

# Governor's Juvenile Justice Commission

## Policy, Legislation, and Compliance Subcommittee

### Meeting Minutes

Tuesday, October 22, 2024, 12:00 p.m. – 1:30 p.m.

Virtual Meeting

Co-Chairs: Commissioner Diane Rondini and Commissioner Carl Ashley

Subcommittee	Commissioner Dana Brown, Commissioner Ben Gonring,
Members Present:	Commissioner Meaghan Henry, Commissioner Diane Rondini, Greg Bucholtz, Kyle Peaden, Commissioner Lance Horozewski, Commissioner Dorinthia Robinson
Subcommittee	Commissioner Evelyn Coker, Judge Everett Mitchell, Commissioner
Members Not Present:	Carl Ashley, Commissioner Lesley Baird Chapin, Commissioner Aidan Raney, Commissioner Andrew Miller
Wisconsin DOJ Staff:	Kiley Komro, Sabrina Gentile, Matt Allord, Jessica Reindl, Lara Kenny

### Convene

The Policy, Legislation, and Compliance Subcommittee convened at 12:03 p.m.

### Chair's Welcome and Roll Call

Co-Chair Diane Rondini welcomed subcommittee members to the meeting. Co-Chair Rondini introduced new subcommittee member, Commissioner Lance Horozewski. Roll call and attendee introductions were completed. Quorum was not present.

### DOJ Updates

Compliance – Matt Allord reported DOJ is starting Juvenile Justice and Delinquency Prevention Act (JJDPa) compliance audits covering the data period of 10/1/23 to 9/30/24. The JJDPa Annual Survey has been distributed to all facilities throughout the state of Wisconsin asking that sites report any youth under the age of 17 securely detained or confined during the reporting period. Compliance staff will do 50 – 60 audits and record reviews. Audits will be done at secure facilities and due to increased staffing capabilities will also include audits of self-reported nonsecure facilities, to ensure they meet the federal definition of nonsecure. Audits are done every 3 years for secure facilities.

Compliance monitor Jeff Sauer will not be doing audit visits this year. Sauer is a DOJ Limited Term Employee and is busy with his other part time employment and wants to spend more time with family. Sauer hopes to return sometime in 2025. Presently, all JJDPa audits will be completed by Matt Allord and Jessica Reindl.

Legislation – Sabrina Gentile reported the Legislative Council Study Committee on Emergency Detention and Civil Commitment of Minors had a hearing on September 25, 2024. At this hearing the study committee heard testimony from about 16 invited speakers and groups. The next hearing is October 30, 2025.

### **DOC Administrative Code Updates**

Subcommittee member Greg Bucholz reported a public hearing was held on DOC 346 Secure Detention for Juveniles. There was no testimony received at the hearing.

Bucholz reported the Office of Detention Facilities staff will meet to discuss the Legislative Council suggested changes for the rule.

Commissioner Lance Horozewski reported DOC 376, Security in Type 1 Secured Correctional Facilities, is under passive review and DOC will have more to report in about a month.

Bucholtz reported the Racine County Secure Residential Care Centers for Children and Youth (SRYCCY) has scheduled an open house on January 15, 2025.

### **Type 1 Facility Commitment Statute**

Co-Chair Rondini opened discussion on the Type 1 Facility Commitment Statute. Co-Chair Rondini gave background information and a brief update, including that 2017 Act 185 envisioned that Lincoln Hills and Copper Lake Schools would be closed/converted to an adult facility and regional SRCCCY facilities would be open and in use. There is uncertainty at this time surrounding when Lincoln Hills and Copper Lake will close, whether the Type 1 and SRCCCYs currently under construction will have enough bed space, and whether additional SRCCCYs will be opened in the future, to cover areas outside Southeast Wisconsin.

