

Governor’s Juvenile Justice Commission

Policy, Legislation, and Compliance Subcommittee

Meeting Minutes

Tuesday, April 23, 2024, 12:00 p.m. – 1:30 p.m.

Virtual Meeting

Co-Chairs: Commissioner Diane Rondini and Commissioner Carl Ashley

Subcommittee	Commissioner Carl Ashley, Commissioner Dana Brown,
Members Present:	Commissioner Lesley Baird Chapin, Commissioner Ben Gonring, Commissioner Abigail Gosetti, Commissioner Meaghan Henry, Commissioner Ron Hermes, Commissioner Sharlen Moore, Commissioner Diane Rondini, Greg Bucholtz, Commissioner Dorinthia Robinson, Commissioner Aidan Raney, Judge Everett Mitchell, Kyle Peaden, Commissioner Andrew Miller
Subcommittee	Commissioner Shelby McCulley
Members Not Present:	
Other GJJC Members	Commissioner Edjron Pearson
Present:	
Wisconsin DOJ Staff:	Kiley Komro, Sabrina Gentile, Matt Allord, Shelly Sandry, Lara Kenny

Convene

The Policy, Legislation, and Compliance Subcommittee convened at 12:00 p.m.

Chair’s Welcome and Roll Call

Co-Chair Carl Ashley welcomed subcommittee members to the meeting. Roll call and attendee introductions were completed. Quorum was present.

DOJ Staff Updates

Compliance: FY2024 OJJDP Compliance Thresholds

Matt Allord reported that all on-site audits and record reviews related to federal fiscal year 2023 have been completed. DOJ staff performed approximately 90 record reviews and audits. Allord and DOJ staff person Jeff Sauer provide training and technical assistance during each audit. Allord and Sauer will complete and finalize audit reports in the next several weeks. DOJ staff will send final audit reports to audited facilities and gather and report final hold and violation numbers to OJJDP and to the GJJC. Allord summarized the core requirements and explained the compliance thresholds for the core requirements.

Commissioner and Subcommittee Co-Chair Ashley emphasized the importance of compliance work and staying within thresholds as in past years the number of violations resulted in reduced Title II funding.

Legislation

Matt Allord briefly summarized that with the session ending there are not many legislative updates. DOJ staff will work to develop a tracking document that notes past GJJC positions and other information on major legislation that has not been introduced or passed (i.e., returning 17-year-olds to juvenile court jurisdiction). This will be shared during future meetings.

Allord highlighted a bill proposing a legislative study committee focused on Emergency Detention and Commitment of Minors. Allord read and summarized the following information:

Study Committee on Emergency Detention and Civil Commitment of Minors

Senator Jesse James, Chair, and Representative Patrick Snyder, Vice Chair

The study committee is directed to study the appropriateness of current emergency detention and civil commitment laws as applied to minors. The committee shall review whether special emergency detention procedures should be established for minors, including whether persons other than law enforcement either be permitted or required to take a minor into custody for the purpose of emergency detention. The committee shall also review current civil commitment placement options for minors, with an emphasis on examining the appropriateness of placements outside Wisconsin and feasibility of creating psychiatric residential treatment facilities for minors in Wisconsin. After these reviews, the committee shall recommend legislation that creates child-appropriate emergency detention and civil commitment procedures and maximizes civil commitment placement options for minors in Wisconsin.

Commissioners noted an interest in further tracking and information on this study committee.

Subcommittee Member Everett Mitchell asked a question regarding the existing statutory framework to order a youth to a correctional placement, and whether the subcommittee had discussed this topic. Kiley Komro noted that this has been on previous agendas, and given the approaching opening of Racine SRCCCY, as well as other factors, subcommittee members decided not to pursue it any further at this time. Commissioner Andy Miller expressed that even when SRCCCYs open, there appear to still be procedural and other potential issues with the current language. Commissioner Miller supports considering supporting a language change. Subcommittee Member Greg Bucholtz notes a continued concern regarding insufficient beds throughout the state for secure facilities. Bucholtz stated that Racine is a regional facility that

will likely be full and may take youth from surrounding areas only. Co-Chair Ashley noted that this will be a continuing topic to examine in the future.

Grants

Kiley Komro reported on the following subgrant awards.

Lake Mills Police Department was awarded a compliance subgrant, to offer additional spaces within the department to work with non-offender and status offender youth, in a nonsecure setting. The grant amount was \$4,485. This grant award utilized underspent funding from another subaward and was offered in response to a JJDPa compliance and best practices need.

Your Move MKE was awarded a subgrant to expand restorative justice programming and further support work with at risk youth and prevent delinquency. The grant amount was \$58,070. Grant period 4/1/24 to 6/30/25.

