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*2018 Annual Report to Governor and
Legislature*

Governor's Juvenile Justice Commission

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ENSURING COMPLIANCE WITH THE JJDP AND CONTINUING JUVENILE JUSTICE SYSTEM IMPROVEMENT

The Governor's Juvenile Justice Commission (GJJC) serves as the state advisory group (SAG) under the federal Juvenile Justice and Delinquency Prevention Act (JJDP). The GJJC advises 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 JJDP.

In January 2018, the Center for Coordinated Assistance to States (CCAS) facilitated a strategic planning event for the GJJC and DOJ staff. Through the process, the GJJC developed Vision and Mission statements as well as the three-year plan priorities for the FY 2018-2020. The three-year plan is a required component for a state to be eligible to apply for Title II Formula Funds. The GJJC and DOJ identified the following three-year plan priorities:

1. Address/Reduce Disproportionate Minority Contact/Disparities;
2. Implement Juvenile Justice System Improvement; and
3. Maintain Compliance with the JJDP.

These priorities provide the roadmap for the DOJ and the GJJC in submitting its Title II Formula application and awarding federal funds at the local levels.

Maintain Compliance with the JJDP

The DOJ restored Wisconsin to compliance with the JJDP following the 2015 OJJDP Field Audit. In August 2016, OJJDP concluded that DOJ satisfied all 13 audit recommendations. In 2017, The United States Department of Justice (USDOJ) and the DOJ reached a Settlement Agreement that provided for a release of funds to allow DOJ to reimburse subgrantees awarded prior to the audit. The Settlement Agreement also required the termination/deobligation and re-obligation of all remaining Title II Formula Grant funds awarded to Wisconsin for FFY 2011–2015. The OJJDP Nonparticipating state program made the formula funds available to local public and private nonprofit agencies in Wisconsin.

On December 10-14, 2018, the OJJDP conducted a field audit to assess the adequacy of Wisconsin's compliance monitoring system as required in the Settlement Agreement and in accordance with *OJJDP Policy: Monitoring of State Compliance with the Juvenile Justice and Delinquency Prevention Act*. The audit included a desk review and on-site visits to a sample of facilities in Wisconsin's monitoring universe. The DOJ has not received an audit report; however, the exit interview indicated no findings. The audit team made recommendations for DOJ to incorporate to ensure ongoing compliance with the JJDP.

In 2018, DOJ staff attended an OJJDP training event held in conjunction with the 2018 Coalition for Juvenile Justice (CJJ) National DMC Conference "Reclaiming the Future: Uniting to End Disparities in the

Juvenile Justice System”. The Juvenile Justice Specialist/Compliance Monitor attended the one-and-a-half day training on Compliance Monitoring as well as the one-and-a-half day training on Disproportionate Minority Contact (DMC). The Compliance Training was critical for understanding the major provisions of the Partial Final Rule (effective March 21, 2017) and its impact on the JJDP. Specifically, the training provided a review of the revised definitions for “detain or confine” as applied to the Core Requirements. For example, “detain or confine” applies to juveniles held in secure facilities; e.g., jail or lockup. Further, deinstitutionalization of status offenders (DSO) can only apply in a residential facility, meaning a facility that can be used to confine a person overnight, including sleeping, shower, toilet, and dayroom.

The Partial Final Rule requires that states collect and report data from 85% of facilities that are required to report data. For three years, Wisconsin has collected and reported data from 100% of facilities. In addition, the DOJ’s compliance monitoring practices provide that 100% of all secure facilities in the monitoring universe will be inspected once every three years and a minimum of 10% of all facility types will be inspected annually.

The DOJ continues to work with the Annie E. Casey Foundation (AECF) to advance the [Juvenile Detention Alternatives Initiative \(JDAI\)](#) model adopted in three pilot sites (Manitowoc, Milwaukee and Racine Counties) in 2012. The system improvement and reform efforts have continued and expanded to include La Crosse County. The AECF grant funded the four sites to attend the 2018 JDAI Inter-Site

Conference in Birmingham, Alabama on October 8-10, 2018.

Related to the JDAI work is the Detention Risk Assessment Instrument (DRAI) Committee comprised of Manitowoc, Milwaukee, Racine, La Crosse, Rock and Waukesha Counties. 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. The DOJ is working with the same contractor to use an Access database to collect and compile the data from the six sites for analysis with the intent of finalizing the DRAI for statewide use.

Address/Reduce Disproportionate Minority Contact

The GJJC is committed to working with the DOJ to promote policies, practices, and system changes that reduce disparate practices and their impacts on minority youth. The GJJC’s DMC Committee focused on the implications of and factors contributing to disproportionate minority representation in the juvenile justice system. In 2018, the GJJC reinforced its commitment by making DMC one of the three-year plan priorities.

In September 2018, the DOJ issued a competitive fund announcement with FY17 Title II Formula funds to support projects in one of the four priorities identified in the state’s 2015-2017 three year plan:

1. Alternatives to Detention and Placement,
2. Disproportionate Minority Contact,
3. Native American Tribe Programs, and
4. Juvenile Justice System Improvement.

The DOJ received seven applications and the GJC approved five applications at its Quarterly Meeting on November 13, 2018 totaling \$206,308. The DOJ issued the awards to start on January 1, 2019. A list of the awards 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 JJDA:

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 law enforcement departments that have

the potential to hold youth, including jails and lockups. Over the past several years, Wisconsin has developed a monitoring system that builds on the positive relationship the GJC and the DOJ have developed with other agencies and the local facilities. That same relationship-building has included visits to non-secure facilities to confirm the non-secure classification of the facilities.