Commissioner Gonring provided feedback, noting that he hesitates to take action that may make ordering youth to Type 1 secure confinement easier or more common. Commissioner Gonring also noted that the current statutory structure has clear problems, including ordering a youth to a nonexistent facility and then changing placement. Gonring reported that in his experience the Change of Placement to Type 1 does not delay the proceedings, as his clients normally do not elect to wait for a separate hearing. Commissioner Gonring noted that if the statute is not fixed and parties/courts do not feel comfortable ordering youth to Type 1 facilities, this may result in an increase in waivers to adult court, which would be an even larger concern. Overall, Commissioner Gonring noted a larger concern with the lack of a completed Act 185 vision, including closure of Lincoln Hills/Copper Lake and geographically diverse, regionalized SRCCCYs.

Judge Jane Carroll, Milwaukee County Circuit Court, attended the meeting to provide more information. Judge Carroll noted some of the same background and concerns as previous speakers, including the requirement that courts order youth to a placement that does not exist. Judge Carroll noted that in Milwaukee courts wait 3 days between dispositional hearings and change of placement hearings, to give DOC an opportunity to object to the placement, as is required under the statute. Judge Carroll noted a concern that the vision of Act 185 needs to be clarified and if goals remain the same as when the law was enacted, then the reforms need to be supported via fiscal and legislative support. This may include examining potential changes to the daily facility rates, youth aids support, formulas used, and more. Judge Carroll also noted a desire to explore why a youth cannot be directly ordered to Mendota Juvenile Treatment Center (MJTC), as the youth currently must be admitted to Lincoln Hills School first. Judge Carroll also noted an increase in waivers to adult court in the Milwaukee area and summarized that while the statutory structure presents an issue, there are also larger concerns in other youth justice spaces.

Greg Bucholz expressed a concern that even when all facilities are completed in Southeast Wisconsin there will not be enough SRCCY or Type 1 facility beds to accommodate statewide needs.

Commission Horozewski summarized his agreement with many of the previously noted concerns, including that Act 185 envisioned regionalized SRCCYs, MJTC as a fully operational facility, and the closure of Lincoln Hills and Copper Lake Schools, which is needed. The lack of progress towards this vision is a concern. Commission Horozewski also noted that to address the bed space concern, another Type 1 facility will be needed.

Commissioner Brown noted agreement with all the discussed points and expressed support for proceeding with a draft of what new Type 1 statutory language would look like.

Commissioner Horozewski stated he would be willing to assist in developing draft statutory language. Matt Allord will coordinate with Commissioner Horozewski and Commissioner Andy Miller to come up with draft language to present at a future meeting.

Commissioner Andrew Miller and Subcommittee member Everett Mitchell brought this to the Subcommittee's attention at previous meetings. Commissioner Miller and Subcommittee Mitchell were not present at today's meeting. The Subcommittee will continue to discuss if any legislative recommendations may be considered by the Subcommittee.

During the discussion, additional subcommittee members joined the meeting and quorum was achieved.

Co-Chair Rondini requested a motion to approve the July 25, 2024, Policy, Legislation, and Compliance Subcommittee Meeting Minutes.

**Motion to Approve June 25, 2024, PLC Subcommittee Meeting Minutes**

Motion was made by Commissioner Lance Horozewski and seconded by Commissioner Dana Brown to approve the June 25, 2024, Policy, Legislation, and Compliance Subcommittee Meeting Minutes.

Motion approved.

The vote was: 8 Ayes, 0 No

**Public Comment**

There was no public comment.

**Announcements**

Commissioner Horozewski reported DOC and the Department of Public Instruction received a \$10 million over five years Disability Innovation Grant from the US Department of Education.

Matt Allord reported DOJ received a federal Youth Crisis Stabilization and Reentry discretionary grant. The program aims to fill gaps in Juvenile Detention Centers mental health and substance use disorder assessment, treatment, and reentry services.

The program aims to increase the availability of treatment for these disorders within facilities and for youth reentering the community.

**2024 GJJC Quarterly Meetings**

- November 12, 2024

**Motion to Adjourn**

Motion was made by Commissioner Ben Gonring and seconded by Commissioner Lance Horozewski to adjourn the meeting.

Motion approved.

The vote was: 8 Ayes, 0 No