



GOVERNOR'S JUVENILE JUSTICE COMMISSION

TONY EVERS, GOVERNOR
KATHY MALONE, CHAIR

April 29, 2019

The Honorable Tony Evers
Governor of Wisconsin

Senator Alberta Darling
Senate Finance Chair

Representative John Nygren
Assembly Finance Chair

Secretary Kevin Carr
Department of Corrections

Dear Governor Evers, Senator Darling, Rep. Nygren and Secretary Carr,

The purpose of this letter is to re-affirm the Governor's Juvenile Justice Commission's (GJJC) long-standing position that 17-year old youth should return to the juvenile justice system. It should be noted that Wisconsin is one of only five states (Georgia, Michigan*, Missouri, Texas and Wisconsin – *Source: National Conference of State Legislatures, Jan 2019*) that handles 17-year old youth charged with offenses in the adult criminal justice system.

As you know, the GJJC is the federally mandated State Advisory Group (SAG) under the Federal Juvenile Justice Delinquency Prevention Act (JJDPA). Through Executive Order #6, the GJJC is the designated advisory group to the Governor and the Legislature on matters critical to juvenile justice. GJJC members are appointed by the Governor. The GJJC is comprised of juvenile justice professionals, including law enforcement, corrections professionals, district attorneys, judges and non-profit organizations dedicated to youth programming. The GJJC also has justice involved youth members and individuals experienced in the juvenile justice system.

In this capacity we strongly support the language in the 2019 – 2021 Governor's Budget Bill that will return all 17-year old youth to the juvenile justice system in Wisconsin.

The GJJC initially passed a motion in September 2013 supporting this provision and recently re-affirmed this at the March 13, 2019 quarterly meeting.

GJJC members strongly feel that this position is in concert with the tremendous amount of research and knowledge that has emerged over the last two plus decades regarding the developmental causes of adolescent delinquency. Specifically, this is the result of both adolescent brain research, and matching youth with effective, evidence-based responses that have led to historic low rates in juvenile crime. Wisconsin, along with many other states in the

nation, has utilized and emphasized this new evidence with both optimism and energy to support the creation of effective and cost saving juvenile justice reform processes and strategies.

Despite restrictive federal funding due to audit concerns which are now remedied, the GJJC, with the Department of Justice staff, has helped to fund new approaches and programs delivered by counties and other juvenile justice entities which significantly improve outcomes for youth who become involved in delinquency. This approach has multiple goals. These goals include improved skill sets for both social service and law enforcement personnel; enhanced public safety; and ultimately, increased tax savings. Further, these advances provide those agencies in the juvenile justice system with unprecedented opportunities to influence the juvenile justice system through both informed policy and programming for the benefit of youth, families, victims and communities.

Below is a list of five projects that the GJJC awarded using available Federal dollars totaling \$206,309 in 2018.

Dane County Office of Equal Opportunity

Total Award: \$83,120

This is a combined Disproportionate Minority Contact and Juvenile Justice System Improvement project to build on previous training Dane County participated in with the Perception Institute. The project will focus on collaboration, education, training, sustainable system change, and improving community trust.

La Crosse County Human Services - Justice Support Services

Total Award: \$17,559

This Disproportionate Minority Contact project will implement training focused on historical trauma targeting youth serving organizations. The Sports Mentorship Academy will conduct six training opportunities of six hours in length for up to 20 participants during the grant year. The primary responsibility for this training initiative will be with the La Crosse County System of Care, a school justice partnership established in 2016.

Manitowoc County Human Services

Total Award: \$41,629.78

This grant will support Manitowoc County's ongoing efforts to implement the Kids at Hope cultural shift. Kids at Hope is a nonprofit organization that "inspires, empowers, and transforms families, youth serving organizations and entire communities to create an environment where all children experience success, NO EXCEPTIONS!" Research on trauma and best practices clearly shows that this type of cultural shift will result in many positive outcomes.

Rock County Human Services

Total Award: \$14,000

Rock County Humans Services is the named grant recipient on behalf of Rock, Jefferson and Walworth Counties. The funding will support training for up to 60 workers and supervisors in youth justice system improvement. The goal is to integrate the Carey Guides into standard practice for the three counties.

Wisconsin Juvenile Court Intake Association, Inc. (WJCIA)

Total Award: \$50,000

This grant will fund a variety of training activities held throughout the state on evidence-based practices and programming. WJCIA requested the grant funding in anticipation of implementation of a statewide risk and needs assessment tool in 2019. The funding will provide training to ensure that counties at varying degrees of implementation of evidence-based practices will have an opportunity to advance to the next level.

The initial front-end investment of past programs, such as therapeutic monitoring and victim witness services, has allowed Wisconsin to develop an array of new community-based supervision and treatment programs for delinquent and behaviorally troubled youth while providing critical training to personnel who work with youth daily. This has helped reduce the number of expensive out-of-home placements and often unnecessary detention and correctional placements. Specifically, in 2008 there were 591 youth placed in juvenile correctional facilities and in 2018 that number dropped to 173 (*Source: Fiscal Bureau Summary of Governor's Budget Recommendations, March 2019*). Managing lower risk youth in the community is cost effective and has proven to be a smart community safety strategy.

Additionally, juvenile justice professionals across the country continue to learn more on the impact and effects of the adolescent brain. Legislators and other policy makers are studying neurology and the emerging brain science as they influence juvenile justice policy and programming. That is because there is a disconnect between what is now known about adolescent brain development and the underlying assumptions in the criminal justice system. The criminal justice system needs to rethink the way it manages teenagers who misbehave, keeping in mind that adolescents have less capacity to self-regulate themselves than adults while being much more sensitive to external influences. This is magnified by their inability to often weigh consequences as they make judgments and decisions. This combination results in risky behavior focused on immediate rewards.

According to Laurence Steinberg, Ph.D., an adolescent brain development expert, writer and educator at Temple University, the re-thinking of the juvenile justice system should be based upon the following six concepts:

1. Adolescent brains have weak brakes
2. Adolescents take more risks in groups
3. The behavior-governing prefrontal cortex is morphing
4. Adult guidance makes a difference

5. Ninety percent of youth who break the law during adolescence don't become adult criminals
6. Teen offenders are too often treated like adults when they hit the justice system

Given the ongoing research into the effectiveness of evidence-based treatment, adolescent brain development, and juvenile delinquency prevention and intervention approaches, it is important for the Wisconsin juvenile justice system to continue to examine policy and statutes in order to modify and reform current practices to reflect this knowledge. The return of 17-year old youth to the juvenile justice system falls directly in line with these types of modifications and reforms. Wisconsin's youth deserve every possible opportunity to become valued citizens of this great state.

We appreciate the recent efforts by the legislature and the Walker and Evers' administrations to approve Act 185, relating to restructuring Wisconsin's juvenile correctional system. As Wisconsin moves forward, we strongly feel returning 17-year olds to the juvenile justice system should be included in these efforts and approved in the state budget. Please contact me with any questions you may have.

Sincerely,

Kathy Malone

Kathy Malone
Governor's Juvenile Justice Commission, Chair

cc: Wisconsin Legislature
Attorney General Josh Kaul
DCF Secretary Emilie Amundson
Governor's Juvenile Justice Commission

(*Michigan House and Senate have approved legislation; now being considered by Governor, [House Bill 4133](#))