



# An Overview on the History of Act 185 and the Proposed Site for a new Secure Youth Facility

November 2022



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# Why are we here?

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- In 2018, after years of recorded concerns in relation to excessive use of force and other egregious issues surrounding the safety and care of youth at Lincoln Hills & Copper Lake Schools (LHS/CLS), the previous administration negotiated a settlement agreement in federal court. At the time, the federal judge noted that LHS/CLS was “out of touch” with national norms.
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# LHS/CLS Snapshot

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- LHS/CLS Campus houses two secure facilities known as Type 1s.
    - one for boys and the other for girls
  - Located in the rural town of Irma, WI in Lincoln County.
    - Irma has a population of just over 1,200 residents with a median age of 46.
  - Nearly 4 hours from Milwaukee
    - Despite over half of its residents coming from the Milwaukee area.
  - LHS/CLS can house approximately 450 youth.
    - This is a massive facility not conducive to evidence-based design or national best practices.
  - A judge determines if a child will be placed under DOC care.
    - A Serious Juvenile Offender
    - Adult-sentenced Minor
    - Change of Placement from a county facility
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# New Law to Close LHS/CLS

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- In response to the allegations of mistreatment at LHS/CLS, in 2018, the Legislature passed 2017 Act 185 (“Act 185”).
  - Act 185 called for the closure of LHS/CLS by building:
    - Smaller regional secure Type 1 facilities run by DOC, and
    - County-run facilities known as a Secure Residential Care Centers for Children and Youth (SRCCCY).
      - Act 185 required the development of administrative rules to allow for the operation of SRCCCY.
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# 2017 Act 185

[2017 Wisconsin Act 185](#) ("Act 185") became law on March 31, 2018, and restructured Wisconsin's youth correctional system, impacting both state and county systems, including how and where they can incarcerate youth who are adjudicated delinquent.





# Major Provisions of Act 185

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- **Seek approval from the legislature to build new, smaller DOC-operated Type 1 facilities.**
  - Establish county and/or tribal Secure Residential Care Centers for Children and Youth (SRCCCYs) for non-SJO juvenile correctional placements.
  - Expand the Department of Health Services' (DHS), Mendota Juvenile Treatment Center (MJTC) by at least 29 beds.
  - Close CLS/LHS for youth and convert it to an adult correctional facility.
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# Bipartisan Committees

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- Act 185 created two committees to develop recommendations to submit to the DOC and JCF.
  - Both were made up of bipartisan legislators and key community stakeholders.
  - The committees met regularly to accomplish their stated tasks and submit their recommendations to the DOC and the legislature's Joint Committee on Finance (JCF).
  - Since their duties are completed, they have since expired.
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# Juvenile Grants Study Committee

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## Key Responsibilities

- Review and reward grants to counties for the construction of new SRCCCYs.
  - Submit proposal to JCF for approval.
  
  - Met 14 times in 2019
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# Juvenile Corrections Study Committee

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## Key Responsibilities

- Develop site criteria for the new Type 1s.
  - Vote on site locations to recommend to the DOC.
  - Recommend administrative rules for the operation of SRCCCYs.
  
  - Held several public input gathering sessions throughout the state to gather feedback on its recommendations.
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# Summarized Site Criteria

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1. Proximity to community resources and youth families.
  2. Access to public transportation and major highways.
  3. Proximity to a diverse pool of qualified staff.
  4. Minimum of 5 to 7 acres of land.
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# Securing the Funds

Since the passage of [Act 185](#) in 2018, the legislature passed additional bills that impacted the available funding for new Type 1 facilities and the process for implementing Act 185. The following slides provide a summary of action steps taken by the Legislature that impacts Act 185 since its passage.





# What Happened After Act 185?

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1. 2017 Act 185 provided \$25 million for new Type 1 facilities with the acknowledgment that this funding would fall short and action would need to be taken in the next legislative session.
  2. Governor Evers proposes an additional \$90 million in funding for the construction of two new Type 1 facilities in his 2019-20 Budget.
  3. During the 2019-21 budget process, the Legislature removed all funding for any Type 1 facility.
  4. In October 2019, as required by Act 185, the DOC submits a proposal to the JCF for funding two new Type 1 facilities.
  5. On February 12, 2020, JCF responded to DOC's Oct 2019 request by declining to fund any new Type 1s.
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# What Happened after Act 185?

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5. In his 2021-23 budget, the Governor proposed \$46 million to fund one new Type 1 Facility in Milwaukee County.
7. In the final 2021-23 budget, the legislature reduces the funding for a new Type 1 to \$4 million.
8. Signed in April 2022, 2021 Act 252 finally authorizes an additional \$41 million for a new Type 1 in Milwaukee County.
  - Act 252 created an unprecedented task of seeking “support” from the local governing body before moving forward on any meaningful planning.
9. In August 2022, the Milwaukee Common Council passed a resolution to allow the state to continue on in the process of acquiring land and formally presenting a proposal to be voted on by the City and the State Building Commission.

# Closer to Home

Bringing our children closer to their communities and their families



- Since Act 185, the state has reviewed several locations using the site criteria.
- In 2018, the Juvenile Corrections Study Committee recommended locations from a list of state-owned properties.
  - The W. Mill Road site was not a viable option based on its acreage, and the fact that the DOT decided to keep the property.
- The City offered an alternative location on Teutonia Ave. However, the JCF declined to fund the proposed locations DOC submitted.
- Without action by the legislature, the DOC looked to existing sites as a possible avenue for a new Type 1 facility. This would require that the DOC close one of its existing sites and rebuild a new Type 1 at that location.
- The Felmers O. Chaney Center was then proposed as a possible site for a new Type 1 facility, however it would require purchasing nearby city-owned property to comply with the minimum site acreage.
- Community groups and legislators submitted other possible sites and the DOC reviewed those sites. The current proposed site was reviewed as a possibility by the County for their proposed youth detention center, but the site was under different ownership at the time and the county chose not to move forward.

# Moving WI Forward

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- Since 2019, the DOC has fundamentally changed its approach to youth corrections.
  - Under a federal consent decree, the DOC has moved LHS/CLS from a traditional punitive correctional model into a specialized treatment facility for youth.
  - Building state-of-art, smaller secure facilities is part of the DOC's larger effort to move WI forward in youth corrections.
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# State of the Art Security

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- 24/7/365 Operations.
  - Secured perimeters.
  - All movement in and out will be controlled.
  - All staff, visitors, deliveries and volunteers will be subject to security checks.
  - Youth will not be outside of the secure perimeter unless for transport and under escort.
  - Cameras and lighting systems will be monitored
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# Dialectical Behavioral Therapy (DBT)

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- Mindfulness: that teaches nonjudgmental awareness of present experience and improves attention control.
  - Skills Training Groups: regular skills groups to learn and master distress tolerance, emotional regulation, interpersonal effectiveness. In total there are 63 skills within the DBT skills curriculum.
  - Individual DBT Therapy: to enhance learning of DBT skills as well as address other areas of therapeutic need such as past trauma and mental illness.
  - Skills coaching: when interacting with youth throughout the day. Staff coach and reinforce what youth are learning in DBT skills groups.
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[doc.wi.gov/Pages/AboutDOC/Act185](https://doc.wi.gov/Pages/AboutDOC/Act185)

Please visit our website for more information and the latest updates on the process for a new secure youth facility.

