



# GOVERNOR'S JUVENILE JUSTICE COMMISSION

**TONY EVERS, GOVERNOR**

To: Members of the Joint Committee on Finance  
From: Governor's Juvenile Justice Commission  
Re: Governor's 2023 – 2025 Biennial Budget (Assembly Bill 43/Senate Bill 70)  
Date: March 29, 2023

The Governor's Juvenile Justice Commission (GJJC) supports the provisions of the Governor's 2023 – 2025 State Budget proposal that address juvenile justice reform. These proposals include important substantive changes that benefit Wisconsin children and are long overdue, including much-needed evidence-based alternatives to incarceration and community-based services. The juvenile justice proposals detailed below have an important fiscal impact that are appropriately addressed in the budget process. In addition, the GJJC supports the budget's broader investments in supporting children and families outside of the justice system, most notably, investments in mental health. The budget proposal recognizes that state and federal statistics show that youth face an increasing number of mental health challenges. System improvements focused on increased staff capacity and training, social connections for youth, and an overall expansion in funding are a necessary first step in supporting the well-being of Wisconsin children and families.

The GJJC was re-created by Executive Order #43 on September 3, 2019. The GJJC serves as the State Advisory Group (SAG) to the Governor and the Legislature on matters critical to juvenile justice, under the federal Juvenile Justice and Delinquency Prevention Act (JJDPA). The GJJC is comprised of juvenile justice professionals, including law enforcement, corrections professionals, attorneys, judges, mental health practitioners, and members of non-profit organizations dedicated to improving outcomes for youth. The GJJC also includes justice involved youth members and individuals with lived experience within the juvenile justice system.

As significant stakeholders, the GJJC proposes adoption of the juvenile justice reform measures itemized below. The three-year plan adopted by the GJJC includes a recommendation for comprehensive revision of the current juvenile justice code to address changes in juvenile constitutional law, scientific developments in juvenile brain science, and changing best practices for children involved in the justice system. Important and needed reforms are contained in the Governor's budget. The GJJC recommends the enactment of steps that will provide the most effective programs for youth and that will modernize our statutes, with emphasis on the following:

1. Raise the age of civil, municipal, and juvenile court jurisdiction to all persons under the age of 18. The GJJC has officially supported raising the age of jurisdiction for many years. Wisconsin is one of only three remaining states to automatically treat children under 18 as adults for purpose of criminal prosecution.
2. Fully funding the reimbursement to counties for the costs associated with services for 17-year-olds in the juvenile justice system.
3. Support additional funding to counties operating secured residential care centers for children and youth (SRCCCYs) that serve more than one county.
4. Support funding for Type 1 Juvenile Correctional Facilities in Milwaukee County and Statewide. Enacted in 2018, 2017 Wisconsin Act 185 required the Department of Corrections to establish one or more Type 1 juvenile corrections facilities no later than January 1, 2021, subject to the approval by the Joint Finance Committee. 2019 Wisconsin Act 8 subsequently delayed the establishment date to July 1, 2021.

5. Support Grow Academy Expansion. Grow Academy is a non-secure residential program that serves delinquent male youth. The juvenile justice system faces a shortage of short-term residential beds that can accommodate high needs youth. The Grow Academy expansion will provide additional programming and placement options.
6. Support funding for the development of robust youth justice data and reporting systems.
7. Support the creation of a state training program for youth justice workers.
8. Support funding for intensive family preservation services to prevent abuse and neglect and to stabilize families of children at risk of entering the out-of-home care system and youth at risk of entering the juvenile justice system.
9. Full funding of the state courts, criminal justice system and juvenile justice system. This includes support for wage increases and additional positions for public defenders and district attorneys and an increase to the private bar rate for attorneys accepting public defender appointments. This funding is needed so Wisconsin can meet its constitutional obligations to all citizens impacted by the justice system.
10. Support funding to improve the effectiveness of Youth Councils in various state agencies through convening of state staff supporting these councils and development of a statewide Youth Wellness Network to advise on systems affecting children's mental health and well-being.

The GJJC continues to support additional juvenile justice reforms to provide all youth with the tools to be successful, including:

- raising the minimum age of delinquency from 10 to 12 years of age so that age-appropriate programs and services can be delivered to the youngest children in the juvenile justice system;
- eliminating automatic original adult court jurisdiction for certain offenses. Statutes should be amended to allow for transfer of jurisdiction to adult court only after petition, hearing and judicial determination;
- eliminating the use of secure detention for all status offenders. Children involved in conduct that would not be criminal for adults should not be detained or sanctioned in secure detention facilities. The deinstitutionalization of status offenders is a core principle of the JJDPA; and
- reforming sentencing laws for children sentenced as adults to eliminate mandatory life without parole and other mandatory penalties that apply to adult offenders.

The GJJC would like to thank the Joint Finance Committee for the opportunity to provide input and recommendations on 2023-25 State Budget. We welcome future opportunities to partner with the Governor, Legislature, and other state agencies to guide the large-scale and critical changes necessary for Wisconsin's Juvenile Justice Code to serve youth, families and communities in an equitable, racially-just and evidence-informed manner.

Thank you for your time and consideration to include these recommendations into the 2023 – 2025 State Budget.

Sincerely,

*Carl Ashley*

*Diane Rondini*

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Milwaukee County Circuit Court Judge Carl Ashley

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Diane Rondini

GJJC Policy, Legislation and Compliance Co – Chairs

cc: Governor Tony Evers  
Governor's Juvenile Justice Commission  
Wisconsin Legislature

Attachment – GJJC Membership

## **Governor's Juvenile Justice Commission**

Secretary Emilie Amundson, Department of Children and Families

Judge Carl Ashley, Milwaukee Co Circuit Court

Secretary Kevin Carr, Department of Corrections

Jennifer Ginsburg, Executive Director, Safe Harbor Child Advocacy Center

Ben Gonring, Assistant State Public Defender, Madison

Charles Greer, Children's Hospital of Wisconsin, Child Welfare Supervisor

Sharlen Moore, Youth Justice Milwaukee Director

Edjron Pearson, Superintendent, Dane County Juvenile Detention Center

Dorinthia Robinson, Youth Justice Volunteer

Diane Rondini, Former State Public Defender, Juvenile Justice Advocate

JP Rotatori, Youth Member, Youth Counselor and Student

Tweed Shuman, Sawyer Co Board Chairman, Lac Courte Oreilles Tribal Council

Melinda Tempelis, Outagamie Co District Attorney

Charles Tubbs, Sr., Director of Dane Co Emergency Management

Marcus Williams, Youth Member

Youth Leadership Team Member, Department of Children and Families

Youth Leadership Team Member, Department of Children and Families