

# WI Act 185 Overview and Update

Juvenile Corrections Study Committee

July 25, 2018

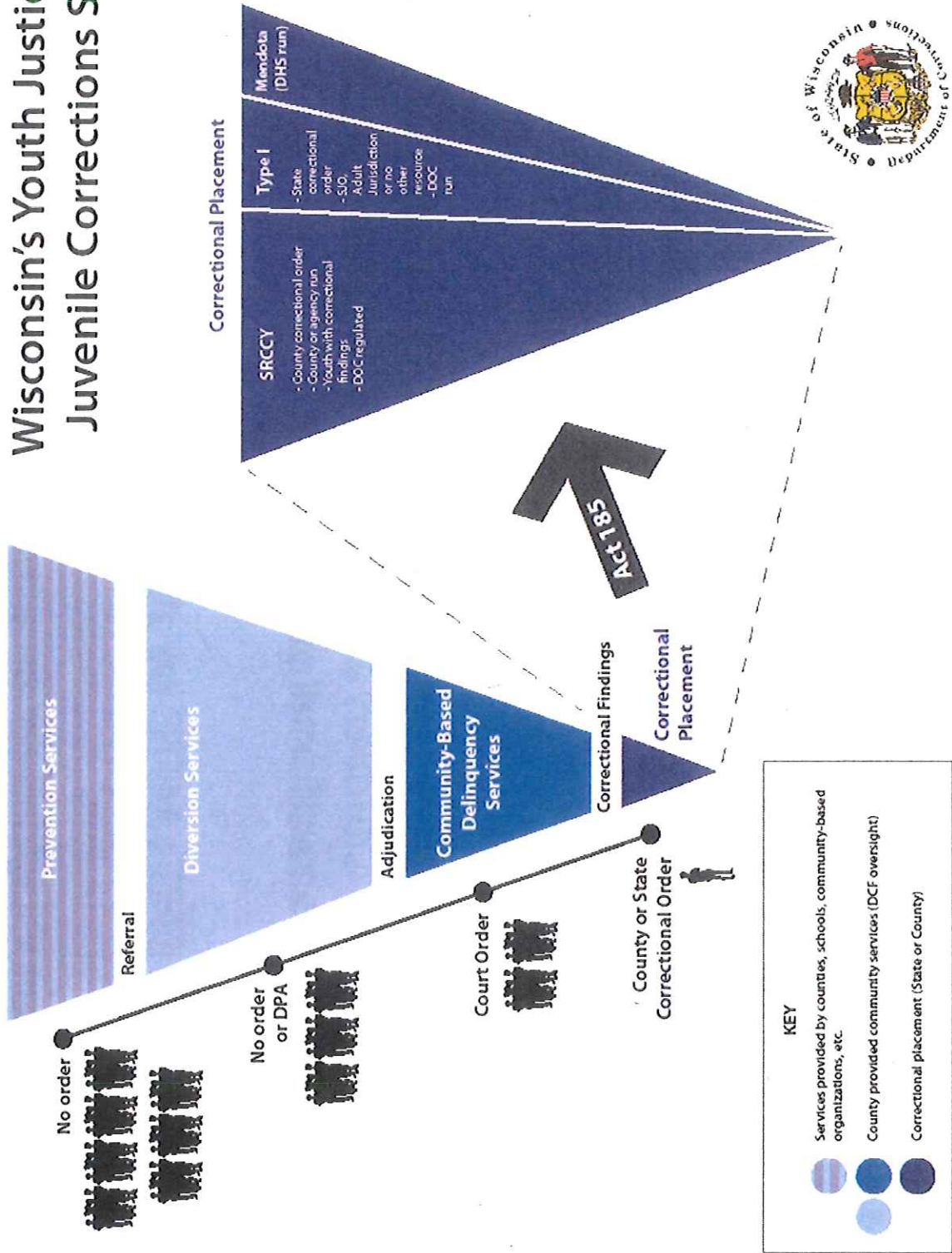
# *Presentation Objectives*

- 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



# *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:

September 1, 2018	JCSC recommendations for SRCC services and programming to DOC
November 1, 2018	JCSC recommendations for Type 1 facility locations to DOC
December 31, 2018	Emergency rule for SRCCs in effect
March 31, 2019	SRCC grant applications due to JCGC
July 1, 2019	JCGC submits plan to Joint Committee on Finance
January 1, 2021	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)





*Questions*

*Discussion*

