

Governor’s Juvenile Justice Commission

Policy, Legislation, and Compliance Subcommittee

Meeting Minutes

Tuesday, January 28, 2025, 12:00 p.m. – 1:30 p.m.

Virtual Meeting

Co-Chairs: Commissioner Diane Rondini and Commissioner Carl Ashley

Subcommittee	Commissioner Ben Gonring, Commissioner Meaghan Henry,
Members Present:	Commissioner Diane Rondini, Greg Bucholtz, Kim Jenkins, Commissioner Lance Horozewski, Commissioner Dorinthia Robinson, Commissioner Carl Ashley, Commissioner Lesley Baird Chapin, Commissioner Aidan Raney, Commissioner Andrew Miller
Subcommittee	Commissioner Evelyn Coker, Judge Everett Mitchell, Commissioner
Members Not Present:	Dana Brown
Wisconsin DOJ Staff:	Kiley Komro, Sabrina Gentile, Matt Allord, Lara Kenny, Mark Rather, Steve Wagner
Other Agency Staff:	Carlton Frost (DCF)

Convene

The Policy, Legislation, and Compliance Subcommittee convened at 12:01 p.m.

Chair’s Welcome and Roll Call

Co-Chair Diane Rondini welcomed subcommittee members to the meeting. Co-Chair Rondini confirmed quorum with DOJ Staff. Co-Chair Rondini acknowledged a full agenda and asked DOJ Staff for the DOJ updates.

DOJ Updates

Compliance – Matt Allord reported the Juvenile Justice and Delinquency Prevention Act (JJDP Act) compliance audits should be completed in about two to three weeks. Once the audits are completed, staff will consolidate the data that was collected.

The Office of Juvenile Justice and Delinquency Prevention released the FY 2024 compliance standards. These standards will be applied to compliance monitoring reports submitted by Wisconsin for the FY 2024 reporting period and used to calculate determinations of compliance with Section 223(a)(11), (11)(b), (12), and (13) of the Juvenile Justice and Delinquency Prevention (JJDP) Act, as amended. Determinations of states compliance in FY 2024 will be used, in part, to establish Title II Formula Grant Program funding level allocations for each state in FY 2025.

Pursuant to 28 CFR § 31.303(f)(6), FY 2023 compliance standards were calculated by taking the average of participating states' FY 2022 and FY 2023 compliance monitoring rates for the deinstitutionalization of status offenders (DSO), 223 (a)(11)(b) removal of juveniles from adult jails and lock ups, separation, and jail removal core requirements (removing, when applicable, the largest outlier per each requirement) and multiplying the adjusted standard deviation by no less than one.

In accordance with this methodology, the FY 2024 compliance numerical thresholds have been established as follows:

- A rate of 3.23 per 100,000 juvenile population for Section 223(a)(11) of the JJDP Act (the DSO requirement) *(FY2023 3.08)*
- A rate of 14.68 per 100,000 juvenile population for Section 223(a)(11)(b) of the JJDP Act (the removal of juveniles from adult jails and lock ups) *(FY2023 N/A)*
- A rate of .16 per 100,000 juvenile population for Section 223(a)(12) of the JJDP Act (the separation requirement) *(FY2023 .66)*
- A rate of 15.13 per 100,000 juvenile population for Section 223(a)(13) of the JJDP Act (the jail removal requirement) *(FY2023 8.81)*

States reporting a rate at or below a given standard will be determined to be in compliance with that core requirement. States reporting a rate that exceeds a particular standard will be determined to be out of compliance with that core requirement. Pursuant to Section 223(c)(1) of the JJDP Act, the Title II FY 2024 Formula Grant allocation for a state will be reduced by 20 percent for each core requirement with which it fails to comply.

Legislation – Sabrina Gentile used a PowerPoint with her legislative presentation. She reported the 2025 – 2027 Legislative Session has begun. The State Assembly has 54 Republicans and 45 Democrats. The State Senate has 18 Republicans and 15 Democrats. The Senate has four new members and the are all Democrats. The Assembly has 30 new members. The new members are 23 Democrats and seven Republicans. Gentile shared a link that has biographies for the new members: <https://www.hamilton-consulting.com/new-members/>.

Gentile reported DOJ will be following the Assembly Corrections, Assembly Criminal Justice and Public Safety, Assembly Judiciary, Assembly Mental Health and Substance Abuse Prevention, Senate Judiciary and Public Safety, and the Senate Mental Health, Substance Abuse Prevention, Children and Families standing legislative committees.

The Legislative Council Study Committee on Emergency Detention and Civil Commitment of Minors final meeting was on December 18, 2024.