Pointtters Community Initiative was awarded a subgrant to provide minority focused youth services including education, vocation, and other supports. These services include a focus on working with at risk youth and preventing placement in out-of-home care. The grant amount was \$124,030. Grant period 4/1/24 to 6/30/25.

Staff Updates

Allord reported the Juvenile Justice Coordinator position has closed on wisc.jobs and application materials are in the process of being scored. Once complete, interviews will be scheduled in the next few weeks. Allord reviewed the job duties of this position, racial and ethnic disparities coordinator and compliance monitor work as noted in the roles under the JJDPa.

Co-Chair Ashley requested a motion to approve the March 26, 2024, Policy, Legislation, and Compliance Subcommittee Meeting Minutes.

Motion to Approve March 26, 2024, PLC Subcommittee Meeting Minutes

Motion was made by Commissioner Ben Gonring and seconded by Commissioner Dana Brown to approve the March 26, 2024, Policy, Legislation, and Compliance Subcommittee Meeting Minutes.

Motion approved.

The vote was: 16 Ayes, 0 No

DOC Admin Code Update

Subcommittee Member Greg Bucholtz circled back to a previous discussion to note that the current average daily population of Racine Secure Detention is 31 youth.

Bucholtz discussed the recent DOC 346 advisory committee meeting. Bucholtz discussed topics of note including:

Change of phrasing from juvenile to youth – Bucholtz explained that stakeholders did not express any disagreement or criticism of this change. Commissioner Ron Hermes noted that during a previous public hearing, DOC-DJC heard feedback from legislators that “juvenile” is more appropriate and “youth” is too soft. Bucholtz noted that Office of Detention facilities related code will undergo the same legislative review coming up and may receive the same feedback.

Bucholtz noted that Representative Michael Schraa was in attendance and gave feedback during the meeting.

Communication/Telephone Calls – Bucholtz noted that there was support for putting language in code that requires free communication (phone, video, text systems, etc.) for youth to contact family and support networks while in secure facilities. Bucholtz noted that many sites already are flexible and permit various options for this, but if the code change is approved, no-cost communication would be universally required for all sites.

Discipline/Restriction –proposed code language would allow communication between the youth, their family, and now social supporters as well when youth are on discipline. These contacts will continue to be reviewed and approved by social workers/case managers.

DOJ/JJDPA Language – Matt Allord discussed that DOJ staff brought up 2 to 3 sections where existing code conflicts with the core requirements of the JJDPA. Allord discussed the potential for lining up language so that it matches, to avoid two different standards that facilities must be aware of. Bucholtz noted that this will be continuing conversation amongst agencies, there may be some areas where code or statute language at the state level cannot be changed.

Commissioner Andy Miller asked a follow-up question as to the reason behind the change in language from “juvenile” to “youth.” Commissioner Miller noted that justice involved youth may not have a preference between one term or the other and the possibility that through use of the word “youth,” that too would begin to have a negative association tied to it.

Commissioner Hermes briefly discussed the view that the word “youth” is more humanizing, and trauma informed. Subcommittee Member Bucholtz agreed with this statement. Commissioner Diane Rondini discussed that the term “juvenile” has a history attached to it and has been often associated in a negative way with minority groups. Commissioner Rondini stated she had some written information that could be sent out to the subcommittee, this was given

to DOJ and dispersed after the meeting. DCF Stakeholder Evelyn Coker noted that in interactions with young, system impacted youth she has heard feedback that “juvenile” does have negative and condescending associations tied to it. Commissioner Edjron Pearson noted that the prior discussion related to legislators viewing the word “youth” as soft and “juvenile” as correctional and harder on youth shows that there are associations tied to the words. Commissioner Sharlen Moore noted that words matter and that change towards “youth” and more trauma-informed language recognizes the history of young people, particularly Black youth, being treated differently. Commissioner Moore noted that language is important and a step to undoing past practice. Kiley Komro stated that use of the word “juvenile” in the Governor’s Juvenile Justice Commission (GJJC) is defined in an executive order. Any changes to the GJJC name would require additional steps. Commissioner Carl Ashley noted that this could be an item for further discussion and input from the Commission.

Subcommittee Member Bucholtz closed his update by noting that DOC – ODF will be reviewing comments provided and meeting internally to discuss any modifications. Updates will be sent out to stakeholders and then there are public hearing and legislative steps to follow. DOC - ODF has a tentative goal of getting final approval before the end of 2024.

Juvenile Detention Center Standards and Procedures

Dane County Detention staff person Andy Jones, a Principles of Subject Control (POSC) instructor, gave a presentation on the system and way it is trained at academy.

Matt Allord introduced Andy Jones and discussed that the presentation was put on the agenda to educate subcommittee members on current training in juvenile detention facilities throughout the state. The POSC training provided subcommittee members the information necessary to begin comparing the current system to the Mandt System, preferred by Commissioner Hermes. Commissioner Hermes noted that Lincoln Hills, Copper Lake, Grow Academy, and field supervision staff for DJC have all transitioned to the Mandt system.

