The background of the cover features a large, semi-transparent image of the Wisconsin State Capitol building. The building is a grand neoclassical structure with a prominent central dome topped by a statue. The facade is composed of multiple stories with classical columns and arched windows. The image is rendered in a light, almost white tone, allowing the text to be clearly visible. At the top of the page, there are decorative wavy bands in red and white, reminiscent of the American flag.

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2015 Annual Report to Governor and Legislature

Governor's Juvenile Justice Commission

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CHARTING A NEW COURSE FOR COMPLIANCE AND JUVENILE JUSTICE

The Governor's Juvenile Justice Commission (Commission) serves as the state advisory group under the federal Juvenile Justice and Delinquency Prevention Act (JJDA) and the juvenile crime enforcement coalition to administer the federal Juvenile Accountability Block Grant (JABG). The Commission is to oversee how federal monies are spent at the state level. The Wisconsin Department of Justice (DOJ) serves as the designated state agency to develop a three-year plan for juvenile justice system improvement and administer the federal funds received under the JJDA and the JABG.

In 2015, the Commission faced the challenge of not having access to previously awarded Title II Formula Funds under the JJDA. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) placed a special condition prohibiting the obligation, expending or draw down of funds from 2013-MU-FX-0059 (FY 2013 and 2014), 2011-JF-FX-0061 and 2012-JF-FX-0042. The OJJDP concluded that Wisconsin did not have an adequate compliance monitoring system and did not accurately define its compliance monitoring universe from 2001 to 2008. The OJJDP scheduled and conducted a compliance monitoring field audit in Wisconsin from June 15 to June 19, 2015. The DOJ received the *Compliance Monitoring Audit Report* on December 18, 2015, which has 13 recommendations. The DOJ submitted detailed responses to the recommendations on February 4, 2016.

In anticipation of and in response to the OJJDP field audit, the DOJ has expanded its monitoring universe to include all law enforcement departments beyond those that are authorized to hold juveniles and designated as secure [having a secure characteristic; namely, a locking holding cell, locking interview room, cuffing bench, ring or bar] and non-secure [does not have a secure characteristic]. Thus, Wisconsin's monitoring universe previously reported to total just over 400, now totals 809 facilities. The DOJ must strive to inspect 100% of all secure facilities in the monitoring universe once every three years and a minimum of 10% of all facility types must be inspected annually. In addition, the DOJ revised the *State of Wisconsin Compliance Manual*, Jan. 2016, which the previous designated state agency, the Office of Justice Assistance, had updated in 2012.

As part of the overarching goal of promoting juvenile justice system improvement in the 2012-14 Three-Year Plan, the Annie E. Casey Foundation (AECF) began working with Wisconsin in 2012 to implement the AECF's Juvenile Detention Alternatives Initiative (JDAI) model. The Commission selected three pilot sites for coordinating detention reform efforts; namely, Manitowoc, Milwaukee, and Racine Counties. The system improvement and reform efforts continued in 2015; albeit without Formula Funds. Related to the JDAI work is the Detention Risk Assessment Instrument (DRAI) Committee comprised of the three pilot sites and four additional counties; namely, La Crosse, Outagamie, Rock and Waukesha. The DRAI is designed to ensure that youth are placed in detention for the necessary and appropriate reasons. The DOJ obtained grant funding for an independent

contractor to develop a Microsoft Access database customized for Wisconsin's weighted variables and placement scales identified in the DRAI. Finally, the AECF provided the following training opportunities in 2015, which were coordinated by DOJ:

- Successful Strategies to Reduce Racial/Ethnic Disparities in JDAI Jurisdictions, March 17-18;
- 2015 National JDAI Inter-site Conference, Phoenix, Arizona, September 28-30;
- Facility Assessment/Conditions of Confinement Training, November 18-19 (opened to all superintendents of secure juvenile detention facilities).

ADDRESS/REDUCE DISPROPORTIONATE MINORITY CONTACT

The Commission is committed to working with the Wisconsin Department of Justice (DOJ) to promote policies, practices, and system changes that reduce disparate practices and their impacts on minority youth. The Commission's DMC Committee focuses on the implications of and factors contributing to disproportionate minority representation in the juvenile justice system. In 2015, the Commission prioritized DMC projects by having the DOJ issue two separate JABG grant announcements to assist units of local government in developing strategies to reduce DMC that will be sustainable and measurable in some fashion. A list of all 2015 DMC grants awarded appears at the end of this Report.

PROTECTING YOUTH IN THE JUVENILE JUSTICE SYSTEM

To receive its share of the federal formula allocations, Wisconsin must demonstrate compliance with the four core requirements of the JJDP:

1. Deinstitutionalization of Status Offenders (DSO);
2. Removal of juveniles from adult jails and lockups (Jail Removal);
3. Separation of juvenile and adult inmates (Sight and Sound Separation); and
4. Reducing Disproportionate Minority Contact (DMC).

