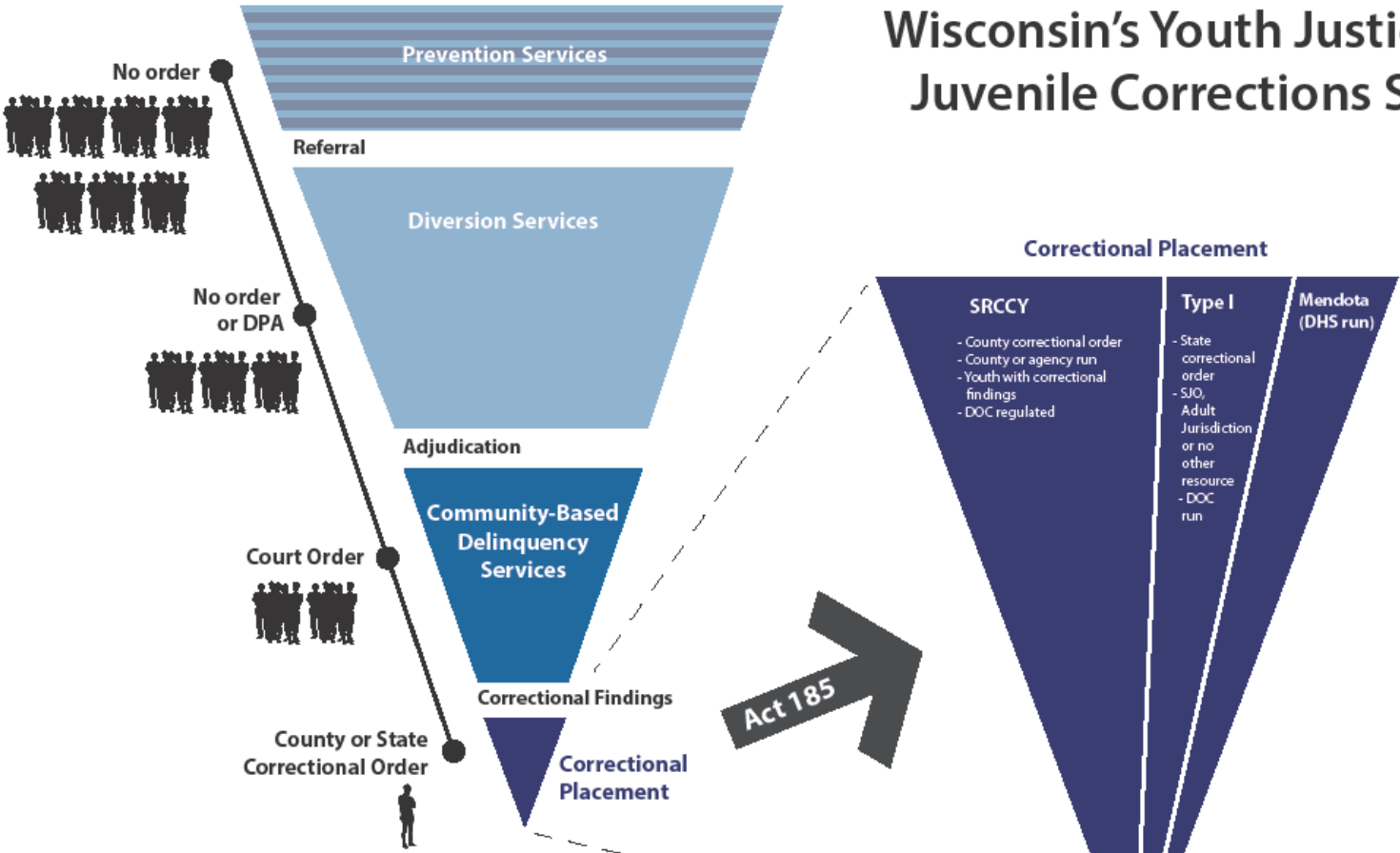
# *Presentation Objectives*

- 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



**KEY**

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



# *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:

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

# *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)