

TERMINATION OF TYPE 2 DJC SUPERVISION

AUTHORITY

Wisconsin Administrative Code 396.11
Wisconsin Administrative Code 396.12
Wisconsin Administrative Code 396.13

GENERAL STATEMENT

The Type 2 termination procedures can only be used for youth under DJC community supervision assigned Type 2 legal status. SJO youth on community supervision who are in jail or secure detention, and under the control of local law enforcement, pending a charging decision or following a charge for a new offense, are not available for termination from Type 2 community supervision. Termination procedures will be followed when they are released from the control of local law enforcement, and deemed available to be returned to a JCF by DJC staff.

REASONS FOR TERMINATION

A youth's Type 2 community supervision may be terminated for any of the following reasons:

- A. There has been a change of circumstances, such as the loss, for any reason, of a residence, school or treatment program in addition to violation(s) of supervision rules.
- B. The youth has committed one or more of the following violations:
 - 1. The youth has violated a state or federal statute or local ordinance.
 - 2. The youth has violated one or more of DOC Rule(s) of Supervision.
 - 3. The youth has violated the rules of any facility or program where the youth is held or to which the youth is assigned.
- C. In the discretionary judgment of the Department, the transfer will ensure accomplishment of the goals stated in s. DOC 396.01 (2).

TERMINATION OF TYPE 2 SUPERVISION PACKET

- 1. Within 7 calendar days of a decision to administratively detain the youth pending termination, the agent shall prepare and submit to his or her supervisor the termination packet consisting of the following forms:
 - a. DOC-2764 Termination of Type 2 Community Supervision Packet Checklist
 - b. DOC-1722B Department Order
 - c. DOC-1911 Type 2 Sanction/Administrative Detention
 - d. DOC-1912 Type 2 Violation Report
 - e. DOC-1945 Type 2 Termination Report
 - f. Copy of original and current court order(s)
 - g. DOC-1741 Rules of Supervision. Most recently signed copy
- Other items to be included if available:
- k. Police Reports
 - l. Progress Summaries/Discharge Summaries from alternative care providers.
 - m. DOC-1305 Youth Statement(s)
 - n. DOC-1305 Victim Statement(s), if appropriate

2. The supervisor shall review the termination packet, and once approved sign the DOC-2764 and send to the Regional Chief.
3. The Regional Chief shall review the termination packet and, if appropriate, shall approve and sign the DOC-2764 and the DOC-1722B. Once approved the termination packet shall be uploaded to the youth's J Tracker account. The effective date of all Type 2 terminations shall be the date that the Regional Chief signs the Department Order DOC-1722B.

COLLABORATION WITH COUNTIES FOR STATE-SUPERVISED YOUTH

For counties in which DJC provides aftercare services, it is important that the agent and supervisor provide notification to the county human/social services agency on decisions about termination. If prior notification is not possible, the agent of record should notify the county immediately after the youth is placed on Administrative Detention.

ALTERNATIVES TO TERMINATION (ATT)

An alternative to termination is a specific intervention and/or treatment response to a violation, and is utilized when termination has been determined to be the appropriate response through the EBRV decision-making process, but identified programming needs have not been adequately addressed.

In all cases where the department initiates termination of a youth's supervision, the department must consider whether an appropriate alternative is available. An alternative to termination can be considered when the selected intervention appears to be sufficient to produce behavioral change in response to a rule violation, but should not be utilized just to accomplish an intervention or treatment response without being at a point where termination is warranted.

All of the following intermediate steps must be considered in every case before an alternative to termination is decided:

- A review of the rules of supervision followed by changes in them where necessary, including return to court;
- A formal or informal counseling session with the youth to re-emphasize the necessity of compliance with the rules or conditions;
- An informal or formal warning to the youth that any further violations may result in a recommendation for revocation.

Options for ATTs include but are not limited to electronic monitoring, alcohol monitoring, rule amendments, skill-based / dosage interventions, outpatient community programs, or alternate care providers.

The agent will fill out the Referral to Youth Services (1857) and complete the referral packet to any or all of the alternate care providers to ensure all alternatives are considered.

The ATT plan should be documented in the COMPAS notes with a clear description of the criminogenic and/or programming need addressed.

If the youth has been accepted at an Alternate Care Provider or another ATT is deemed acceptable, the agent shall complete the Alternative to Revocation/Termination Agreement (DOC-0250J). Length of time for the ATT should be specifically noted on the [DOC-250J](#) and ATT's should not be expected to continue indefinitely with no end date identified. For ATT's which include treatment participation, the timeframe identified does not require a specific date but instead may include "completion of recommended treatment."

As part of an ATT, if a specified program accepts the youth, there is a confirmed start date within allowable statutory hold timeframes (see Type 2 Community Supervision Section), and the youth has signed the Alternative to Revocation/Termination Agreement ([DOC-250J](#)) a termination packet is not required.

If the youth will remain in custody longer than the initial 21 days of Administrative Detention, and the youth signed an ATT, a Request for Extension of Administrative Detention (DOC-2656) is still required.

If the youth is terminated from an ATT, the agent is responsible for commencing termination process or considering other ATT options. Any new violations of supervision, including failure to complete the ATT agreement, may be added as reasons for termination. An amended DOC-1912 must be served to the youth for any new allegations.

VICTIM NOTIFICATION

Following a decision to terminate a youth's community supervision and return to a Type 1 Facility, and after an authorized Department order (DOC-1722B) is completed, a notification will be automatically sent via J Tracker to the DJC Office of Victim Services (OVS). The DJC OVS will then complete notification to any registered victims utilizing the NOTIS System.