Wisconsin monitors for compliance with the first three core requirements by conducting on-site inspections and reviews of admissions logs for secure juvenile detention facilities, adult jails, adult lockups, and other secure facilities. In addition, a survey is mailed out each year to all other law enforcement departments that have the potential to hold youth, including jails, lockups and detention centers. Over the past several years, Wisconsin has developed a monitoring system that builds on the positive relationship the Commission and the DOJ have developed with other agencies and the local facilities. That same relationship-building has been a part of the visits to non-secure facilities to confirm the nature of their facilities is non-secure.

The Juvenile Secure Detention Registry (JSDR) is under review because the original data driven web application is 16-20 years old. It was originally developed at the Office

of Justice Assistance that no longer exists, and is currently hosted at the Department of Administration, Department of Enterprise Technology. The database runs on a SQL Server in 2000 compatibility mode and the technology is outdated.

Wisconsin's compliance with the fourth core requirement is maintained through the funding of DMC-reduction initiatives managed by various local units of government. Conducting trainings of system participants whose decisions impact custody decisions is an additional part of the DMC-reduction effort. In collaboration with the JDAI effort in Wisconsin, seven sites are participating in a committee initiative to develop and implement a Detention Risk Assessment Instrument (DRAI) to ensure that detention is used only when indicated through a scoring process.

The OJJDP informed Wisconsin in a letter dated September 30, 2015, that it was in compliance with the first three core requirements of the JJDP. However, in terms of the DMC requirement, the letter stated, "Wisconsin is not out of compliance." The OJJDP recognized Wisconsin's efforts aimed at DMC reduction, but "strongly encourages your state to prioritize and increase these efforts aimed at eliminating systemic racial and ethnic disparities." To this end, "OJJDP encourages Wisconsin to submit a training and technical assistance request to assist the state with fully implementing the full OJJDP DMC Reduction Model with specific focus on assessment, intervention, evaluation, and monitoring."

THE FUTURE OF JUVENILE JUSTICE

In January 2015, the Commission conducted a Strategic Planning Discussion facilitated by a consultant provided through the Center for Coordinated Assistance to States (CCAS). This discussion was critical to the Commission in articulating the 2015-17 Three-Year Plan for Title II Formula Funds. The Commission identified the following priorities, which the DOJ submitted in its FY 2015 application for Title II Formula Funds:

1. Restore compliance with the Juvenile Justice and Delinquency Prevention Act (JJDP);
2. Address/Reduce disproportionate minority contact/disparities (DMC);
3. Implement evidence-based practices/promising practices; and
4. Address mental health/substance abuse issues.

On September 30, 2015, the Office of Justice Programs informed the DOJ of the approval of its application for funding under the FY 15 Title II Formula Grants Program. This award, similar to the other Title II Formula Grant awards, was subjected to a special condition prohibiting the obligation, expending or draw down of funds. The special condition on all of Wisconsin's Title II Formula funds has severely limited nearly all aspects of juvenile justice work.

The Commission and the DOJ are committed to restoring and maintaining Wisconsin's compliance with the JJDP. The DOJ requested training and technical assistance through OJJDP's Center for Coordinated Assistance to States (CCAS) in October 2015. At that time, CCAS informed DOJ that all TTA requests were on hold because OJJDP had not issued its revised Compliance Manual. In December 2015, CCAS informed DOJ that it would assign a consultant to provide assistance to DOJ in 2016. The DOJ will continue to work with CCAS to obtain training and technical assistance specific to compliance monitoring.

The JJDP was not reauthorized in 2015, even though bipartisan support continues to push for reauthorization of the 41 year old law, last reauthorized in 2007. In addition to strengthening the JJDP's core protections for youth, the reauthorized act would eliminate use of the Valid Court Order (VCO) exception, provide further assurances that youth who are facing charges are not housed with adult inmates, and require increased accountability measures for communities to address racial and ethnic disparities within their systems.

These proposed changes to the JJDP will prompt a need for some legal and practice changes for Wisconsin if we are to fully comply with new requirements related to the Deinstitutionalization of Status Offenders (DSO)... Specifically, a couple of jurisdictions rely heavily on the VCO to place status offenders (truancy, curfew violations, runaways, other offenses that if committed by an adult would not be a crime) in secure detention.. Wisconsin law currently allows for securely confining

status offenders in some circumstances that would not be permitted in federal law if the proposed changes are adopted.

Another area that is challenging for Wisconsin, although not specifically within the purview of the Commission, concerns the Prison Rape Elimination Act (PREA). Under PREA, anyone under 18 years of age must be sight and sound separated from adult inmates in jails and lockups even though Wisconsin law makes 17 year olds adults for purposes of alleged violations of state or federal criminal law or any civil law or municipal ordinance. The Commission will continue to encourage counties, municipalities, and local service providers to provide services in a manner that complies with the JJDP.

GRANTS AWARDED - 2015

BROWN COUNTY

City of Green Bay

\$4,500

Training of Trainers in Trauma Informed Care

This Technical Assistance Grant will fund Brown County Human Services staff as well as Green Bay Area Public Schools staff to attend a community-led training. The purpose of the training is to develop trainers in Trauma Informed Care. The intent is to create a shared vision around the effects of trauma on people in our community. This training of trainers (TOT) is a follow-up to a convening of stakeholders throughout the community in May 2015 to determine the community interest in creating this shared vision.