Andy Jones presented slides that are used for training new detention staff throughout the state. The curriculum covers a 32-hour training and time devoted in academy may increase in the future.

Commissioners asked several questions throughout the presentation. Kiley Komro reminded subcommittee members that Andy Jones joined as a guest to discuss the system and how it is trained and is not present to support one system over another as a matter of policy.

Subcommittee Member Everett Mitchell inquired as to the source of the case law referenced throughout the presentation. Andy Jones noted that he did not know the answer as to why

certain cases were selected over others. The curriculum is defined, he and other instructors deliver it. In response to other subcommittee member questions, Jones provided additional information comparing POSC to Mandt according to the information available. The systems both focus on verbal skills and aim to gain voluntary compliance before resorting to physical intervention. Jones was not able to evaluate differences in physical tactics as Mandt strategies are not publicly available. Jones reiterated that POSC focuses more on the relative size and physical capacity of the individual rather than the age. Commissioner Hermes indicated that Mandt is tailored to youth.

Commissioner Aidan Raney noted that the phrasing used in the slides such as “prison” and “threat” seems to be associated with adult corrections. Andy Jones responded that the curriculum is used for adult POSC training as well, and instructors adjust the phrasing and delivery for detention trainees to emphasize the differences of working with youth. Commissioner Raney stated that a system that emphasizes youth in need of support, struggling but still children may be more effective and influence staff viewpoints. Andy Jones also noted that for juvenile detention staff, trainees often have on the job experience at the time that they do POSC training, which gives staff an opportunity to see their home facility, learn how youth are treated and the dynamics of working with children, as opposed to adult jail academy where staff often go right to POSC training before any on the job time.

Commissioner Edjron Pearson noted that while curriculum is important, culture is critical. He encouraged subcommittee members to tour their local detention facilities and Dane County is an option to visit. Pearson noted that items such as facility cleanliness, whether youth are treated with respect, staff culture, quality of programming, and other items are clearly observable and regardless of the system used can give indicators as to how youth are treated at each facility.

Commissioner Ron Hermes emphasized that one of the unique characteristics of Mandt is that it was designed for use with youth, whereas POSC is used and designed for adults. This results in philosophy and fundamental differences in communication and understanding the population being served.

Subcommittee Member Greg Bucholtz highlighted the differences between adult and youth design in the systems, and asked DOJ staff person Shelly Sandry whether DOJ is looking into the Mandt system as an alternative for youth facilities. Sandry stated that DOJ is planning on looking at multiple different options and considering cost of training, number of trainers available, curriculum approvals, and other factors. It is possible that updates may involve multiple systems, but the process has not started yet. This shift is something that DOJ Training

and Standards has looked at previously, noting that there is a recognition that curriculum tailored to youth may be more appropriate.

Commissioner Leslie Chapin highlighted some of the differences she observed from the presentations and based on her professional experience, including the types of physical interventions/strikes that are trained, verbal de-escalation processes, connection to understanding the crisis cycle, and more.

Commissioner Dana Brown noted that the Mandt presentation contained information about staff injury/assault and worker's compensation, this data for sites that use POSC may be useful as well.

Three-Year Plan PLC Goals and Objectives

Kiley Komro reviewed the goals and objectives information. There were no questions or concerns.

Commissioner Aidan Raney made a motion to approve the goals and objectives as written and seconded by Commissioner Sharlen Moore.

Motion approved.

The vote was: 16 Ayes, 0 No

Public Comment

There was no public comment.

Announcements

Commissioner Hermes reported there is a project out for bid for construction of the Milwaukee Type 1 facility, the bid process closes on May 8, 2024. There may be a further update for the full GJJC commission meeting on May 14, 2024.

Commissioner Hermes noted that DOC 376 was reviewed and discussed at a senate hearing and will be reviewed in front of the assembly next week. This section of code contains information related to the use of confinement, strip searches, mechanical restraints, and other areas of focus. DOC – DJC will also be undergoing the same process to update administrative code related to the consent decree and behavioral motivation system.

Subcommittee Member Greg Bucholtz noted that Commissioner Sharlen Moore was recently elected to the Milwaukee Common Council as the District 10 representative. Bucholtz and others offered congratulations to Commissioner Moore.

2024 PLC Subcommittee Meetings

- June 25, 2024
- October 22, 2024

2024 GJJC Quarterly Meetings

- May 14, 2024
- August 13, 2024
- November 12, 2024

Motion to Adjourn

Motion was made by Commissioner Aidan Raney and seconded by Commissioner Leslie Chapin to adjourn the meeting.

Motion approved.

The vote was: 16 Ayes, 0 No