In October 2018, the DOJ sunset the web based Juvenile Secure Detention Registry (JSDR) that the predecessor designated state agency created to collect data for reporting to OJJDP on an annual basis. The original data driven web application was almost 20 years old and was hosted offsite at the Department of Administration, Department of Enterprise Technology. The GJC had approved the use of Formula Funds for DOJ to rebuild the JSDR; but after the OJJDP placed a special condition on all of the Title II Formula Funds, the project came to a standstill. As an alternative, the DOJ has partnered with the Department of Children and Families, Bureau of Youth Services (DCF) to develop a JSDR module in their existing Statewide Automated Child Welfare Information System (eWiSACWIS). The module is slated to be operational in June 2019.

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, six sites are participating in a committee initiative

that developed and implemented a Detention Risk Assessment Instrument (DRAI) to ensure that detention is used only when indicated through a scoring process.

THE FUTURE OF JUVENILE JUSTICE

In 2018, the DOJ satisfied the Special Condition on its FY17 Title II Formula Grant Award that required specific SAG members, which allowed access to the funds. The 2015-17 Three-Year Plan established the priorities for the Fund Announcement DOJ released in September 2018. There remains almost \$160,000 of FY17 Formula Funds that can be awarded in 2019 to support projects at the local level.

Wisconsin's FY18 Title II Formula Grant Award was reduced by 40 percent due to the state not being in compliance with Jail Removal and Separation. The \$417,975 award amount must support the DOJ's compliance monitoring, DMC work, as well as the GJJC. The amount available to fund units of local government is \$80,000 (not inclusive of the \$2,169 tribal pass through). This reduced amount of funding is challenging for the GJJC and the DOJ in making progress on the state's three-year priorities.

First and foremost, the GJJC and the DOJ are committed to maintaining Wisconsin's compliance with the JJDPA. The DOJ staff who participated in the OJJDP training on compliance monitoring and DMC in November 2018 continue to advance both efforts. The DOJ concluded 2018 with a successful OJJDP Field Audit and received valuable guidance from the State Relations and Assistance Division (SRAD).

In December 2018, Congress passed H.R. 6964 with broad bipartisan support and the President signed a reauthorization of the JJDPA into law. The Juvenile Justice Reform Act of 2018 has updated the four core requirements, added data requirements as well as additional SAG membership requirements. The GJJC and the DOJ will continue to work in concert with one another to make the best use of limited funds and resources. The DOJ has made significant improvements to its Juvenile Justice Program and will continue to move forward to advance system improvement with support of the GJJC.

AWARDED GRANTS - 2018

DANE COUNTY

Dane County Office of Equal Opportunity

\$83,120

Grant #14827 Community/System Reexamination of Juvenile Justice

This is a combined DMC and Juvenile Justice System Improvement project to build on previous training the Dane County Office of Equal Opportunity (OEO) conducted with the Perception Institute. The DMC plan will focus on collaboration, education, training and sustainable system change. In addition, the OEO will work with Madison Police Department and Dane County Public Health to improve community trust using The Zeidler Center for Public Discussion.

LA CROSSE COUNTY

La Crosse County Department of Human Services

\$17,559

Grant #14849 Strengthening Our Ability to Work with Youth of Color

In this DMC project, La Crosse County Justice Support Services will implement training focused on historical trauma targeting youth serving organizations. Six training opportunities of six hours in length for up to 20 participants will be offered during the grant period. The Sports Mentorship Academy (SMA), a non-profit out of Rochester, Minnesota, will provide the training. SMA was established in 2009 in response to the growing number of male students, the majority being youth of color, who were falling through the cracks at school. SMA identified the need to provide a positive environment for youth to learn skills to assist in their future development and success.

MANITOWOC COUNTY

Manitowoc County Human Services Department

\$41,629

Grant #14855 Kids at Hope Culture

Kids at Hope is a nonprofit organization that “inspires, empowers, and transforms families, youth servicing organizations and entire communities to create an environment where all children experience success, NO EXCEPTIONS!” Since 2015, Manitowoc County has been working to implement the cultural shift of Kids at Hope. This grant will fund training at the Kids at Hope Master’s Institute in Phoenix, Arizona

in May 2019. It will also fund a local Mini-Master’s Training for 100 people in the fall of 2019. A small portion of the funds will provide Kids at Hope supplies to the 100 attendees as well as advance the development of the Kids at Hope cultural shift.

ROCK COUNTY

Rock County Human Services Department **\$14,000**

Grant #14853 Youth Justice System Improvement Collaboration

Rock County Human Services is the named applicant on behalf of Rock, Jefferson and Walworth Counties. The grant will support training for up to 60 workers and supervisors in juvenile justice system improvement. Rock County has successfully collaborated with Jefferson and Walworth Counties in the past in order to leverage resources and training. The goal of this grant is to integrate the Carey Guides into standard practice for the three counties.

STATEWIDE

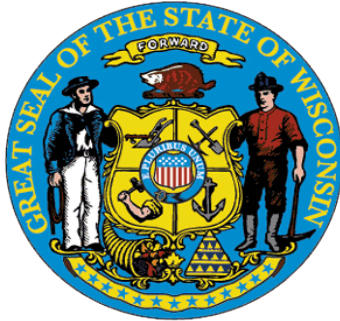
Wisconsin Juvenile Court Intake Association (WJCIA) **\$50,000**

Grant #14855 Youth Justice Focused Training

This grant will fund a variety of training 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 (EBP) will have an opportunity to advance to the next level. WJCIA requested the funding for training after it conducted a survey of counties and their training needs. Counties that participate in the training will enhance their case planning by being able to offer more services and programming.

TOTAL GRANTS AWARDED IN 2018

\$206,309



This project was supported by 2017-JF-FX-0026 by the Office of Juvenile Justice and Delinquency Prevention/Office of Justice Programs.

This is a publication of the
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