DANE COUNTY

City of Madison Community Development Division

\$40,000

Municipal Court DMC Reduction Initiative

The Municipal Court Youth DMC Reduction Initiative will reduce DMC through policy and procedural changes at the Municipal Court by providing supported community service, youth employment, life skills training and other required interventions while youth cases are held open. With successful completion of the intervention, the case may be dismissed and fines/forfeitures can be eliminated.

Dane County Office of Equal Opportunity

\$20,000

DMC Reduction: Training, Education & Collaboration

Dane County law enforcement will participate in training aimed at reducing disproportionate minority contact in juvenile justice. The training will focus on communities that are becoming increasingly diverse, and law enforcement departments that have not be well resourced in racial equity. Dane County law enforcement members, along with other juvenile justice stakeholders, will participate in a day long workshop held by The Perception Institute. The work will continue as "train the trainer" is included in this proposal aiding the long term efficacy of the training and dollars spent. A smaller cities consortium will receive department wide training. Ongoing system collaboration will be enhanced through information exchanges, written documentation, and relationship building.

Dane County Department of Human Services

\$50,000

Restorative Justice Initiative

The Dane County Restorative Justice Initiative is a partnership between Dane County Department of Human Services, Centro Hispano, Dane County Time Bank, Briarpatch Youth Services, Madison's Municipal Court, Community Centers, Mentors, Service providers and the Madison Police Department that refers all municipal violations of youth age 12 - 16 to the YWCA, which manages referrals to a Restorative Justice Process facilitated by the partners. Using Restorative Justice Circles, Youth Peer Courts, Community Services, Peer Groups, Mentoring and Case Management, youth participants take responsibility for their actions, restore the community that has been violated, and work to prevent future violations. 85% of all students referred to the program in the schools successfully completed their agreements and avoided further disciplinary action. Together, we interrupt the school to prison pipeline at the point of arrest contact and help build healthier communities.

Wisconsin Council on Children and Families

\$4,500

Wisconsin Juvenile Justice Network Website

The website will be used by juvenile justice practitioners around the state as a primary source for information related to juvenile justice outcomes and resources available to assist practitioners to help them improve their practice. In addition, the website could serve as a resource for the Governor's Juvenile Justice Commission (GJJC) members as well as law enforcement, the courts, prosecutors and any other stakeholders in the juvenile justice system. The website can be accessed at www.wisjjn.org.

LA CROSSE COUNTY

City of La Crosse

\$20,000

Fair and Impartial Policing

This Technical Assistance request provided pass-through funds to pay for a Fair and Impartial Policing (FIP), Train the Trainer program. This will complete the sole source of funding to pay the vendor Fair and Impartial Policing, LLC.

La Crosse County Department of Human Services

\$13,500

Cultural Competency to Advance DMC-Related System Improvement

Under this project, the La Crosse County Arrest and DMC Stakeholder Group will identify and procure appropriate cultural competency training that would be delivered in common with partner agencies within the juvenile justice system. The training will lay the groundwork for and supplement the development of a system-wide memorandum of understanding (MOU) which is being developed as part of La Crosse County's overall DMC Reduction plan.

La Crosse County Department of Human Services ***\$15,000***

Justice Circles

Funds will be used by YWCA La Crosse to continue implementation of The Justice Circle project. This project is a community partnership of YWCA La Crosse with Logan Middle School and Lincoln Middle School. This project provides an alternative discipline strategy which allows students, specifically students of color, to take responsibility for their actions, while also working with them to keep them in school and engaged in their school community.

MILWAUKEE COUNTY

Milwaukee County Human Services Department ***\$28,125***

Power of Harambee

This project will support juvenile's participation in the Power of Harambee program operated by WestCare Foundation under contract with Milwaukee County Delinquency and Court Services.

RACINE COUNTY

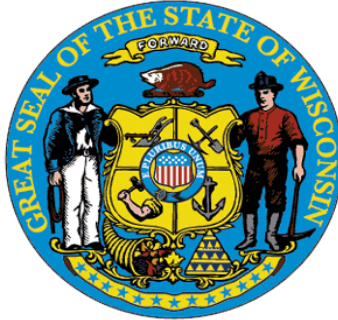
Racine County Human Services Department ***\$3,000***

DMC Reduction—School Based Apprehensions

Racine County, through the JDAI executive Committee purposes to provide training to Racine Unified School District and the assigned school security staff in the areas of: JJ system, Racial and ethnic Disparities, Juvenile Brain Development, Trauma, Mental Health Impact, etc., in order to reduce the number of school-based apprehensions. Currently 24% of the apprehensions received by Racine County are generated through the Racine Unified School District (RUSD), 81% of these apprehensions are youth of color. It is anticipated that these trainings, along with the changes already being made at RUSD regarding discipline process and the expulsion rate, will have a significant impact on the point of arrest in reducing disproportionate minority confinement.

TOTAL GRANTS AWARDED IN 2015

\$198,625



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