The Legislative Council staff distributed meeting minutes and asked committee members to send any corrections regarding minutes to the Legislative Council staff. After the incorporation of any corrections, these minutes will be considered approved by the committee. The study committee is considering six bill drafts. Gentile expects the committee will use a paper ballot to make recommendations on the bill drafts. Gentile encouraged the subcommittee to review bill drafts and testimony on the study committee website:

<https://docs.legis.wisconsin.gov/misc/lc/study/2024/2698>.

Federal Grants Update – Allord reported Wisconsin DOJ is reviewing current statements by the Federal Office of Management and Budget regarding the pausing or impoundment of all federal grants and loans. Allord will update as more information is gathered.

Grants – Kiley Komro reported there is one competitive grant posted – JJ Formula: School-Based Restorative Justice Programs. This funding opportunity aims to improve youth's school connectedness, reduce formal justice system involvement for school-related incidents, and reduce ethnic and racial disparities in school discipline and referrals. The funding will support school districts in reducing the use of exclusionary school discipline practices; reduce future harmful, disruptive, or delinquent behavior of students; and support accountability and reintegration of students into their classrooms and schools. Applications are due at end of day on January 31, 2025. Eligible applicants are public school districts. \$200,000 is available for two awards of up to \$100,000 each.

Motion to Approve October 22, 2024, PLC Subcommittee Meeting Minutes

One amendment was made to correct a typo in the draft minutes. Motion was made by Commissioner Carl Ashley and seconded by Commissioner Lance Horozewski to approve as amended the October 22, 2024, Policy, Legislation, and Compliance Subcommittee Meeting Minutes.

The motion passed on a voice vote.

OJJDP Guidance Memo – Definition of Adult Inmate

Allord used a power point and previously distributed documents regarding the adult inmate definition of the JJDP. Allord summarized that Wisconsin appears to be in compliance with all aspects of the sight and sound separation requirement involving adult inmates, with one question regarding Type 1 youth of a certain age pending with OJJDP. Updates will be given as DOJ receives them.

Allord responded to the Subcommittee's questions regarding decision making and discretion for placements of "swing youth," statutes governing dual-commitments, and offenses that automatically waive youth into the adult system.

Type 1 Facility Commitment Statute

Allord discussed a previously written and shared summary drafted by Commissioner Andy Miller. Commissioner Andy Miller, Commissioner Lance Horozewski and DOJ staff Matt Allord convened a small work group to review the statutory language for ordering youth to a Type 1 facility. The recommendations from Commissioners Miller and Horozewski were:

938.34(4m) – revert to previous statutory language that referenced placing a youth in a secured residential care center for children and youth OR a type 1 juvenile correctional facility.

938.357(3) – eliminate subsections (a) and (b) that include details about a required change of placement hearing, DOC opportunity to object to placement, and other findings required to order placement in a Type 1 facility.

Other – at a later date, if this is pursued further, finalize technical and language fixes needed in other areas of the statute that result from these changes (cross references, etc.)

The subcommittee discussed the potential process for recommending change and Commissioners gave their input.

Commissioner Gonring noted a continued desire to work towards meeting the original goals and philosophical foundation of Act 185, including closing Lincoln Hills and Copper Lake and moving towards local SRCCCYs. He noted that he would not be able to support changes to statutory language that made it easier to order a youth to a Type 1 facility, especially those that the statute did not contemplate would exist anymore.

After discussion, it was decided that the proposed changes would be sent for review within the various agencies impacted by a potential change such as DOC, DHS, DCF, the Governor's Office, etc. Once more information is available, the topic will be discussed on a future agenda.

DOC Administrative Code Updates

Commissioner Lance Horozewski reported DOC 376, Security in Type 1 Secured Correctional Facilities, and DOC 373, Youth Conduct in Type 1 Secured Correctional Facilities are in final draft form. Both updates fulfill recommendations in the consent decree for Lincoln Hills School.

Subcommittee member Greg Bucholz reported DOC 346 Secure Detention Facilities has been referred to the Senate Judiciary and Public Safety Committee in final draft form.

Subcommittee members asked questions regarding the updates.

Public Comment

There was no public comment.

2025 PLC Subcommittee Virtual Meetings: 12:00-1:30PM

- March 25, 2025
- April 22, 2025
- June 24, 2025
- October 28, 2025

2025 GJJC Quarterly Meetings: 9:00AM-12:00PM

- February 11, 2025 (virtual)
- May 13, 2025 (in person)
- August 12, 2025 (virtual)
- November 11, 2025 (virtual)

Motion to Adjourn

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

The motion passed on a voice vote.