

# Governor’s Juvenile Justice Commission

## Policy, Legislation, and Compliance Subcommittee

### Meeting Minutes

Tuesday, January 25, 2022, 12:00 p.m. – 1:30 p.m.

Virtual Meeting

Co-Chairs: Commissioner Sam Benedict and Commissioner Carl Ashley

Subcommittee	Commissioner Sam Benedict, Commissioner Ben Gonring,
Members Present:	Commissioner Ron Hermes, Commissioner Dorinthia Robinson, Commissioner Jennifer Ginsburg, Commissioner Shelby McCulley, Commissioner Carl Ashley, Greg Bucholtz, Commissioner Sharlen Moore, Commissioner Revelle Warren
Subcommittee	Colleen Foley, Kari McKenna, Commissioner Melinda Tempelis, Kyle
Members Not Present:	Peaden
Wisconsin DOJ Staff:	Sabrina Gentile, Kiley Komro, Lara Kenny, Katie Hawkins, Heather Kierzek, Mary Pat Lieven

### Convene

The Policy, Legislation, and Compliance Subcommittee convened at 12:05 p.m.

### Chair’s Welcome and Roll Call

Commissioner Sam Benedict welcomed subcommittee members to the meeting. Sabrina Gentile reported quorum was not present but will let the chair know when quorum is established for voting purposes. The motion to approve the November 23, 2021, PLC Subcommittee Meeting Minutes was postponed until quorum was achieved during the DOJ Staff Report. Commissioner Benedict began introductions and subcommittee sharing.

Commissioner Carl Ashley reported the Milwaukee County Race, Equity, and Procedural Justice Annual Conference will take place on April 8, 2022 and will be a hybrid event with a virtual option. Commissioner Ashley added the event may be open to more stakeholders, like GJC and subcommittee members, because of the hybrid format. Commissioner Ashley will provide registration information when it is available.

Commissioner Ron Hermes reported he received the 12<sup>th</sup> Monitor’s Report DRAFT on January 13, 2022. Commissioner Hermes is currently reviewing the 45-page document and will share the report at the February 8 GJC Meeting.

Commissioner Hermes reported three youth at Lincoln Hills School are graduating from high school on Thursday. One of the graduates produced an audio recording of his musical talent

and the recording will be played at the ceremony. Commissioner Hermes noted this is the first time a graduate will play a recording of his musical talent at a Lincoln Hills graduation ceremony. Commissioner Hermes invited the subcommittee to listen to the recording at the completion of today's meeting.

Greg Bucholtz reported the Wisconsin Department of Corrections (DOC), and the Wisconsin Department of Justice (DOJ) are finalizing the MOU Agreement regarding compliance with the Juvenile Justice and Delinquency Prevention Act (JJDP). Bucholtz also reported that DOC is considering changes to DOC 346, secure detention for juveniles.

Commissioner Ben Gonring reported that the public defender's office is currently preparing for the Supreme Court Petition Hearing on regulating shackling in juvenile court in February.

### **DOJ Staff Updates**

Compliance Audits – Mary Pat Lieven reported that the Milwaukee Police District audits have been completed. Kiley Komro and Sabrina Gentile assisted with the audits. Lieven is currently finishing the audit reports and reviewing possible violations. Lieven explained some district procedures regarding juveniles and commented that the districts were welcoming to the DOJ Compliance staff.

Commissioner Benedict announced quorum is present and asked for a motion to approve the November 23, 2021, meeting minutes.

### **Motion to Approve November 23, 2021, PLC Subcommittee Meeting Minutes**

Commissioner Benedict requested a motion to approve the November 23, 2021, Policy, Legislation, and Compliance Subcommittee Meeting Minutes.

Motion was made by Commissioner Ron Hermes and seconded by Commissioner Revelle Warren to approve the November 23, 2021, Policy, Legislation, and Compliance Subcommittee Meeting Minutes.

Motion approved.

The vote was: 9 Ayes, 0 No

Commissioner Benedict reported the GJJC Executive Subcommittee has been reviewing subcommittee memberships to determine an appropriate size of the subcommittees to maintain quorums at the meetings.

Sabrina Gentile noted that GJJC members can be members of both subcommittees and are required to be a member of at least one subcommittee.

### **DOJ Staff Updates (continued)**

Compliance Manual Template – Sabrina Gentile reported the Office of Juvenile Justice and Delinquency Prevention (OJJDP) emailed the Compliance Annotated Manual Template on December 15, 2021 to states that participate in the Title II Formula grant program. Gentile described the template format and use for revising Wisconsin's compliance manual to submit as part of the FY 2021 Title II application.

The template will function as a check list exercise to ensure all the requirements are included in the state's manual. States can submit the Annotated Manual Template or a revised compliance manual to OJJDP no later than June 13, 2022.

Gentile has made significant progress on validating and revising Wisconsin's Compliance Manual. DOJ Staff will review the Wisconsin Manual and the Annotated Manual Template for more revisions. DOJ Staff has attended two OJJDP sponsored webinars regarding the Annotated Manual Template. DOJ Staff meet with the OJJDP State Relations and Assistance (SRAD) Program Manager Tina Borner in February for more technical assistance with the Wisconsin Compliance Manual revisions.

The Wisconsin Compliance Manual needs to be submitted by June 13, 2022. Once submitted, OJJDP will then complete the review of the Title II Formula application documents and determine Wisconsin's eligibility for Title II funds and Fiscal Year 21 award amount.

DOJ Compliance Hiring – Lara Kenny reported that DOJ Human Resources has approved the Compliance Monitor LTE position description and hopes to finalize hiring someone so they can be trained by Mary Pat Lieven.

### **Legislative and Policy Planning**

Kiley Komro reported SB 862/AB 856, relating to sentencing for crimes committed by a person who is under the age of 18, was recently introduced in the 2021 – 2022 Legislative Session.

Komro highlighted the following sections:

- The bill would clarify that the statutory mandatory sentence of life imprisonment without the possibility of parole or extended supervision for repeat offenders does not apply to youthful offenders.
- The bill would also require courts who sentence youthful offenders to life imprisonment to:
  - Set a date for eligibility for release to extended supervision
  - Inform the youthful offender of the procedure for petitioning for a sentence adjustment

- Consider mitigating factors such as age, family environment, intellectual capacity, peer pressure, etc.

Commissioner Benedict reported that this legislation is similar to the policy recommendations that the GJC proposed to include in the 2020 Legislative Interim Research Report on Criminal Sentencing of Juvenile Offenders.

The subcommittee continued discussion on the legislation and suggested to reaffirm the policy recommendation with a letter supporting the proposed bills.

Commissioner Benedict directed DOJ staff to gather the appropriate information for a draft letter that can be reviewed by the GJC at the February 8, 2022 meeting.

### **Public Comment**

There was no public comment.

### **Upcoming Meeting**

March 22, 2022, 12:00 p.m. – 1:30 p.m.

April 26, 2022, 12:00 p.m. – 1:30 p.m.

June 28, 2022, 12:00 p.m. – 1:30 p.m.

September 27, 2022, 12:00 p.m. – 1:30 p.m.

All meeting materials are located on the GJC website at: <https://gjc.widj.gov/>

Commissioner Benedict reported that he and Commissioner Ginsburg will be testifying at the February 15, 2022, Wisconsin Supreme Court Hearing to support regulating the use of restraints on children in juvenile court.

### **Adjourn**

Commissioner Benedict invited the subcommittee to listen to the audio recording of the Lincoln Hills student. After the song, the meeting was adjourned.